HRA Anti-Social Behaviour Policy

Author:	Tenancy Services Manager
Owner:	Assistant Director Housing Management
Version No:	1.0
Date:	March 2023
Version No and date	2.0 March 2026

Approvals

Designation	Title	Date of Approval	Version
HLT	Anti-Social Behaviour Policy	July 2023	1.0
Portfolio Holder	Anti-Social Behaviour Policy	July 2023	1.0
HLT	Anti-Social Behaviour Policy	May 2026	2.0
HLT	Anti-Social Behaviour Policy	May 2026	2.0

Distribution:

Title	Date of Issue	Version
Cabinet	July 2023	1.0
Website	July 2023	1.0
MIKE	July 2023	1.0

Version Control:

Version No	Summary of changes made
2.0	Stronger focus on proactive work, risk, vulnerability and safeguarding Revised case categorisation and response standards Enhanced victim centred practice Clearer enforcement and escalation framework Stronger partnership and Multi agency working Improved Governance, Performance and Learning New Transparency for Residents

	Updated with Ombudsman and Regulator for Social Housing guidance and recommendations Three month case review introduced

Contents:

Approvals	**2**
Distribution	**2**
Policy Scope	**5**
Summary	**5**
Resident Expectations	**8**
Regulation	**9**
Policy Principles	**10**
Comments, Compliments, Complaints & Learning	**17**
Monitoring, Evaluation and Review	**19**

1. Policy Scope

This anti-social behaviour policy will embed further the corporate strategies that have been set and look to deliver on our second priority of providing high quality council homes and landlord services.

Melton Borough Council strives to create high quality living environments for our customers, and we recognise that, left unchallenged, anti-social behaviour (ASB) will have a detrimental effect on our customers lives, and the reputation of the neighbourhoods that we manage.

Melton Borough Council will take a robust stance against ASB and will work with our customers and partners to act quickly and decisively wherever possible. Our overriding principle is that victims must be protected from those who perpetrate ASB, and the Council is committed to reducing ASB in its communities.

We will adopt a 'risk based' approach to tackling ASB, ensuring that our customers' needs are met, and resources are deployed effectively to tackle the problems our customers are facing.

This updated policy strengthens our proactive approach, ensuring earlier identification of ASB patterns, improved neighbourhood presence, and enhanced communication in line with Ombudsman expectations.

We will ensure that the needs of complainants and witnesses are at the heart of what we do, and prioritised accordingly and we will be professional, courteous, and objective in the cases we manage and the actions we take.

2. Summary

2.1 Aims

The aims of our Anti-Social Behaviour Policy are:

- To ensure cases are dealt with sensitively and effectively with a victim-first approach, especially at times of personal grief and difficult circumstances.
- To ensure we make the best use of our housing stock.
- To provide a decision-making process that is consistent, clear, and fair.
- To ensure that all our processes and systems are inclusive.
- To ensure that we meet our statutory and regulatory responsibilities.
- To enable proactive neighbourhood management

- To enhance multi-agency working
- To provide a strong victim-centered practice

2.2 Scope

This policy applies to our tenants living in the following tenure types provided by Melton Borough Council.

- Secure Tenancy
- Introductory Tenancy
- Nonsecure Tenancy
- Flexible Tenancy
- Licence Agreements
- Leasehold

When considering housing management decisions and, where relevant, the letting of homes, we will have regard to the needs of the incoming household and the potential impact on the existing community, with the aim of sustaining tenancies and maintaining safe, cohesive neighbourhoods.

Domestic Abuse is not managed through this policy and is not to be treated as anti-social behaviour. Cases of domestic abused will be managed through the Domestic Abuse Policy and we will act against perpetrators who remain in our properties, in line with that policy and legal duties.

2.3 Definition of Anti Social Behaviour (ASB)

We will use the definition of ASB outlined in section 2 of the Anti-social Behaviour, Crime and Policing Act (2014) which states.

> (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

We recognise that ASB relates to the way it makes people feel, rather than a specific action. What one person believes to be as relatively low level, might be perceived by someone else to be extremely serious. Therefore, we will complete a risk assessment

and vulnerability assessment for every case to capture harm, protected characteristics and support needs.

