



J49 LTD

# ANTI SOCIAL BEHAVIOUR POLICY

**Prepared by:**

ADMIN

**Period:**

2024

**Department:**

ADMIN



# Introduction

## Introduction

J49 is committed to safeguarding and promoting the welfare of vulnerable individuals residing in our social housing properties. This policy outlines our approach to safeguarding in compliance with relevant legislation and best practices.

# 1. Purpose and Scope

1. This policy outlines J49’s approach to tackling anti-social behaviour (ASB). It applies to residents across all tenure types, J49 staff and contractors.
2. As a social landlord we recognise how disruptive ASB can be on individuals, neighbourhoods and communities. Our aim is to prevent ASB from occurring without causing the loss of tenancies.
3. In our response to ASB we will be proportionate when considering the amount of harm caused and will adopt a victim centred and risk based approach, working in partnership with other agencies.
4. This policy only covers ASB and should be read in conjunction with the ASB procedure. Harassment, Hate crime and Domestic Abuse are dealt with in separate policies.

# 2. Definition

1. J49 will use the following definition of ASB from the ASB, Crime and Policing Act 2014:
2. “Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person. Conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises. Or conduct capable of causing housing-related nuisance or annoyance to any person”.

# 3. Examples of ASB

1. Not all behaviour that is reported will necessarily be considered ASB.
2. We expect tenants to show tolerance of their neighbours’ normal living activities. The table below provides guidance on what we broadly consider to be examples of ASB and what we do not consider to be ASB:

Examples of anti-social behaviour

Examples of behaviour we do not consider to be anti-social

---

Damage to property, fly tipping, littering, violence or threats of violence, abusive behaviour and abuse of staff, criminal activity and excessive noise

---

Children playing (unless in areas where this is not allowed), normal household sounds (cleaning, footsteps, door closing), smoke and cooking smells, DIY; a private one-off party or BBQ (having informed neighbours in advance), instrumental music practise during acceptable hours.

3. We accept that some of these activities where repeated or extreme could be considered to be ASB and each case will be assessed on its own merits.

## **4.Our approach to ASB**

- 1.We will adopt a positive attitude to reports of ASB, but will only take action if there is sufficient evidence. *Refer to 7 for further information.*
- 2.We will work in partnership with other agencies to support any actions they take.
- 3.We will not disclose the victim's name to the perpetrator without the victim's permission.
- 4.We will provide training and refresher training for our staff.

## **5.Prevention and early intervention**

- 1.We will engage in a range of preventative actions such as :
  - Considering the design of estates and accommodation
  - Conducting pre-tenancy work and on-going community building
  - Using the sign-up process and Good Neighbour Agreements
  - Carrying out estate improvements and community investment activities

## **6.Dealing with an ASB report**

1. We will accept reports of ASB through various means such as phone calls, letters, on line or conversations with J49 staff.
2. We will investigate reports of activities that may be ASB. Initial actions will take place between 1 to 10 working days of the first report, depending on the outcome of the risk assessment.
3. We aim to be transparent and clear with residents. We will develop agreed action plans with residents and provide regular feedback as per the action plans.
4. Where necessary and appropriate we will put residents in touch with Victim Support or other agencies that provide support, including the police.
5. In instances where residents agree to act as witnesses (i.e. in a court case) we will explore a range of support such as taxi arrangements and reimbursement of childcare costs.

## 7. Collecting evidence

1. Allegations of ASB are often disputed and before taking action we will; gather sufficient evidence. The table below outlines the type of evidence that we will be accept.

### Evidence

Incident logging	<p>Residents can report details of incidents on the J49 app. There will be a section to report ongoing incidents after an initial report has been made,</p> <p>If a resident is unable or unwilling to use the app, they will be supplied with diary sheets to complete and share with J49.</p>
Noise nuisance	Residents will be asked to download the Noise App, (providing they own a smart phone) which can record noise and identify the location of the recording.
Other evidence	<ul style="list-style-type: none"><li>•We will also review other records such as video and sound recordings or photographs made by residents.</li><li>•We may also investigate incidents by interviewing other residents or witnesses, by checking CCTV and by asking partner agencies for information.</li></ul>
1.Evidence provided by residents	
2.Evidence gathered from liaising with partners such as the police and local authorities.	
3.Other sources of evidence	

2. It may not be possible to take any formal enforcement action if there is a lack of sufficient and appropriate evidence.

## 8. Risk Assessment and categories of risk

1. We will carry out a risk assessment of the situation reported to us, so that any actions we take are proportionate and measured. This will include an assessment of the nature of the incidents being reported and their impact on the victim, taking into account any issues which make the victim particularly vulnerable.
2. A risk rating, starting from Category 1 (High Risk) to Category 3 (Low Risk cases) will determine what our response time will be. *See Appendix 1 - Risk rating for a detailed breakdown of response times for each category of risk.*
3. We will follow our Safeguarding Policy if there are safety concerns surrounding someone who is a person at risk. *Refer to the **Safeguarding policy** for J49's definition of a person at risk.*

## 9. What we expect from residents

1. We expect residents to work in partnership with us to resolve ASB.
2. We also expect residents to resolve any minor disputes with neighbours. Subject to a risk assessment, we may propose mediation with the perpetrator and victim of ASB.

## 10. Legal Measures

1. In many cases, other agencies may be better placed to take action to address ASB and we will work with them to support their action.
2. Having considered other measures, and providing there is sufficient evidence, we may take legal action as a last resort. Legal measures that we may take include, applying for injunctions, possession orders and mandatory possession orders using ground 7a of the Anti-Social Behaviour, Crime and Policing Act 2014.
3. We will adhere to the Coronavirus Act 2020, and any reviews of it.

## 11. **Communications**

1. We will regularly publicise our expectations of resident behaviour, how residents can get involved to improve their estates or areas, ways of reporting ASB and information about our policy, procedure and service standards.

## 12. **Legislation**

1. The following legislation is relevant to this policy:
  - Anti-social Behaviour, Crime and Policing Act 2014
  - The Coronavirus Act 2020 and any reviews of it.
  - Anti-social Behaviour Act 2003
  - Housing Acts (1985, 1988, 1996)

## **Appendix 1 - Risk rating**

<b>RISK RATING &amp; RESPONSE TIME</b>	<b>TYPE OF NUISANCE ( not exhaustive)</b>
<b>Cat 3 - LOW Risk Cases (5 – 10 Working days)</b>	Minor neighbour disputes, minor breaches of tenancy, some noise nuisance
<b>Cat 2 -MEDIUM Risk Cases (2 – 5 working days)</b>	Allegations of criminal activity, drug dealing, verbal abuse, youth nuisance, consistent/ repetitive noise nuisance
<b>Cat 1 - HIGH Risk Cases (24 hours – 1 working day)</b>	Threats of physical assault, serious intimidation or harassment, racial incidents, domestic violence, serious damage to J49's property



## **Conclusion**

This Safeguarding Policy reflects J49's commitment to ensuring the safety and well-being of vulnerable individuals within our social housing properties. By adhering to this policy and relevant legislation, we aim to create a supportive and protective environment for all residents.



J49