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## 4.

- 4.1. The Anti-Social Behaviour Crime and Policing Act 2014 defines anti-social behaviour as follows:
- (a) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
  - (b) Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
  - (c) Conduct capable of causing housing-related nuisance or annoyance to any person.

- 4.2. Section 8 (8) of the Housing Act 1996 218A defines anti-social behaviour as follows:

- (a) conduct that is capable of causing nuisance or annoyance to some person (who need not be a particular identified person) and that directly or indirectly relates to or affects the landlord's housing management functions, or
- (b) conduct that consists of or involves using or threatening to use housing accommodation owned or managed by the landlord for an unlawful purpose.

- 4.3. In practice, anti-social behaviour can cover a wide range of behaviours and activities that can have a detrimental effect on people's quality of life, and interfere with the peace, comfort, and enjoyment of their homes.

The following are examples of anti-social behaviour that the ASB team can help with:

Abuse, harassment, and intimidating behaviour

Hate crime – including racial abuse and harassment

Persistent noise nuisance (including but not limited to noise which may constitute a statutory noise nuisance)

Light nuisance e.g. security lights

Misuse of communal and common areas

Frequent bonfires and / or burning of prohibited materials

Animal related problems including dog barking and fouling

Drug use and drug dealing

Anti-social ball games

Intimidation from groups of people

Anti-social vehicle use

- 4.4. Anti-social behaviour does not extend to behaviour that may be perceived by others as unpleasant or inconsiderate but which in fact is largely due to a clash of lifestyles, is an infrequent occurrence, is unintended and can be remedied in other ways. The Council will record these types of complaints but will not usually investigate them.

Some examples of issues that we would not consider to be anti-social behaviour are as follows:





Allocate a caseworker who will listen to you, record your complaint and each report of anti-social behaviour you make, and find out what outcome you would like to see.

Carry out a risk assessment to ascertain what the impact of the alleged conduct is on you and your household

Where appropriate, we will encourage you to contact your neighbour to address the issue in the first instance

Offer appropriate advice and support to you

Take appropriate steps to investigate and address allegations in a swift and joined

Inform you if your behaviour could be in breach of your tenancy agreement, if we are considering legal enforcement action and what the result of this action might be for you. This may not be possible if your behaviour is very serious and has a significant impact on others or if the problem escalates quickly

## **10.**

- 10.1. We understand that experiencing or being accused of perpetrating anti-social behaviour can be very distressing. We will offer relevant support and advice to both complainants and alleged perpetrators of anti-social behaviour.
- 10.2. Support measures may include, as appropriate to the situation:
  - Installation of CCTV
  - Provision of, or support to access equipment to reduce noise transfer between properties.
  - Referrals to support agencies such as Victim Support and Crawley's Wellbeing Team.
  - Regular communication with the victim and perpetrators.
  - Referrals to, and liaison with, other agencies to support either party.
  - Translation, interpreting and alternative methods of recording incidents where required.
- 10.3. Where behaviour is continued and has a detrimental effect on others, and the perpetrator does not engage with support services, enforcement action may become necessary.
- 10.4. For issues to be resolved, it is important that all parties treat each other respectfully. Should comments or actions (spoken and in writing) become abusive or intimidating from any party, or towards our staff, we may take the decision to stop investigations until an atmosphere of safety is restored. Alternatively, we may consider legal action and reporting to the police.

## **11.**

- 11.1. The Regulator of Social Housing, under the Neighbourhood and Community Standard, requires registered housing providers to co-operate with relevant partners we



into diversional activities to prevent/stop involvement in anti-social behaviour within the Community.

- 11.4. Criminal matters should be reported to Sussex Police. If it is appropriate for the police to take responsibility for investigating an incident, we may work with them to support their investigation.

## **12.**

- 12.1. Victims of repeat anti-social behaviour have the right to request an Anti-Social Behaviour Case Review (formerly known as the community trigger) if they have reported incidents repeatedly and feel that either no action or inadequate action has been taken to address the problem.
- 12.2. The ASB case review can be used by the victim of ASB or any person acting on their behalf, such as a family member, friend, carer, councillor, MP or other professional person, if they have the victim's consent. This gives victims and communities the right to request a review of their case and bring agencies together to take a joined-up, problem solving approach to find a solution: it is not a complaints procedure.
- 12.3. The Council has a statutory duty to attend case review meetings together with the other relevant bodies. The Council also has a duty to publish their ASB Case Review Policy and data on ASB case review applications received annually. The Council will promote awareness of the ASB case review process and the relevant processes.