We recognise hate incidents as a serious form of anti-social behaviour. We will treat reports of hate-related behaviour seriously, assess risk promptly, consider whether there is a need for urgent safeguarding or police involvement, record the nature of the incident and any protected characteristics relevant to the report, and agree proportionate action and support with the resident.

Types of behaviour we may consider to be ASB include (non exhaustive):

- Criminal behaviour
- Drug Related Activity (such as the possession or supply of illegal drugs)
- Using our properties for illegal or immoral purposes
- Verbal or Physical Abuse (including physical violence)
- Hate related incidents.
- Threatening behaviour.
- Rowdy or inconsiderate behaviour.
- Noise nuisance.
- Vandalism or Graffiti.
- Nuisance from Vehicles (such as revving engines or racing)
- Littering or fly tipping.
- Garden nuisance
- Misuse of communal areas

For the purposes of this policy, we have also listed types of behaviour that we may not consider to be ASB. These include:

- Neighbour disagreements (unless these have an impact on the wider community)
- Household noise, such as doors closing, noise from household appliances such as vacuums and washing machines (at reasonable times)
- Cooking smells
- DIY (during reasonable hours*[1])
- Noise from children playing (unless this includes verbal abuse or threatening behaviour towards others)
- Inconsiderate parking (unless this causes damage, blocks disabled or emergency access or presents a safety concern)
- Children falling out with each other.
- Noise from walking on laminate or concrete flooring
- Dogs barking (unless this is persistent, linked to [2] or at unreasonable hours**)
- Cat roaming or fouling
- People being unfriendly or giving you strange looks
- .One off Parties

[1] e.g. between 7:30am – 20:00. This is a guideline of what we would consider reasonable hours but cases will be judged on their own circumstances

[2] e.g between 22:00 – 07:00 but this is an example and a guideline for unreasonable hours

- Disputes on social media

This list is not exhaustive, and where we do not consider the matter to be ASB, we will provide appropriate advice to customers on how to resolve the matter themselves.

2.4 Reporting Anti Social behaviour

Residents can report anti-social behaviour in a range of ways, including by telephone, online, in writing, in person, or through a representative where appropriate. We will make reasonable adjustments where needed and can provide support with accessible communication, translation or interpretation, and alternative formats to help residents report concerns and stay engaged with their case.

When we receive reports of noise or neighbour nuisance, we will assess the nature, frequency, impact and source of the problem to decide the most appropriate response. This includes distinguishing between anti-social behaviour, everyday household noise, neighbour disputes, estate management issues, and problems that may be linked to building design, sound insulation, repairs or other housing management matters. We will also look at whether this is to be classed as statutory nuisance and investigated by Environmental Health. Where the issue does not meet the threshold for anti-social behaviour, we will explain why and direct the resident to the most appropriate route for support or action.

3.0 Resident Expectations

What you can expect from us: clear categorisation and timescales; regular updates per category ; a tailored action plan and risk assessment; trauma-informed communication; multi-agency coordination where needed; proportionate enforcement; meaningful apologies and remedies where we fall short.

You can report anti-social behaviour to us in a range of ways and we will make reasonable adjustments where needed so that reporting and communication are accessible. We will explain how your case will be handled, what evidence may help, and where another service or agency is better placed to act.

What we ask of you:

- report incidents with dates/times/locations;
- use incident diaries or recordings where safe;
- engage with mediation where appropriate;
- report criminal matters to the Police;
- tell us about vulnerabilities or reasonable adjustments you need and
- treat staff and neighbours with respect.

- If your report does not meet the ASB threshold, we will explain why, provide self-resolution advice, and signpost to the appropriate service (e.g., noise, mediation, Police).

3.1 Communication Standards

We will confirm receipt of your report, agree an action plan where appropriate, and keep you informed at the minimum frequencies set for your case category. As a minimum, we will provide updates weekly for high-risk cases, fortnightly for medium-risk cases and every four weeks for low-risk cases, unless a different frequency is agreed with you based on need and risk. We will explain what we can and cannot do, typical timescales, dependencies on partners, any delays with revised dates, and any reasonable adjustments agreed for communication.

