SYHA Anti-Social Behaviour and Harassment Policy

Version	2.0
Date agreed	March 2025
Date next review due	March 2027 or in line with change in law, regulation or good practice
Links to other P&P	SYHA Vulnerability Policy SYHA Domestic Abuse and VAWG Policy SYHA Lettings P&P SYHA Safeguarding P&P ASB Procedure Manual
Changes from previous versions	• Sets out preventive approach • Sets out leadership approach • Clarifies what is and what isn't ASB • Clarifies risk assessment and vulnerability • Sets out approach to anonymous reports • Clarity on Hate Crime • Updated October 2026 to include link to Crime and Police Act 2026

Policy Statement

This policy sets out SYHA's approach to tackling Anti-Social Behaviour (ASB) and harassment including hate crime.

We understand that ASB can have a significant impact on our customers and the communities in which they live. We are committed to preventing and tackling ASB, ensuring we balance enforcement action and intervention, with appropriate support for our most vulnerable customers.

This approach necessitates a degree of tolerance and respect of other people, and we will promote this to customers when responding to their concerns.

When dealing with ASB incidents our approach will be informed by the following commitments:

- We recognise that ASB can have a very disruptive effect on neighbourhoods and communities, and does not just affect those who are directly involved in the situation.
- We are committed to taking effective action and using the powers available to us, where we consider they can provide an effective remedy.
- We will adopt a supportive approach when dealing with complainants, witnesses and alleged perpetrators, and will be flexible in our approach to manage incidents.
- We will work in partnership with both internal and external partners to tackle the issue.
- We recognise that customers and other agencies share this responsibility, and it will not always be appropriate for SYHA to lead.
- We will not raise expectations that we can act where we cannot or where primary responsibility and powers lie elsewhere.
- We believe that everyone has the right to their chosen lifestyle providing this does not breach the terms and conditions of their tenancy agreement or lease and/or affect the quality of life of others.
- Our starting point will always be to focus our resource on resolving the ASB.

Regulation and legislation

This document is produced to set out our approach to tackling anti-social behaviour (ASB) and comply with section 218(a) of the Housing Act 1996. Other associated legislation, relevant to tackling ASB, includes but is not limited to:

- The Anti-Social Behaviour, Crime and Policing Act 2014
- Housing Act 1985, 1988, 1996, and 2004.
- Civil Evidence Act 1995
- Crime and Disorder Act 1998
- Data Protection Act (GDPR) 2018
- Children's Act 1989
- Anti-Social Behaviour Act 2003
- Human Rights Act 1998
- Equality Act 2010
- Protection from Harassment Act 1997
- Mental Capacity Act 2005
- Domestic Abuse Act 2021
- Consumer Standards 2024
- Social Housing Regulation Act
- Police and Crime Act 2026

Regulatory Social Housing (Regulation) Act: Consumer Standard (July 2023) . The Neighbourhood and Community Standard requires that landlords:

- Registered providers must have a policy on how they work with relevant organisations to deter and tackle ASB in the neighbourhoods where they provide social housing.
- Registered providers must clearly set out their approach for how they deter and tackle hate incidents in neighbourhoods where they provide social housing.
- Registered providers must enable ASB and hate incidents to be reported easily and keep tenants informed about the progress of their case.
- Registered providers must provide prompt and appropriate action in response to ASB and hate incidents, having regard to the full range of tools and legal powers available to them.
- Registered providers must support tenants who are affected by ASB and hate incidents, including by signposting them to agencies who can give them appropriate support and assistance.

Scope

ASB can take many forms, including persistent noise nuisance, criminal damage, verbal abuse and other types of criminality. This policy sets out SYHA's role in tackling ASB.

This policy is for all customers who live in homes that are owned or managed by SYHA. It is also for anyone impacted by ASB from homes owned or managed by SYHA.

SYHA will only deal with cases which involve at least one of our customers and where the conduct either directly or indirectly relates to our housing management function.

In cases involving a non-SYHA customer and when there is no impact on our housing management functions, we will advise and signpost to other agencies and housing providers as necessary.

This policy does not apply to issues involving SYHA employees or contractors, even if the allegation made meets the definition of ASB. All allegations involving employees or contractors will be dealt with under our complaints policy.

