



## INNISFREE HOUSING ASSOCIATION

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Antisocial Behaviour Policy

# ANTISOCIAL BEHAVIOUR POLICY

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# ANTISOCIAL BEHAVIOUR POLICY

## 1. INTRODUCTION

- 1.1. Innisfree Housing Association (Innisfree) is dedicated to creating safe and secure neighbourhoods for our tenants to enjoy their homes without unreasonable interference from others. We do this by taking a proactive and risk-based approach in dealing with the problems that antisocial behaviour (ASB) can cause in and around our properties and neighbourhoods. We understand that ASB affects individual people and wider communities in many ways and can have a detrimental effect on our home and work lives. Innisfree aims to ease ASB through early prevention and finding positive solutions for all people involved. The way we deal with reports of antisocial behaviour is set out in this policy.
- 1.2. Innisfree identifies with the definition of ASB as set out in S2 of the Anti-Social Behaviour, Crime & Policing Act 2014. It states that “anti-social behaviour” means:
  - (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.

## 2. OUR APPROACH

- 2.1 Antisocial behaviour can affect tenants, family members and the community in a number of ways. Innisfree is dedicated to supporting tenants and agencies to tackle ASB in a proactive and risk-based approach – we promote communication, neighbourhood engagement and early intervention.
- 2.2 Innisfree works within the guidelines of current legislation and aims to achieve best practice within the housing sector. We take into account recent relevant legislation such as the Anti-Social Behaviour, Crime and Policing Act 2014
- 2.3 Innisfree will consider the impact that antisocial behaviour is having on the victims, witnesses and the community and aim to take proportional response to ASB.

- 2.4 Innisfree believes that everyone has the right to enjoy a quiet and secure home environment without fear of intimidation or antisocial behaviour. We also believe that there must be tolerance and respect for the needs and beliefs of others regardless of their ethnicity, faith, age, gender, sexuality or their physical/mental health or disability. We believe that everyone has the right to their own chosen lifestyle as long as this does not negatively impact others quality of life.
- 2.5 This policy is designed to provide a framework to staff and tenants to help prevent ASB, utilise early intervention, and where necessary offer a toolkit of further enforcement where the antisocial behaviour needs further action.

### 3. WHAT IS ANTISOCIAL BEHAVIOUR?

3.1 Antisocial behaviour can be shown in many ways, but may include the following:

- **Physical violence or threats of violence** by a tenant, their family or visitors to the home
- **Domestic abuse** committed by the tenant, their family or visitors to the home
- **Harassment and intimidating behaviour** including verbal abuse, hate crimes such as racial, homophobic, and sexist behaviour, in line with our Hate Crime Policy.
- **Convictions for serious criminal activity** committed in the local area against neighbours or a staff member of Innisfree
- **Substance misuse**, cultivating, dealing or usage of illegal substances in the property or local area
- **Use of offensive weapons** such as firearms, replica guns, or anything made or adapted to be used as a weapon
- **Noise nuisance**, repeated and prolonged noise that is above lifestyle level, and that unreasonably interferes with others quiet enjoyment of their homes and neighbourhood
- **Loitering or misuse of communal areas** or public spaces, i.e., gathering in large groups that result in the harassment of tenants either through antisocial behaviour, or by creating an intimidating atmosphere.
- **Prostitution, sexual offences, or kerb crawling** in the property or the local area
- **Nuisance from vehicles** e.g. joyriding, drag racing, loud music, excessive noise, and nuisance vehicle repairs from tenants, their family, or visitors to the local area
- **Environmental antisocial behaviour** such as fly-tipping, graffiti, overgrown gardens, and abandoned vehicles

3.2 Types of behaviour that will not be investigated as antisocial include:

- **Noise from everyday living** such as opening and closing of doors or using stairs
- **Noise or disturbance from children** playing or babies crying
- **Smells from cooking**
- **Occasional social events in the home**, providing they do not cause a continuous disturbance
- **Minor personal conflict** such as 'dirty looks', personal dislikes, personal relationship breakdowns, or children falling out with each other
- **Placing rubbish outside on the incorrect day for collection**
- **Parking in the wrong parking** space or parking incorrectly
- **Disagreement over the use of communal spaces**

3.3 Disagreements between neighbours where there is no breach of tenancy lease or licence will generally not be considered an antisocial behaviour case. However, we may support tenants in this situation by offering mediation and other support to help resolve these issues amicably.