The council will publish annual information for residents on anti-social behaviour performance, including case volumes, satisfaction measures, complaint learning and, where appropriate, information about case outcomes and service improvements.

4.0 Regulation and Legal Framework

In looking at the work we do we adhere to and consider the following legislation,

- Anti-Social Behaviour, Crime and Policing Act 2014
- Anti-Social Behaviour Act 2003
- Housing Act 1985
- Housing Act 1996
- Data Protection Act 2018 and UK General Data Protection Regulation
- Protection from Harassment Act 1997
- Equality Act 2010
- Human Rights Act 1998
- Local Government Act 1972
- Crime and Policing Act 2026
- Regulator of Social Housing Consumer Standards, including the Neighbourhood and Community Standard
- Housing Ombudsman Complaint Handling Code and relevant Ombudsman guidance on anti-social behaviour, noise and knowledge and information management
- ASB Statutory Guidance

4.1 Regulator for Social Housing

This policy supports compliance with the Regulator of Social Housing's consumer standards, including the Neighbourhood and Community Standard, and reflects the Housing Ombudsman's expectations for fair, effective, timely and resident-focused handling of anti-social behaviour. It sets out how we will work with relevant

organisations to deter and tackle anti-social behaviour and hate incidents, enable reports to be made easily, keep residents informed, provide prompt and appropriate action, and support residents affected by anti-social behaviour.

5.0 Policy Principles

5.1 Opening a Case

At case creation, we will complete vulnerability screening, record reasonable adjustments, identify safeguarding triggers, and consider temporary safety measures (e.g., target hardening, temporary decant) where risk indicates

We risk-assess all reports and place them into categories based on severity and risk to the complainant:

- **High (serious/urgent)** - a customer will be contacted within 2 working days of first contact
- **Medium (significant)** - a customer will be contacted within 4 working days of first contact
- **Low (lower-level)** - a customer will be contacted within 7 working days of first contact

We will offer a face-to-face or video meeting at case opening where appropriate and always create a risk assessment with the complainant. An action plan will be created where we feel this is appropriate.

5.2 Case Management

We will retain clear, accurate and contemporaneous records of all ASB cases for the purposes of evidence gathering, case management, safeguarding, monitoring, learning and quality assurance.

Case records will be kept electronically and updated promptly. They will include, where relevant, reports received, risk and vulnerability assessments, reasonable adjustments, safeguarding actions, contact with residents, evidence gathered, decisions taken, rationale for those decisions, actions agreed with partners, case reviews, outcomes and closure reasons.

All cases of ASB will be reviewed regularly by a senior officer to ensure compliance with policy and procedure, appropriate resident contact, progress against action plans, and that risk, vulnerability, safeguarding and enforcement decisions remain proportionate and up to date.

Where a case has been open for a period of three months a full case review will be carried out by a senior officer covering the points listed above.

Performance management and reporting will be monitored through corporate dashboards, management oversight and service review arrangements, including Tenant Satisfaction Measures on anti-social behaviour volume and handling satisfaction, complaints themes, Ombudsman findings, case review outcomes and learning actions.

After each review, we will send a brief update to the complainant summarising actions taken, evidence gathered, partners involved and next steps

5.3 Actions and Enforcement

To deal effectively with ASB the Council recognises that it is necessary to affect a long-term change in people's behaviour so that individuals can make alternative behavioural choices that are more acceptable to the communities within which they live.

The Council will take an uncompromising approach to the initiation of enforcement action for cases of ASB. However, the Council also recognises that behavioural change can be achieved in many other ways and will therefore explore all reasonable interventions that could bring about the desired change in behaviour and this will always be our initial focus whilst maintaining the right to take enforcement action, where appropriate.

As a landlord, the Council understands the importance of making our neighbourhoods safer places to live and the need to address anti-social behaviour as soon as we can.