Our Offer

To effectively work in partnership and to tackle and deter ASB we will do the following:

Leadership	• demonstrate leadership and commitment in working with statutory partners, such as the Police and Local Authority. • develop robust local partnerships, including participation in local Community Safety forums. • ensure SYHA staff are well-trained and have the knowledge and confidence to identify and investigate ASB. • ensure our customers can report ASB in a range of ways, including online, by phone and in person. • secure budget for target hardening activities to protect vulnerable customers. • carry out feedback surveys and use Tenant Satisfaction Measures to continuously improve our approach. • Ensure accountability
Prevention	• check who is applying for our homes – asking for references from the previous landlord where appropriate. • clearly explain to our customers the terms that relate to ASB and harassment at the point of sign up so that expectations are clear. • explain that individuals have the right to their chosen lifestyle providing it does not impact adversely on the quality of life of others or breach their tenancy agreement or lease. • explain to customers that in the first instance it is their responsibility to try and resolve disagreements and neighbour disputes by talking to each other to reach a solution. • deal quickly and effectively with abandoned properties to deter and prevent ASB. • proactively inspect communal areas and communal land to prevent fly tipping and damage leading to ASB. • Encourage residents to prevent and resolve ASB to promote inclusive and sustainable communities • Work with groups to support community initiatives that prevent ASB • Develop formal information sharing protocols/agreements which comply with Data Protection to respond quickly to ASB
Responding	• have multiple ways for reporting, including online, in person, by phone. • communicate with customers in their preferred method. • assess each report on its own merits when deciding whether to classify it as ASB.

	• respond in line with the severity of the incident and risk to the customer. • adopt a victim-centred approach by responding sensitively and adopting high standards of confidentiality when dealing with witnesses. • signpost customers to another organisation if they are responsible for dealing with the ASB. • open and record the case on Cx, if appropriate.
Taking Action	• be clear what SYHA can or cannot do and agree an action plan, including timeframes and any evidence required. • involve customers in the action plan to resolve the issue. • log actions, including any referrals to statutory bodies. • interview all parties involved, if it is safe and appropriate to do so. • explain to customers the requirement for evidence, including the need to complete diary sheets so we have exact dates, times and frequency of ASB incidents. • consider a range of non-legal interventions that best fit the circumstances (e.g. Acceptable Behaviour Contracts (ABCs), tenancy support, warning letters). • where legal action is deemed necessary, any evidence we have received will be assessed by our legal representative and presented to Court for judgement, where required. • offer advice and signposting to appropriate third sector support organisations for witnesses and victims. • report any criminality to the Police and encourage the complainant to do the same. • keep the complainant updated throughout the case.
Support	• offer support to customers experiencing ASB by maintaining regular contact. • signpost to other support services and SYHA care and support services where appropriate. • make safeguarding referrals where necessary. • offer additional support to vulnerable customers experiencing ASB including target hardening measures. • Offer support to vulnerable perpetrators, where appropriate, to help them make the changes necessary to prevent a re-occurrence of the ASB.

Reporting

We encourage our customers and people living, visiting and working in our neighbourhoods to report ASB and hate incidents to us. We provide a range of ways to report these activities:

- Website
- Email
- In writing
- Telephone
- In person

What is ASB?

For this policy we have used the definition in Section 2 of the Anti-Social Behaviour, Crime and Policing Act 2014, which defines antisocial behaviour as:

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

Examples of ASB and harassment include:

- Acts of violence
- Persistent loud music, especially at unreasonable hours
- Dog fouling, uncontrolled and noisy pets
- Drug supply, use, or production
- Alcohol-related nuisance
- Verbal or physical abuse and threats
- Environmental health issues, including fly-tipping and vandalism
- Hate incidents motivated by someone's protected characteristic

We will always encourage customers to report any criminal activity including illegal drug use and supply to the Police or Crimestoppers.

What is not ASB?

Reports due to different lifestyles or every-day living situations which are not intended to cause nuisance or annoyance are not considered as ASB. This includes:

- children playing and babies crying
- household noise due to every-day living, for example doors closing
- one-off parties, BBQs and celebrations

- cooking odours and reasonable household smells
- vaping and smoking cigarettes
- minor car maintenance
- DIY activities at reasonable times
- reports around ball games
- actions which amount to people being unpleasant (e.g. staring, ignoring people or gossiping)
- general parking disputes
- Roaming cats and defecating cats in gardens

Where the behaviour is deemed not to be ASB, advice will be given to enable self-resolution and to be managed outside of this policy.

Hate Crime

We will encourage customers to report incidents to the Police and other relevant agencies so that they can investigate. SYHA will work in partnership with the Police and other agencies to take joint action where necessary.

We encourage all customers to report hateful behaviour as quickly as possible. Hate crime is defined as any criminal offence which is perceived by *the victim, or any other person, to be motivated by hostility or prejudice based on a person's race, religion, sexual orientation, transgender identity or disability.*

We will investigate and deal with such allegations via breach of tenancy or lease, and will further support victims by signposting to specialist support services and carrying out target hardening measures where appropriate. We will support customers to move if this is their preferred option. We will also make safeguarding referrals to the Local Authority where appropriate following our Safeguarding Policies.