3.4 We will investigate all concerns for antisocial behaviour and endeavour to keep complainants up to date of our investigations. Where we have investigated and determined that the behaviour does not meet the criteria to be dealt with under this policy, the concerns will be investigated as a tenancy matter, outside of the Antisocial Behaviour Policy.

3.5 Innisfree make the distinction between the handling of antisocial behaviour and hate crime – how we investigate and tackle reports of hate crime, is outlined in our Hate Crime Policy.

## 4. POLICY AIMS

4.1 The aims of the policy are to:

- Take a holistic approach to preventing and ending antisocial behaviour in our homes and neighbourhoods. We focus on the prevention of ASB and the changing of negative behaviours of those involved.
- Demonstrate accountability, leadership and commitment
- Communicate clearly in an open and transparent way with all parties involved.
- Engage, empower, and reassure our tenants to understand what antisocial behaviour is, their rights in their home, and how to prevent ASB throughout their tenancy.
- Promote positive behaviour and encourage our tenants to have pride in their home and local areas.
- Ensure that Innisfree build and maintain strong relationships with external agencies to encourage a positive multi-agency approach towards ASB.
- Take a risk-based approach towards reports of antisocial behaviour, and employ meaningful early intervention and enforcement, so as to prevent tenants and the wider community from harm.
- Enable tenants to report concerns for ASB easily, and to keep complainants and perpetrators informed of case developments.
- Signpost tenants to external agencies for support where necessary and appropriate.
- Provide support to victims of antisocial behaviour.
- Provide support and training to staff to enable them to work confidently with tenants, and to provide them with a range of tools for intervention and enforcement.

## 5. HOW TO REPORT ANTISOCIAL BEHAVIOUR

- 5.1 Tenants that are experiencing or have witnessed antisocial behaviour in their neighbourhood can report their concerns to any member of staff in writing, by email, in person or over the phone.
- 5.2 We offer a supportive and safe environment for people who are suffering antisocial behaviour to report it. At the same time, staff are aware that there is likely to be a different account from the alleged perpetrator and will rely on evidence to make any decisions. We take into account tenants' vulnerabilities in the decision-making process and the action we take.

## 6. WHAT WE DO WHEN WE RECEIVE A REPORT OF ANTISOCIAL BEHAVIOUR

- 6.1 We believe that antisocial behaviour and crime is best deterred through well-managed neighbourhoods and early intervention. We feel that keeping our neighbourhoods well maintained and free of fly-tipping, vandalism, and abandoned vehicles, will give tenants a sense of pride in the local area and in turn have a positive reflection on levels of antisocial behaviour. We aim for staff and tenants to work together to take a proactive and shared approach to maintaining our neighbourhoods.
- 6.2 Innisfree focus on preventative action and believe that prompt decision making is necessary to solve issues of ASB quickly and effectively. We feel that prevention and early management of ASB is a shared responsibilities that Innisfree and tenants should both take responsibility for. We will support and encourage tenants to take personal responsibility and promote cooperation and communication between tenants to try and solve ASB concerns directly with their neighbours wherever possible and reasonable.
- 6.3 Mediation is an effective way of resolving neighbour disputes; the process helps neighbours to reach agreements. Mediation is a voluntary process and Innisfree may recommend this to improve communication between two parties. We will not advise mediation to be used if there has been a serious act of violence or criminal act.
- 6.4 In all our work together, Innisfree strives to communicate in a clear, open, transparent and non-judgmental way to all witnesses, victims and alleged perpetrators involved. In doing so we aim to build on the trust and confidence of our tenants to allow all to easily report concerns for antisocial behaviour.
- 6.5 Innisfree attends regular multi-agency meetings to maintain positive relationships with partnership agencies, to support victims and witnesses of ASB. We work with agencies such as the Police, Social Services, Community Safety Teams, GP's and other health workers, support workers, Probation Services, and Irish specific groups across various sectors. Where possible, we work towards helping perpetrators change their behaviour.
- 6.6 Where the gathering of evidence is necessary, we will support tenants to gather it in a way that will be useful should the antisocial behaviour continue, and enforcement action be considered. Gathering evidence may include the tenant keeping incident logs, recording noise on the Noise App, or engaging with other services such as Police or the Local Authority.
- 6.7 Where the responsibility and power to lead an investigation lies with another service such as Police or the Local Authority, we will support their investigation and take necessary supporting action. We will refer all crime, including threats or acts of violence, to the Police.

