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# Anti-Social Behaviour (ASB) Policy 2025

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February 2025

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Housing Services

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Tenant Relationship Manager	Anti-Social Behaviour (ASB) Policy	Housing Services

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## 1 INTRODUCTION

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### 1.1 Purpose and scope

Stroud District Council recognise that Anti – Social Behaviour (ASB) can reduce the quality of life for tenants and have a detrimental impact on the lives of victims and the wider community. We recognise that people feeling safe in their own homes is important to how they feel about the community they live in.

Tackling anti-social behaviour (ASB) and nuisance is essential to achieving this outcome. We aim through this policy to prevent and reduce harm caused by ASB to individuals and communities.

## 2 PURPOSE OF THE ANTI -SOCIAL BEHAVIOUR POLICY

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### 2.1

The purpose of the policy fulfils a legal requirement for the Council to publish an anti-social behaviour (ASB) policy and supports the Council in its function as a landlord to provide effective housing management.

Stroud District Council aims to ensure that its Tenants, Leaseholders and Shared Owners live peacefully in their homes, sustained communities, and estates.

Stroud District Council will not tolerate antisocial behaviour by tenants, groups of tenants, members of their household or their visitors

This policy sets out:

- Our commitment to tackling antisocial behaviour.
- How we will work with partner organisations to deter and tackle ASB
- Adopts a zero tolerance towards Hate Incidents
- Enables Tenants to report ASB via the SDC Website, ASB App or via diary sheets.
- Details how we will keep tenants updated and informed.
- Provide appropriate action using the full range of tools and powers available.
- Support tenants who are affected by ASB

## 3 DEFINITION OF ANTI-SOCIAL BEHAVIOUR

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### 3.1

ASB is defined under the S105 of the Anti-Social Behaviour Crime & Police Act 2014 as:

- Conduct that has caused or is likely to cause, harassment, alarm, or distress to any person.
- Conduct capable of causing nuisance and annoyance to a person in relation to that person's occupation or residential premises.

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- Conduct capable of causing housing related nuisance or annoyance to a person.

Examples of anti – social behaviour can include but are not limited to:

- Threat to life
- Assault
- Hate Crime
- Safeguarding matters including child neglect.
- Drug dealing and or substance abuse.
- Noise
- Pets & Animal nuisance
- Fly tipping
- Graffiti
- Abusive behaviour
- Damage to property or communal areas

The above is not an exhaustive list of ASB behaviours.

Some behaviour may cause nuisance to individuals but may not be regarded as ASB.

Examples of these behaviours can include:

- Children Playing
- One off party
- Occasional noise or disturbance
- Occasional dog barking
- Noise caused by everyday living (for example vacuum cleaners or washing machines)

when considering whether a report of an action is ASB or not, we will take into consideration whether the action or behaviour is unreasonable, has escalated or is targeted.

The Stroud District Council tenancy agreement gives tenants clear guidance on expectations of behaviours.

When investigating a report of ASB, tenants will be required to provide evidence detailing what they have experienced. The standard of evidence provided will be considered when deciding on a course of action.

## **4 NEIGHBOUR DISPUTES**

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### **4.1**

Neighbour disputes will not be dealt with under the ASB policy in the first instance. The issues will be investigated, and mediation will be offered as a solution to both parties taking responsibility in finding a way forward. If the dispute escalates to abuse or threats, then this behaviour will be dealt with under the ASB policy.

## **5 HATE CRIME & INCIDENTS**

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### **5.1**

Stroud District Council has a zero-tolerance approach to hate crime. When hate incidents are reported SDC will investigate and working in partnership with the Police and Victim Support will take appropriate action.

## **6 ACCESS TO SERVICE**

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### **6.1**

We will always encourage tenants to speak to each other in the first instance of low level ASB.

If this is not an option or the ASB has not been resolved, then tenants can report ASB by:

- Completing our online form
- Phoning their Housing Officer on 01453 766321
- Phoning the Police on 101 (or 999 in an emergency)

Stroud District Council will work closely with the Police in many instances of ASB.

## **7 OUR PARTNERSHIP**

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### **7.1**

Stroud District Council is a member of the Stroud Community Safety Partnership which includes a key number of partners including The Council and the Police, all of which have a significant role to play and by working together we can develop safer and stronger communities.

## **8 ASB CASE REVIEW**

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### **8.1**

An ASB Case Review is a statutory requirement (ASB Crime & Policing Act 2014), designed to provide an opportunity for victims of ASB to have their case independently reviewed and this is managed by the OPCC.

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## 8.2

Victims can activate the ASB Case Review and instigate the Council's complaints procedure simultaneously.

To instigate the ASB Case Review, the complainant must:

- Have made three reports of ASB within 6 months.
- Have made five reports of ASB involving the same location, alleged perpetrator, or problem from more than one individual within 6 months.
- Made an application of ASB within a reasonable time allowing time for action to have been taken.

## 8.3

The ASB Case Review is an audit of anti-social behaviour and determines if SDC has followed their policies and procedures and put forward reasonable resolutions to resolve the ASB.

The ASB Case Review can be instigated by:

- Email: [asbcasereview@gloucestershire.police.uk](mailto:asbcasereview@gloucestershire.police.uk)
- Phone: 01452 754601
- Apply online at [www.gloucestershire-pcc.gov.uk](http://www.gloucestershire-pcc.gov.uk)

## 9 ACTIONS TAKEN WHEN ASB IS REPORTED.

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### 9.1

Following an initial report of ASB a Housing Officer will contact the victim to discuss evidence required and to develop an agreed action plan. We are unable to act without evidence and will therefore offer you either ASB diaries or the ASB App to collate the evidence.