Harassment

Harassment can include a range of behaviours such as threats, verbal abuse, written abuse including via social media, damage to property, violent behaviour, stalking and behaviour causing or intended to cause alarm or distress. These are generally criminal offences and are the responsibility of the police. Where appropriate to do so, SYHA will take tenancy enforcement action against a perpetrator as a result of evidence obtained by the police or upon conviction.

Racial harassment is where harassment is perpetrated against individuals or groups because of their colour, race, nationality or ethnic or national origins, when the victim believes that the perpetrator was acting on racial grounds and/or there is evidence of racism. Again, these are generally criminal offences that are the

responsibility of the police and SYHA will take tenancy enforcement action against a perpetrator as a result of evidence obtained by the police or upon conviction.

We consider cuckooing as a form of harassment that can lead to reports of ASB. It is often perpetrated by criminal gangs or people exploiting vulnerable people. We will work with the Police to investigate and take action where appropriate and support the person at risk of cuckooing.

Domestic Abuse

The Governments definition of domestic violence is '*any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to psychological, physical, sexual, financial, emotional*.'

At SYHA we will accept the person's account and not insist on them providing proof of abuse. We will encourage the person to report the abuse to the Police and support referrals to specialist teams. We will carry out target hardening measures where appropriate. We will also support customers to move as per our lettings policy and securing tenancy (joint to sole) if appropriate.

We will make safeguarding children referrals where abuse is happening around children.

Customers obligations

SYHA expects customers not to commit, or allow their family, household members, visitors or pets to commit acts of ASB. In addition to the legal responsibilities set out in the tenancy and lease agreements, SYHA will encourage all customers to:

- Take responsibility for minor personal disputes with their neighbours and to try to resolve any problems themselves
- Report ongoing or serious incidents of ASB
- Provide evidence of ongoing ASB
- Report domestic abuse, hate crime and all other crimes to the Police – we can support to do this.
- Respect other peoples' lifestyles

Categorising ASB including an assessment of risk

Risk assessments form part of statutory guidance which accompanies the ASB Crime and Policing Act 2014. We will assess the risk of harm to the victim, along with any potential vulnerabilities, at the time we receive a report of ASB.

We will review all ASB cases and carry out an initial risk assessment to categorise the severity of ASB including any vulnerability and risk of harm to the customer:

Following this we will:

- act within **1 working day** where there is a hate incident, threats or actual physical violence or domestic abuse.
- act within **5 working days** where there is verbal abuse, drug or alcohol-related ASB, persistent noise nuisance. vandalism, animal nuisance or fly tipping.

To further assess risk, **the case owner** will ask the following:

- What impact is the anti-social behaviour having on you and other members of your household?
- Do you consider you or anyone in your household to be vulnerable or disabled?

These questions will determine if we need to change our approach or act differently.

Responding to reports of ASB

We will assign a lead officer to the case. Whilst additional help may be required both internally and from external partners, this lead officer will manage the case throughout. This makes sure that the victim, and other partners, are clear on who is resolving the issue.

We will work with the customer to put together a plan to investigate and tackle any ASB. We will need to gather evidence before we make any decisions on what further action to take. Customers can help us gather evidence and work with us to put a stop to what is happening. We will be conscious that risk to residents can change over time and will change our approach based on any identified change of risk.

Anonymous v Confidential

We always promise to keep your details confidential. We will record anonymous reports, however this will mean that we will not be able to update customers on the actions being taken to resolve the ASB. It can also become more difficult to resolve.

In some cases, it may be apparent to the alleged perpetrator of who has made the complaint. For example, if you are complaining of loud music and you live in the only adjoining property.

There are certain things that we have a duty to report, for example where a child or vulnerable person may require safeguarding. If we need to disclose your information to a third party in these circumstances, we will always attempt to tell you first.

Legal Action

Sometimes we will need to use legal action. Our role is to present the evidence, and we will work with our solicitors who will advise SYHA on the best course of action. The decision to grant any of the following legal orders sit with the Courts.

Some of the types of legal action we might take are:

- Civil Injunctions to stop people causing problems.
- Possession leading to someone losing their home.
- Respect Orders

We've got other powers we can use too. The ASB, Crime and Policing Act 2014 gave additional powers which will be used when appropriate:

- Civil Injunctions for persons under 18 years old.
- Exclusion Orders keeping someone away from an area.
- Power of Arrest so the Police can immediately take someone away for breaching the injunction order.
- Mandatory ground for possession

The Police and Crime Act 2026 now includes

- Respect Orders
- Housing Injunctions

A court can make a Respect Order against a person aged **18 or over** if:

1. The court is satisfied **on the balance of probabilities** that the person **has engaged in, or threatens to engage in, anti-social behaviour**; and
2. The court considers it **just and convenient** to make the order to prevent further anti-social behaviour

A Housing Injunction remains available where the behaviour is

- linked to housing management and is generally the preferred tool for housing-related ASB.