## 7. RESIDENT RESPONSIBILITIES

- 7.1 We encourage tenants to take steps to prevent antisocial behaviour by being aware of their surroundings and being socially responsible. We encourage residents to:
- Be polite and respectful to each other
  - Be mindful of others and consider the impact of their, their family and their visitor's behaviour on those around them
  - Be tolerant of different lifestyles and ways of living
  - Talk to their neighbours if they feel a problem is starting to arise
  - Try to find positive solutions and compromises, and allow reasonable time for neighbours to change their behaviour
  - Report incidents of antisocial behaviour to Innisfree in a timely manner

## 8. INNISFREE RESPONSIBILITIES

- 8.1 Innisfree understands and acknowledges the diversity our tenants, their families, and the wider community. We work closely with our tenants through home visits and community events to help us understand the different needs of our tenants across the boroughs and communities our homes are in.
- 8.2 All tenants have the right to quiet enjoyment of their homes and neighbourhoods. To promote peaceful living, Innisfree inspire tenants to take pride in their homes and the local community. Innisfree shares the responsibility of tackling antisocial behaviour by working with tenants to understand how best to identify and report ASB concerns.
- 8.3 Innisfree endeavors to stay in contact with witnesses and victims of ASB wherever possible; we will keep them up to date of our proposed actions and support them to keep accurate witness reports.
- 8.4 Innisfree will work with alleged perpetrators to help them change and manage their behaviour; they will normally be given time to change their behaviour before enforcement action takes place.
- 8.5 We will respond proportionately and appropriately to the concerns raised; we will do this through:
- **Early intervention**
  - **Preventative actions**
  - The use of risk **assessments**
  - **Providing support to witnesses** and victims of ASB
  - **Providing support to perpetrators** where there are vulnerabilities



- **Taking appropriate legal action** against perpetrators where necessary
- **Supporting third party agencies** to take legal action against perpetrators where necessary

## 9. PREVENTATIVE ACTIONS

9.1 Innisfree understand that preventing antisocial behaviour can be achieved in a number of ways across our service delivery, including through:

- **Clearly written communication** with tenants that explains our expectations for the way that tenants should behave. This is communicated through our tenancy agreements, good neighbour agreements, house rules (in shared houses), our service leaflets and on our website.
- **Tenancy management;** ensuring that all tenants understand their rights and responsibilities regarding antisocial behaviour.
- **Proactive neighbourhood management;** ensuring that Innisfree understand the varying needs of our tenants throughout the different boroughs. We stay up to date on the different needs of our tenants and the wider communities by undertaking regular home visits and event days.
- **Engaging with multi-agency working** to build and maintain relationships with partner agencies like Social Services, Police, mediation services and the Safer Neighbourhood Teams.
- **Property development;** we will look at ways of designing out crime on our new developments and will make improvements to our existing properties where possible. We will build all new properties to the appropriate standards and will consider the needs of the community when doing so, in line with our Development Strategy.

## 10. RISK-BASED APPROACH AND INVESTIGATIONS

- 10.1 Innisfree understands that each case needs to be investigated fully, and be risk assessed to ensure that any action taken is both proportionate and appropriate.
- 10.2 When investigating a report of ASB, we will listen actively to all parties involved in a bid to understand how the behaviour is affecting each individual and the community. All parties will be made aware of the lead staff member dealing with the case and how to contact them.
- 10.3 The case will be assessed to consider the severity and persistence of the perpetrators' behaviour and the impact on the witnesses, victims, and community. When assessed, the determined level of risk will establish the most appropriate response in order to protect all

parties from further harm. A clear action plan will be agreed upon and the responsibilities and timeframes of this will be shared with all parties.