We will keep the tenant up to date on actions taken whilst the case is being investigated. If evidence is not forthcoming, we will confirm that we are closing the case within 5 days of this decision being made. If you are unhappy with the decision to close the case, we will give you advice on how this can be reviewed, which could include an ASB case review.

## 10 MANAGING CASES AND ASSESSING RISK

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### 10.1

Assessing risk is an important part of case management. Whilst assessing the risk we will identify the impact the behaviour is having on the victim, whilst a detailed investigation is under way. The Housing Officer will complete a Risk Assessment and Action Plan at the beginning of the case and will offer a referral to Victim Support to ensure you are supported throughout the investigation.

## **11 EARLY INTERVENTION**

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### **11.1**

Dealing with ASB can be complex but most cases can be resolved through early interventions such as:

- Tenancy Support
- Mediation
- Target Hardening
- Informal Action
- Acceptable Behaviour Contract

### **11.2**

If early interventions fail and the behaviour continues to escalate then Legal action will be considered if it is proportionate to take further action.

## **12 SUPPORTING WITNESSES AND COMPLAINANTS**

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### **12.1**

The Council recognises the appropriate support given to witnesses and complainants is crucial to carrying out a high-quality investigation with the right outcome, which is to stop the ASB and where applicable, to learn from the experience.

To be able to do this the Council will:

- Assist and support in completing witness statements.
- Manage the ASB in line with its service standard and policy.
- Ensure witnesses and complainants are involved in managing the ASB.
- Keep the witnesses and complainants updated on the progress of their case.
- Arrange suitable support where required.
- Suitable support is given before and at court with any reasonable out of pocket expenses being reimbursed.
- Offer where appropriate practical measures to ensure the safety of the witnesses and complainants either within their home or other solutions.

Witnesses will be expected to provide witness statement(s) and attend any court hearing(s) to ensure a robust case is presented.

## **13 CASE RESOLUTION**

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### **13.1**

A case will be closed when:

- An investigation deems the actions not to be considered ASB.
- An Investigation has taken place but there is no evidence submitted.
- Early Intervention tools have been successful.

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## **14 VULNERABLE PEOPLE**

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### **14.1**

If a person is deemed vulnerable, interventions will be made as soon as possible to prevent further problems occurring. Every effort will be made to work with a vulnerable person, whether they are the victim or the alleged perpetrator. Stroud District Council complies with the Public Sector Equality Duty (PSED) and promotes equality and equity across its services. PSED will be applied when the victim or alleged perpetrator is vulnerable and appropriate support will be requested.

### **14.2**

Where the support cannot be applied by the Council, a multi-agency meeting will be organised to discuss the case with the relevant partnering agencies ensuring the outcome has the right level of support to be offered.

### **14.3**

Where support is rejected by either the victim or the perpetrator the ASB case will be reviewed to assess whether the case should be continued, or an alternative action or solution is required. It is important that the complainant or perpetrator provide the Council with honest and up to date information about their health and wellbeing to allow Tenant Services to offer the most appropriate support package.

## **15 STAFF**

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### **15.1**

SDC will not accept abusive behaviour or language against staff, Councillors or its contractors whilst investigating ASB. The appropriate action will be taken if this occurs

### **15.2**

In the management of ASB, SDC's staff will be appropriately trained to identify and investigate ASB reported cases; staff will be able to cope with sensitive and difficult circumstances. Staff dealing with ASB will continue to receive regular specialist training to assist them with the skills and knowledge required to effectively tackle ASB including safeguarding for both adults and children.

## **16 HOW WILL WE MEASURE SUCCESS?**

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### **16.1**

Satisfaction will be collected through a variety of ways including:

- Tenant Satisfaction Measures (TSM'S)
- Benchmarking against similar authorities
- Satisfaction Surveys on ASB cases when closed.

## **17 CONFIDENTIALITY**

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### **17.1**

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Any information supplied to SDC to assist in the investigation of ASB will be taken in confidence and will only be shared to the appropriate relevant parties.

## **17.2**

SDC recognises that some victims will want to remain anonymous. The complainant will always be advised on how the information or detail they have supplied will be used in resolving the ASB.

## **17.3**

There is a requirement for victims to cooperate with SDC to assist their investigation and any formal action taken supports a successful resolution.

## **18 DATA PROTECTION**

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### **18.1**

Housing Services will share relevant information with third parties for the purposes of preventing, investigating, and tackling anti-social behaviour. When sharing personal information, we will comply with all aspects of the GDPR and the DPA.

### **18.2**

Housing Services Privacy Notice can be found on the Council's website at <https://www.stroud.gov.uk/council-and-democracy/about-the-council/access-to-information/privacy-and-cookie-policy/privacy-notice> and the full legislation General Data Protection Regulation 2016, Data Protection Act 2018, Crime and Disorder

## 19. RELEVANT LEGISLATION

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- Anti-social Behaviour Act 2003
- Environmental Protection Act 1990
- Anti-Social Behaviour, Crime & Policing Act 2014
- Crime & Disorder Act 1998
- Data Protection Act 2003
- Data Protection Act (GDPR) 2016
- Equalities Act 2010
- Housing Acts 1985, 1996 and 2004 1983
- Human Rights Act 1998
- Mental Health Act 1983
- Care Act 2014
- Social Housing (Regulation) Act 2023
- Regulatory for Social Housing – Consumer Standards

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