The court must be satisfied that the respondent has engaged or threatens to engage in conduct:

- Capable of causing nuisance or annoyance to a person in relation to residential housing; or
- Conduct capable of causing housing-related nuisance or annoyance to the landlord.

We can't simply 'move' customers or 'force' a perpetrator to do something without a court order given by a judge. Our focus will always be on resolving the issue rather than moving the problem elsewhere, unless we take steps to evict a perpetrator by possession proceedings following legal advice.

We will only consider a move for people experiencing problems if they meet our threshold for a 'managed move' or based on legal advice we receive.

Support

Sometimes ASB is caused or made worse due to someone's vulnerabilities or disabilities. We'll always ask for support and guidance from support agencies working with the person to find the best way forward.

We take our responsibilities to safeguard vulnerable people very seriously whether they are causing the problems or experiencing them. We will always escalate safeguarding concerns as per our Safeguarding Policy, and we will signpost people to appropriate specialist support agencies.

Victims and witnesses need to have confidence in our service and will be looking to SYHA to act. We can offer support in the following ways:

- Prompt interviews and regular case updates
- Work with Local Authorities to access Sound equipment.
- Requesting extra Police patrols
- 'Target hardening' measures
- Support at court.
- Professional witnessing.
- Work with external agencies

Closing Cases

Prior to closing a case, the complainant will be informed either verbally, or by a pre-closure letter, setting out our reasons for closing. We aim to close cases in the following circumstances:

- When we gain the complainant's consent to close the case
- The customer confirms that the issues have been resolved
- The customer fails to engage with us

- Where there is no further action that we can take
- There is insufficient evidence to support the allegations of ASB / hate crime
- When another agency is dealing with the case and our involvement is no longer required
- If we believe the ASB complaints to be vexatious

Feedback

We collect feedback on ASB to monitor

- how we are performing
- that we are not discriminating against anyone
- how satisfied customers are
- where to improve our services by identifying hotspots and specific problems.

Feedback will be collected by the Tenant Satisfaction Measures and ASB Closure surveys. This allows us to target our resources most effectively. We will make sure customers are given this opportunity to feedback and that their views are listened to carefully. There may be some cases where we do not survey customers and these will be signed off by a Manager. These include where the complaint has been made anonymously or where it might be insensitive or inappropriate to do so i.e. where someone has already raised a formal complaint.

Anti-Social Behaviour Case review

Customers have the right for their ASB case to be reviewed as part of the ASB Case Review which is a national tool to provide support to resolve ASB cases. Each local area sets a threshold which must be met for the case review to be used, and the local police or council will usually lead on this. The case review cannot be used to report new cases of ASB and does not replace our Complaints process.

Complaints

If the customer does not believe that we have followed the process or we have broken any commitment they can follow SYHA's complaint procedure or contact the Housing Ombudsman.

How we look after customer information

We comply with the Data Protection Act 2018 that sets out requirements for ensuring data about customers is properly protected and only shared in a lawful way. Any information shared:

- Will be necessary, relevant and not excessive.

- Will be shared fairly and transparently.
- Will be accurate and up to date.
- Won't be kept any longer than is necessary.
- Will be kept secure.

SYHA staff will always be vigilant to ensure that they maintain confidentiality, and will not give details of cases they are working on or aware of to any person inappropriately.

We will be sensitive to the effect that disclosure of identity to a perpetrator or any other party could have on any complainant. We will only disclose the complainant's identity to the perpetrator and any other parties including doctors and teachers with their explicit and recorded permission.

Staff will explain to the complainants that it may be necessary to disclose information to other statutory agencies such as the Local Authority or the Police. Information will be shared with other agencies where there is a duty to do so, and/or where information sharing protocols are in place.

Equality Impact assessment/statement

We see no adverse impact on our customers from the introduction of the Policy. To reach a diverse group of people potentially affected by SYHA we have taken feedback from SYHA Customer Scrutiny Panel, SYHA Belonging steering group (made up of diverse employees) and SYHA Co-production volunteers with lived experience.

Our customer voice/committee we will analyse our data on ASB in a consistent way, looking at the trends that impact different groups of customers, particularly those with protected characteristics and vulnerabilities. This includes looking for gaps/a lack of reporting that may indicate some groups of customers may have barriers or feel unable to report/engage in the ASB process.

Consultation

- SYHA Safeguarding Lead
- Neighbourhood & Mixed Tenure Manager
- Neighbourhood Team Leaders and Officers
- Head of Customer Experience
- Assistant Director of Housing
- SYHA Customer Scrutiny Panel
- SYHA Belonging Steering Group
- SYHA Co-Production Volunteers
- SYHA Customers who have volunteered to review Policies

- Via Facebook
- MSB Solicitors