Policy name: **Anti Social Behaviour Policy**	
Section:	Housing
Exec responsible:	Director of Customer and Communities
Review by:	Housing & Customer Engagement Manager
Tenant review:	Yes
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Associated risk ID:	ASB procedure and associated tenant and staff forms. Hate Crime Policy
Health & safety:	8. Inadequate and ineffective customer service and/or engagement 9.Health and safety failure or neglect
Equality & diversity:	Particular types of ASB, such as hate crime and harassment, are closely linked to equality and diversity. Our approach to victims and those complained about will adhere to our equality and diversity policy.
Associated costs and value for money:	Tenant satisfaction with case management will be benchmarked against peer groups.
Associated documents:	

VERSION CONTROL			
Version Number	**Sections Amended**	**Date of update**	**Approved by**
1.0	First issue in new template	1.0	GH
2.0	General update	16.12.15	Board
3.0	Full review	08.01.19	Chief Executive
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1. Aims of this policy

ASB can have a detrimental effect on the quality of life for our tenants, their families and their communities. If allowed to continue it can negatively affect tenants' health and wellbeing and how they view their living environment, their neighbourhood and us, as their landlord.

Our overall aim is to prevent and resolve anti-social behaviour wherever possible and we will achieve this through a three-step approach:
1) Prevention
2) Intervention
3) Enforcement.

These steps are set out later in this policy.

We will aim to:

- break the cycle of ASB using early intervention and working with the person(s) causing ASB to improve their behaviour to enable them to remain in their homes,
- avoid further incidents,
- create safer communities,
- support residents to find solutions,
- take proportionate and reasonable steps to resolve ASB.

We will encourage a degree of tolerance for others' needs and choices whilst accepting that we have a duty of care to our tenants to ensure they can have quiet enjoyment of their homes. Where possible, we will take reasonable and appropriate action to help those affected by ASB, but we cannot be held responsible for the actions of others who are outside of our control.

It is important that residents are clear about the service they can expect when they report ASB or hate crime to us. Appendix A details our service standards, which will be published.

2. Relevant Legislation of which this policy is based on:

- Crime and Policing Act 2026
- Anti-social Behaviour Crime and Policing Act 2014
- Equality Act 2010

- Housing and Regeneration Act 2008
- Human Rights Act 1998
- Crime and Disorder Act 1998
- Crime and Security Act 2010
- Criminal Justice Act 2003
- Data Protection Act 2018 and subsequent Regulations
- Housing Act 1996
- Protection from Harassment Act 1997
- Freedom of Information Act 2000
- RSH Consumer Standards 2024
- Safeguarding of Vulnerable Groups Act 2006
- The Health and Safety at Work Act 1974
- The Management of Health & Safety at Work Regulations 1999

- The Crime and Policing Bill 2025 is progressing and this policy will be updated once that has been enacted.

3. Definition of Anti Social Behaviour

A definition of Anti Social Behaviour is set out under the Anti-Social Behaviour Crime and Policing Act 2014; we have adopted this definition as follows:

(a) behaviour which has caused, or is likely to cause, harassment, alarm or distress to any person,
(b) behaviour capable of causing nuisance or annoyance to a person in relation to that person's occupation of premises, or
(c) behaviour capable of causing nuisance or annoyance, which relates to Cornerstone's housing management functions, to any person.

3.1 What is Anti-social Behaviour?

There are three main categories for antisocial behaviour, depending on how many people are affected:

1. Personal antisocial behaviour is when a person targets a specific individual or group.
2. Nuisance antisocial behaviour is when a person causes trouble, annoyance or suffering to a community.
3. Environmental antisocial behaviour is when a person's actions affect the wider environment, such as public spaces or buildings.

3.2 What is Harassment?

Harassment is when someone is made to feel distressed, humiliated or threatened and includes being in fear of violence. It can be caused by one or more people and

victims can be individuals or groups of people. It can include domestic abuse, and hate-related incidents or crimes (see our separate policies).

3.3 Types of Anti Social Behaviour

Anti Social Behaviour can include, but is not limited to:

- Rowdy behaviour such as insults, shouting and swearing
- Noise nuisance
- Verbal abuse
- Threatening behaviour Drug related offences
- Damage to property such as graffiti
- Alcohol related incidents
- Pets and animal nuisance
- Garden nuisance/misuse of communal areas (including littering or fly tipping)
- Hate crimes
- Criminal behaviour (including domestic violence and abuse)
- Street based crime or nuisance including street drinking/begging/prostitution
- Vehicle nuisance/abandoned property

3.4 What is not Anti Social Behaviour?

The following are generally not considered to be Anti Social Behaviour:

- Sounds of everyday life, such as opening and closing doors, going up and down stairs, and flushing toilets
- Children playing
- Smells from cooking
- One-off parties
- Clashes in lifestyle or cultural differences
- Minor personal differences, such as receiving dirty looks, children falling out or comments on social media
- Minor situations where residents are inconsiderate, such as parking disputes
- CCTV use and disputes, such disputes will be directed to the relevant authority (police and/or ICO)

4. Categorising ASB

The action we take in response to an ASB complaint will be based on our assessment of the seriousness of it; this can range from low level nuisance to the most serious ASB, as set out below. We will also consider the level of risk to the complainant, the community, Cornerstone and/or others.