## **13.**

- 13.1. We are responsible for ensuring that customers are treated fairly and our investigation is proportionate and justified. If we believe that the complaints that you have made are false, we will consider taking appropriate action against you, which could include legal action against you and/or your tenancy.

- 13.2. Such behaviour might include:

making allegations which we discover are false.

complaining about someone in a 'vexatious' way, which might mean repeatedly making petty allegations.

repeatedly contacting us, whether by phone, email or in person, to make the same

- 14.2. Staff receive appropriate training in accordance with their role, especially with regard to legislation and dealing with potentially vulnerable people. This includes relevant refresher training and training as part of an induction schedule for new staff.
- 14.3. We monitor the quality of this service, via satisfaction surveys and performance indicators and take steps to improve service in response to customer feedback. Annually, we are required to report instances of anti-social behaviour and hate incidents in relation to the number of low cost rental dwellings we manage. We will use this information to benchmark against other organisations and to making improvements within our housing services.
- 15.1. Members of the community, our tenants and leaseholders and relevant agencies have been consulted in the development of this policy via our website, social media, survey and focus groups.
- 15.2. All policies have the agreement of Crawley Homes' Senior Management Team (SMT) and relevant Portfolio Holders)

## **16.**

- 16.1. We have a duty under the Equality Act 2010 to have due regard to the need to:
- a) Eliminate unlawful discrimination, harassment or victimisation.
  - b) Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it;
  - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 16.2. Protected Characteristics are age, disability, race/ethnicity, pregnancy and maternity, religion, sexual orientation, sex, gender reassignment and marriage/civil partnership.
- 16.3. An Equality Impact screening assessment on this policy has been completed. Our assessment indicates a likely positive impact on members of the community who hold a protected characteristic.
- 16.4. To mitigate against any negative impact on a person as a result of a protected characteristic, a specific Equalities Impact Assessment is also carried out on a casework basis before taking each legal enforcement step, for example where the perpetrator of the said action has or is suspected to have a protected characteristic that impacts their behaviour. When considering proportionality, the Council will consider whether other remedies would be more appropriate than taking enforcement action and are likely to resolve the problem in a different way.
- 16.5. All members of staff are expected to treat all persons involved

16.6. Managers are responsible for ensuring that this policy is fairly applied, with due regard to each person's individual circumstances and for adequate training for staff on equality issues.

17.1 If you feel that this policy has been applied incorrectly you can escalate this through the council's complaints policy [Complaints | Crawley GOV](#)

Email: [asb@crawley.gov.uk](mailto:asb@crawley.gov.uk) Call: 01293 438438

Website: [www.crawley.gov.uk/asb](http://www.crawley.gov.uk/asb)

Call: 07884 492324. Lines are open seven days a week 5.30pm-10pm.

Police emergency: 999

Police non-emergency: 101

Call: 01243 777100

Website: [www.westsussex.gov.uk](http://www.westsussex.gov.uk)

West Sussex Adults Carepoint 01293 642121

Email:

Independent domestic violence advisor service to support people affected by domestic abuse in West Sussex.

Worth Services, Urgent Treatment Centre West Green Drive Crawley, West Sussex RH11 7DH

Call: 01293 600300 ext. 3510

Contact WORTH:

Email [DomesticAbuseServicesCentral@westsussex.gov.uk](mailto:DomesticAbuseServicesCentral@westsussex.gov.uk)

Tel: 07834 968539 or 033 022 28181

Contact details on WSCC page

Website: [www.worthservices.org](http://www.worthservices.org)

Free, independent, confidential and impartial advice to everyone on their rights and responsibilities

The Orchard, 1-2 Gleneagles Court, Brighton Road Southgate, Crawley, West Sussex RH10 6AD

Call: 08444 111 444

Website: [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Local Advice Line number: 0844 4771171.

Website: [www.centraisussexcab.org.uk](http://www.centraisussexcab.org.uk)

<http://www.advicewestsussex.org.uk/>

0808 278 7969 Adviceline

Housing and homelessness charity provides free, confidential advice to people with all kinds of housing problems.

Call: 0344 515 1749 – doesn't look as though there is a local contact – not on website anyway

Housing Helpline number: 0808 800 4444

Website: [www.shelter.org.uk](http://www.shelter.org.uk)

Free and confidential specialist drug and alcohol treatment.

Call: 0330 128 1113

[www.changegrowlive](http://www.changegrowlive)

<https://www.changegrowlive.org/> - correct web address