5.4 The Tenancy Agreement & Tenancy Management

The Council's tenancy conditions clearly state tenant responsibility with regards to nuisance behaviour relating to the tenant, household members and any visitor(s) to the property. We will ensure that tenants are made aware of their responsibilities with regards to ASB at tenancy sign up and any subsequent visits.

At tenancy sign-up, and as part of ongoing tenancy management, we will provide clear information on tenancy conditions, anti-social behaviour, and how to be a good neighbour, including practical advice on consideration for neighbours, use of communal areas, noise, pets, waste disposal and how to raise concerns safely.

Tenancy management's focus with tenants of the council will focus on supporting changes in unacceptable behaviours. We will always aim to avoid homelessness and as such an incremental approach will be taken to tenancy enforcement in line with the Tenancy Agreement.

The Council will take an approach to dealing with ASB, which is proportionate and appropriate to the behaviour being produced or complained about and table one below outlines some of the main actions we will take.

While the Council will do all that it can to reasonably prevent ASB, at the same time it will take proportionate enforcement action and will do so at the same time as employing preventative measures if necessary.

We will look to implement an incremental approach to ASB where it is reasonable and proportionate to do so and look to take steps to address behaviours and actions causing ASB.

Where ASB is serious or persistent, we may proceed directly to formal action where proportionate, without exhausting all early interventions first.

5.5 Table 1 – Potential Preventative Measures (not exhaustive).

Preventative Measures	Description
Mediation	Offering mediation to try to resolve issues and come to agreements between the complainants and perpetrators of ASB on a way forward.
Good Neighbour Agreements	These are informal agreements where neighbours agree to certain types of behaviour and can be a lever to improving relationships.
Referral to support services	There are a range of support services available, we will make referrals to suitable support agencies to help customers achieve a sustainable tenancy.
Warnings	Often it is appropriate to issue a warning, which could be either verbal or in writing. This can be tenancy warnings, community protection warnings
CCTV	The Council has a network of monitored cameras that it provides to act as a deterrent for those who would commit acts of ASB. Evidence may also be collected on the cameras to support enforcement activity.
Acceptable Behaviour Contracts (ABCs)	A more formal agreement which outlines expected behaviour and highlights potential repercussions if they are breached. ABCs are formally signed by the offender, the Council and Police.

5.6 Table 2 – Potential Enforcement Measures

Enforcement Measures	Description
Extending an Introductory Tenancy & Notice of possession proceedings (Introductory Tenancies)	The purpose of an introductory tenancy is to provide what the Housing Act refers to as a trial period. During this trial period MBC may end the tenancy without having to establish the grounds for possession as for a secure tenancy. This allows us the opportunity to form a view about the suitability of the tenant against how they conduct their tenancy with us during the trial period. The trial period is for 12 months but can be extended for a further 6 months if there are concerns over the conduct of the tenancy.
Notice of Seeking Possession	A Notice Seeking Possession is not an eviction notice. . It is the first stage of legal action and means that we may apply to the court for possession of your home if you do not take action to address the breach of tenancy.
Community Protection Notice (Undertaken by Community Protection Team)	If there is evidence that a Community Protection Warning is not adhered to, a Community Protection Notice may be issued. The notice can direct any individual over the age of 16, business or organisation responsible to stop causing the problem and it could also require the person responsible to take reasonable steps to ensure that it does not occur again. It would be a criminal offence if a person did not comply, with a sanction of a fine (or fixed penalty notice) or summons to court for non-compliance.
Civil/ASB Injunctions	To stop or prevent individuals engaging in anti-social behaviour. Issued in the County Court for over 18's and in the Youth Court for under 18's and to meet

