

Housing Anti-Social Behaviour (ASB) Policy and Procedure

1. Overview / Policy Statement

- 1.1 South Oxfordshire and Vale of White Horse District Councils (the councils) are committed to preventing, identifying, and dealing with all types of Anti-Social Behaviour (ASB) and hate related behaviour and crimes.
- 1.2 ASB is defined in the UK as behaviour that causes or is likely to cause harassment, alarm, or distress, or is capable of causing nuisance or annoyance in residential contexts (Anti-Social Behaviour, Crime and Policing Act 2014; Anti-Social Behaviour Act 2003).
- 1.3 Everyone has the right to live peacefully in their own home. The councils will seek to prevent and tackle ASB effectively, sensitively, and swiftly. Where no ASB is found, findings will be explained to the complainant. Malicious or unreasonable complaints may result in either case closure or counteraction.

2. Objectives

- 2.1 The objectives are as follows:
 - Prevent ASB through early intervention and neighbourhood solutions
 - Take proportionate and appropriate action to address ASB
 - Work in partnership with other agencies, including the police
 - Ensure a consistent and fair approach to complaints
 - Use tools and powers available to local authorities to resolve issues

3. Scope

- 3.1 This policy applies to all housing accommodation provided by the councils and can include hotels and bed and breakfasts. It addresses:
 - ASB involving council tenants
 - Hate crime and safeguarding concerns
 - Support and enforcement measures
 - Graded response to incidents

4. Roles and Responsibilities for Delivery

- 4.1 The roles and responsibilities for delivery are as follows:

- Head of Service: Overall responsibility for policy implementation
- Housing Delivery manager: Responsible for the operational implementation of the policy
- Housing Compliance Team Leader: Daily oversight of ASB cases and staff
- Community Safety Team Leader: Strategic coordination and advice
- Property and Tenancy Officers: Initial case response and recordkeeping
- All staff: Compliance with policy, recordkeeping and safeguarding responsibilities

5. Relevant Legislation

5.1 The relevant legislation is as follows:

- Anti-social Behaviour, Crime and Policing Act 2014
- Antisocial Behaviour Act 2003
- Crime and Disorder Act 1998
- Housing Act 1996 and 1985
- Protection from Eviction Act 1977
- Regulation of Investigatory Powers Act 2000 (RIPA)

6. Relevant Policy and Procedure

6.1 The relevant local authority policy and procedures are listed below:

- The councils' Domestic Abuse Policy
- The councils' Safeguarding Policy (children, young people, vulnerable adults)
- Oxfordshire Safeguarding Adults Board (OSAB) Self-Neglect and Hoarding Policy
- The councils' Equality, Diversity and Inclusion Policy
- The councils' Data Protection policy

6.2 The relevant health and safety policy and codes for the councils will also apply to this policy. This includes, but is not restricted to:

- First Aid
- Violence and Aggression at Work
- Workplace Safety
- Incident Reporting and Investigation

7. Policy and Procedure

Unwelcome Behaviour

7.1 Behaviour that is annoying but not malicious or persistent is generally not considered ASB. Examples include:

- Household noise
- Poor parking
- Children playing
- Lifestyle differences

Criminal Acts

- 7.2 The councils do not have powers to enforce criminal law but will liaise with police and may additionally use civil remedies where criminal acts breach tenancy conditions (e.g. drug offences, violence).
- 7.3 Cases involving criminal activity will be handled on a case-by-case basis by engaging with Thames Valley police where appropriate and subject matter experts within the councils. All actions taken in response to criminal behaviour will be fully compliant with our statutory obligations and internal standards.

Hoarding

- 7.4 Treated primarily as a safeguarding issue. Responses include risk assessment, referral to support services, multi-agency cooperation, and sensitive interventions.

Miscellaneous Issues

- 7.5 Miscellaneous issues (e.g. subletting or tenancy breaches) linked to ASB will be investigated by the Housing Compliance team.

Case Grading

- 7.6 Cases will be graded on the following scale:
- Grade One: Serious threats, violence, hate crime
 - Grade Two: Targeted, continuous intimidation or damage
 - Grade Three: Nuisance through carelessness or incivility
 - Grade Four: No breach or council powers to act

Target Times and Responses

- 7.7 The councils aim to respond to complaints within three working days.
- 7.8 The councils will create action plans for serious cases.
- 7.9 Complainants will be assigned a named officer, and their confidentiality will be respected.

One-on-One Complaints

- 7.10 Cases with allegations and counter-allegations may be referred to mediation or closed if no resolution is possible.

Community-Wide Complaints

- 7.11 The councils may work with residents, tenants' associations, and partner agencies on community-based ASB strategies.

Tenant and Licensee Obligations

- 7.12 Tenancy agreements outline obligations to avoid ASB and hate crime. Enforcement action may follow breaches.

Evidence Gathering

- 7.13 Evidence gathering may include:
- Victim statements
 - Community harm statements
 - Incident diaries and Noise App
 - CCTV (with RIPA authorisation)
 - Photographs and letter drops

Reporting Process

- 7.14 Reports can be made via multiple channels and will be logged on Abritas or other systems. Anonymous reports will be assessed based on evidence. Available tools for addressing ASB include:
- Mediation
 - Restorative approaches
 - Acceptable Behaviour Contracts
 - ASB injunctions, possession proceedings
 - Community Protection Notices
 - Community Triggers
- 7.15 All data pertaining to ASB reports and investigations will be stored and managed in line with statutory data protection requirements, as outlined in the councils' data protection policy.

Enforcement

- 7.16 Legal action will only follow where proportionate and necessary. Possession is a last resort. Warning letters and safeguarding checks precede court action.

8. Employment Contractual Status

- 8.1 This policy does not form part of the contract of employment for South Oxfordshire District Council or the Vale of White Horse District Council.

9. Communication and Contact Information

- 9.1 For further information about this policy, please contact the Housing team on email: tenants@southandvale.gov.uk or telephone 01235 422422.

10. Alternative Formats

- 10.1 Please do not hesitate to contact a member of the Housing team if you would like this policy in an alternative format, via email: tenants@southandvale.gov.uk or telephone 01235 422422.

11. Definitions

11.1 Definitions are as follows:

- ASB: Anti-Social Behaviour
- RIPA: Regulation of Investigatory Powers Act
- CBO: Criminal Behaviour Order
- CCTV: Closed Circuit Television
- OSAB: Oxfordshire Safeguarding Adults Board

12. Change Record

| Change Record | |
|----------------|--|
| Policy title | Housing Anti-Social Behaviour (ASB) Policy and Procedure |
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