- 10.4 A member of Innisfree staff will contact the person reporting a case of antisocial behaviour within one working day of the initial report, to discuss the concerns and arrange to complete a risk assessment.
- 10.5 All cases of antisocial behaviour will be reviewed regularly to assess the effectiveness of the actions being taken, and to ensure that the support being provided is in line with Innisfree's policies and procedures.
- 10.6 In cases where the investigation has determined that there is no antisocial behaviour taking place, the concerns raised may be addressed using other forms of tenancy management outside of this Policy. The witness/victims will be made aware of this, and the actions agreed.
- 10.7 Innisfree will support witnesses and victims of antisocial behaviour to report their concerns for ASB and will ensure that they understand the investigative process. We will provide them with a realistic understanding of the actions that can be considered and the timeframes for these actions. Innisfree signpost victims and witnesses to further support where required.
- 10.8 Innisfree will support perpetrators of ASB who are vulnerable by referring them to specialist external agencies where necessary. This may be to help them prevent or manage issues linked to the antisocial behaviour. Where we feel a perpetrator may have a disability or be vulnerable, we will complete a proportionality assessment to determine whether the ASB is a direct result of their disability or vulnerability before considering legal action.
- 10.9 Legal action may be taken against perpetrators if all reasonable attempts of intervention have been attempted and there has been no clear change in behaviour. Innisfree believe that eviction is the last action to be pursued but will be considered where other legal remedies have failed. For eviction to be considered there must be sufficient evidence of antisocial behaviour and evidence of substantial effect on victims/the community.  
Where appropriate, Innisfree may appoint solicitors or take support and advice from external agencies to aid our investigations and enforcement.
- 10.10 Where the antisocial behaviour has reduced, improved, or stopped the case will be closed and all parties will be made aware. Where appropriate Innisfree will seek the views of the witnesses or victims on how they feel the case has been handled in line with Innisfree's policy and procedures.
- 10.11 Cases may be reopened should new instances of antisocial behaviour be reported, or if new relevant evidence is provided.

- 10.12 Innisfree's ASB procedure provides a toolkit of preventative, non-legal and legal remedies to the Housing team. All team members will receive regular training and updates on how best to understand which actions are the most appropriate for different forms of ASB.

## 11. OUR SERVICE STANDARDS

- We will make it clear and easy for anyone to report ASB concerns.
- We will provide clear action plans and realistic timeframes for our ASB investigations to witnesses/victims.
- We will review all open ASB cases on a regular basis to ensure that the action plans are effective, proportionate and effective.
- We will keep our staff trained and provide regular training updates on how to respond to different types of antisocial behaviour.
- Home visits, tenant profile visits and engagement activities will be undertaken on a regular basis to help us understand the needs of tenants and tailor our service to suit their needs.
- Innisfree will remove offensive graffiti within 2 working days of it being reported to Innisfree.
- Estate inspections will be completed every 3 months to ensure we are providing a clean and safe environment
- We will publicise our performance annually.

## 12. DATA SHARING

- 12.1 All information will be stored in our Housing Management systems. All case notes, case files, and personal information will be kept confidential in line with the Data Protection Act 2018. We will adhere to the Data Protection Act and comply with General Data Protection Regulation for Sharing Personal Information to ensure that we maintain confidentiality of all parties.
- 12.2 We will share information with third parties where we have an information sharing protocol in place, if there are safeguarding concerns, or we have a duty to do so for the purpose of crime prevention under the provisions of the Crime and Disorder Act 1998, and the provisions of the Data Protection Act 2018 (and any other relevant legislation) justify it.

## 13. EQUALITY, DIVERSITY, AND INCLUSION

- 13.1 We are committed to embedding the 2010 Equality Act into our Policies and Procedures. As part of this commitment, staff should facilitate reasonable adjustments and adapt our standard policies and procedures wherever possible, in order to ensure every individual can report antisocial behaviour.
- 13.2 To make an adjustment means to change work practices to avoid or correct the disadvantage to a person with a disability. This may include:
- Allowing more time than we would usually for someone to provide information that we needed.
  - Providing specialist equipment or additional support such as a sign language interpreter.

## 14. CONSULTATION AND REVIEWING THIS POLICY

- 14.1 Innisfree will measure the success of this policy in a number of ways, including the use of regular surveys sent to tenants, and monitoring the number of ASB incidents reported.
- 14.2 All open ASB cases will be reviewed regularly by the Housing team and by the Operations Director to assess the effectiveness of the actions being taken in line with the Policy.
- 14.3 Once we close a case a survey will be sent to witnesses/victims where appropriate. The survey will help Innisfree measure resident satisfaction with our policies and procedures.
- 14.4 Innisfree will consult with tenants on this policy via our website and surveys sent.
- 14.5 We will publish our policy on our website and through our newsletter.



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