Enforcement Measures	Description
	legal test, evidence shows that, on the balance of probabilities, the individual has engaged or likely to engage in behaviour that causes nuisance or annoyance, and the Court finds it just to impose an Injunction. Housing Injunctions Youth Injunctions (subject to changes in CPA 2026) Respect Orders (new and not yet in force CPA 2026)
Possession Proceedings	If a Notice of Seeking Possession has been served and the behaviour does not improve or is not addressed, then we can consider whether we want to seek possession of the property. The Council must then apply to the court for possession of the property. If a possession order is granted at the hearing and the tenant(s) do not leave their home within the time limit provided, we can apply for a warrant of possession. This enables a county court bailiff or High Court Enforcement Officer to evict them from their home.
Mandatory Possession Proceedings Notice (Absolute Grounds)	Where ASB has already been proven in court, and the perpetrator is a Council tenant or a household member of a Council tenancy we could serve notice to regain possession of their property.
Closure Order (Undertaken by Community Protection Team or Police)	An Order which provides the police or Local Authority to close a premises, which is being used, or likely to be used, to commit nuisance or disorder. An initial Closure Order can close a premises for 72 hours however, if the disorder is of such a level, the police or Local Authority can apply to the Magistrates Court for an Order for up to a period of maximum 6 months, which can see a premises closed and access to the premises restricted.

Before initiating or escalating enforcement, officers will complete an assessment that records the legal tests, evidence available (including CCTV/ diaries/ witnesses), proportionality, and expected outcomes.

Where appropriate the Council will publish enforcement action outcomes in the press or via the Council's social media platforms on a case per case bases, considering public interest, and the level of enforcement taken.

Although the Council will employ a range of measures to tackle ASB its **o**verriding principle is that victims must be protected from those who perpetrate ASB, and the Council is committed to reducing ASB in its communities. This means that the Council will consider using all legal powers at its disposal and work with partners to do likewise. To do this we may use various techniques including collation of evidence using both covert and overt CCTV, diary records and witness statements.

If early intervention and preventative measures are not successful in resolving issues, then proportionate enforcement actions will be considered.

Court cases may be taken which can result in fines, the issue of court orders, injunctions, and even imprisonment. In all cases these powers will be used proportionately and only when considered appropriate. Whenever enforcement powers are used, they will be in accordance with the principles set out in the Corporate Enforcement Policy. Generally, preventative measures will be pursued either before or alongside formal enforcement action.

5.7 Proactive Neighbourhood Management and Prevention

We will take a proactive neighbourhood management approach alongside our ASB casework. This will include maintaining an appropriate presence on estates, using local intelligence and performance data to identify patterns and hotspots, taking early preventative action, promoting positive neighbour relationships, and using a range of tenancy management, estate management and support interventions before problems escalate where it is reasonable and proportionate to do so.

We will periodically review our neighbourhood presence, the information and data that prioritises intervention, and the effectiveness of preventative options such as estate inspections, tenancy visits, good neighbour information, mediation, support referrals and targeted partnership activity.

5.8 Partnership Working

To ensure that it tackles ASB effectively, the Council will work with several external partners and is committed to effective partnership working as well as working with internal teams. Partners may include:

- Police (who will always lead on criminality in our area of operations)
- Registered providers of social housing.
- Leicestershire County Council
- Victim support agencies
- Probation
- Turning Point (drug and alcohol service)
- Schools and educational facilities
- Fire and Rescue Service
- Other local authorities, including town and parish councils.
- The Environment Agency
- Voluntary agencies and the third sector

By working with partners and sharing information, the Council can adopt the best method to deal with each individual case and in many cases enforcement action is jointly taken forward. Sometimes the Council may be the lead enforcement agency whereas on other occasions it may play a supporting role. This depends on the nature of the ASB, and the matters being enforced.

The council's multi-agency groups sets triggers for joint case conferences, timelines for information-sharing (including CCTV and intelligence), and named responsibilities. Decisions and outcomes from joint work will be recorded.

The Council is an active partner of Community Safety Partnership and any local Joint Action Groups to improve community safety generally and tackle ASB across the district.

5.9 Vulnerability and Safeguarding

Whilst accepting that being a victim of ASB is distressing for anyone who is affected, the Council recognises that for some people the impact may be far worse because of an identified vulnerability.

Vulnerable victims are likely to be disproportionately affected by ASB and vulnerabilities can be a caused by a wide range of factors, such as isolation, a mental health condition, physical disability, age, or substance misuse.

Sometimes it will be necessary to make a safeguarding referral and cases that require this course of action will be additionally recorded as part of our corporate safeguarding procedures. Concerns about ASB and safeguarding often overlap which reinforces the necessity for strong partnership working.

We will ensure all aspects of vulnerability and associated reasonable adjustments are recorded at case level to ensure continuity, avoid repeated disclosures and inform proportionate action.

5.10 Support for Vulnerable Tenants

We recognise that some complainants and perpetrators of ASB may be vulnerable and have specific support needs. Where this is suspected we will make use of a proportionality assessment to evidence compliance with The Equalities Act (2010) and Public Sector Equality Duty as well as signposting and/or referring individuals towards specialist support agencies who may be able to help

We will raise a safeguarding concern wherever necessary, to protect both witnesses, complainants, and perpetrators.

Where a vulnerable perpetrator refuses to engage, stops engaging or accepts support but the behaviour continues then we will then consider formal action to resolve the matter.

5.11 Case Closure

We will always seek to close ASB cases with the complainant's agreement.

If we believe no more can be done to resolve a case, and the complainant disagrees then the case will be reviewed by the Senior Housing Officer or Housing Services Manager who will either direct the Housing Officer to carry out additional actions or provide written feedback to the complainant as to why we cannot take the matter further.

Examples where a case may be closed without agreement are:

- Where an investigation has been exhausted and all viable options have been attempted (no evidence).
- Where mediation has been offered to both parties and the complainant refuses to engage in the process.
- Instances where another agency is leading on the case and no longer requires our involvement.
- Non-engagement and failure to respond to our request of communication (complainant).

The Council will contact complainants within two weeks after closure to seek feedback, check on wellbeing, confirm whether the problem has improved or been resolved, and provide signposting to support where needed.

6.0 Comments, Compliments, Complaints and Learning

We welcome comments, compliments and complaints and will handle complaints in line with our complaints policy and the Housing Ombudsman Complaint Handling Code. If a resident is dissatisfied with the standard of service they have received, including delay,

communication, failure to act, case handling or closure decisions, this can be raised through the council's complaints process.

6.1 The Anti Social Behaviour Case Review

An Anti-Social Behaviour (ASB) Case Review provides victims of persistent ASB with the opportunity to request an independent review of their case where they believe that the response from relevant agencies has been inadequate. The review process brings together key partner agencies, such as the local authority, police, housing providers and other relevant organisations, to assess the actions taken, share information and identify any further measures that may be required to address the reported issues. The purpose of the ASB Case Review is to ensure that victims are heard, that agencies have acted appropriately and proportionately, and that a coordinated action plan is developed where necessary to improve outcomes and reduce the risk of continued harm to those affected by anti-social behaviour.

The ASB Case Review process is separate from the complaints process. Residents who believe that agencies have not responded appropriately to reports of anti-social behaviour may request an ASB Case Review where the local criteria are met. We will provide information about both routes where relevant so that residents understand their rights and options.

Residents can make a comment, compliment or complaint using the council's published contact routes, including online, by telephone, in writing or in person. Information about how to do this will be kept available on the council's website and through customer services.

7.0 Monitoring, Evaluation and Review

The Assistant Director for Housing Quality, Development and Landlord Services is responsible for monitoring the implementation of this policy and ensuring that there are appropriate arrangements for oversight, performance reporting, complaint learning, service improvement and compliance with regulatory and Ombudsman expectations.

This policy will be reviewed every three years. In addition, it will be reviewed:

- Following information/ suggestions that the policy is not effective.
- To reflect any service enhancements; and/ or,
- Following the introduction of any relevant new legislation, regulations, or guidelines.

We will involve residents, where appropriate, in the review of this policy and related neighbourhood management arrangements so that they reflect resident experience, local priorities and the practical effectiveness of our service.

Staff managing ASB cases will receive appropriate training and refresher training on investigation, risk assessment, vulnerability, safeguarding, hate incidents, communication, record keeping, legal remedies and complaint handling. We will use supervision, case review and quality assurance to support consistent practice.