4.1 Low level nuisance includes:

- noise nuisance which is not persistent
- untidy/messy gardens and driveways or misuse of communal areas

- pets and animal nuisance
- minor car repairing problems
- minor problems with children/youths

Low level nuisance can become more serious ASB if it persists or escalates.

4.2 More serious ASB includes:

- threats of or actual acts of violence
- domestic violence and abuse
- hate related incidents
- harassment
- drug dealing
- persistent noise nuisance
- other criminal activity, including sex offences

4.3 Prevention

To prevent ASB and hate crime we will:

- Have clear clauses in our tenancy agreements explaining tenant responsibilities
- Use ‘starter tenancies’ for all tenants new to social housing.
- Provide new customers with information on this policy when they move in
- Make it as easy as possible to report Anti Social Behaviour and hate crime
- Complete regular estate and communal area inspections
- Publicise our commitment to dealing with Anti Social Behaviour, including on our website and social media
- Let properties appropriately, in line with our lettings policy. Where there is a history of anti-social behaviour, we may apply sensitive lettings criteria. This means that those with a history of causing ASB in the last five years will not be offered a property with Cornerstone.
- Consider the design of new developments and, where possible improvements to existing developments, to reduce the potential for crime and Anti Social Behaviour
- Consider improvements to homes when we relet homes where there is a history of noise nuisance.
- Work collaboratively with our partners and stakeholders on prevention initiatives
- Take part in community initiatives
- Make support referrals for those complained about to reduce the risk of further incidents.
- Communicate successful case studies to residents showing how we have tackled Anti Social Behaviour and hate crime in our communities.
- Promote inclusion and our intolerance to hate related incidents.

5. What you can do to help resolve ASB

Where it is appropriate to do so, we will encourage complainants to try and resolve the issue amicably themselves in the first instance, which can avoid unnecessary escalation through our involvement.

If it is lower-level Anti Social Behaviour, speak to your neighbour first, but if it is unresolved:

- Report the problem to Cornerstone Housing, via 01392 273462 or complete an online form Anti-social behaviour form, you can also visit our Western Way Office Monday to Friday between, 11.00 am and 12.00 noon.
- Keep a log of incidents to include, date, time and type of incident and how it affected you.
- Continue to report and communicate with us to help understand your complaint and the impact this is having on your or your community
  .

More formal action under the enforcement stage of this policy is dependent upon complainants, victims and witnesses providing us with evidence throughout the case which could lead to them attending court to give evidence.

Anonymous complaints will be considered and investigated, however if we do not know who is submitting reports, we will be unable to support you through your complaint or keep you updated on progress. Anonymous information may be passed onto other agencies such as the Police, if appropriate.

6. How will Cornerstone respond to reports of Anti Social Behaviour:

We will:

- Listen and take details of what is being complained about
- Explain the process and next steps to the complainant
- Undertake a vulnerability risk assessment
- Agree on an action plan with the complainant
- Investigate complaints
- Keep complainants updated in accordance with the agreed plan.
- Review records and other evidence of what has happened
- Liaise with other agencies, e.g. the Police, Environmental Health, Social Services, Support workers etc.
- Raise the issue with the party complained about, where we have discussed this with you
- Offer mediation to help residents find solutions

- Make referrals for support and signpost to other relevant services
- Take the most appropriate and reasonable action
- We will follow our service standards set out in Appendix A

6.1 Early intervention to stop anti-social behaviour

Whilst reasonable steps are taken to reduce the risk of ongoing or serious ASB, we may sometimes need to take actions, these can include:

- Mediation
- Giving verbal and written warnings
- Using acceptable behaviour contracts
- Good neighbour agreements
- Parenting agreements

The person or household you are reporting will usually be given the opportunity to respond to allegations; an exception may be where our investigations, assessment of risk, or the behaviour complained about show that immediate enforcement action is appropriate.

6.2 Enforcement

Where earlier interventions have failed to resolve the Anti Social Behaviour and the problem is persisting or in the case of the most serious Anti Social Behaviour, we will consider enforcement action. This action could include the following, which the Director of Housing will authorise:

- Extension of a starter tenancy (where the tenant is on this tenancy type)
- Not renewing fixed term tenancies (where the tenant is on this tenancy type)
- Ending a starter tenancy (where the tenant is on this tenancy type)
- Injunctions
- Respect Orders
- Closure orders
- Demotion of tenancy
- Possession of the property
- Eviction

We will take action we consider reasonable and proportionate to the Anti Social Behaviour taking place. Eviction will be a last resort, but possession claims will be made for serious or persistent Anti Social Behaviour cases or where all other interventions have failed.

To inform and support our enforcement action, we may take our own legal advice and seek information from other parties, such as the Police, via Information Sharing

Protocols. We may decide not to take legal action where it is unlikely that we would succeed, as this does not represent value for money.

We can make possession claims on discretionary grounds and, in some specific circumstances, on mandatory grounds. Discretionary grounds are where the Court will decide, based on the evidence, if they consider it reasonable to grant us possession of the property or not. Mandatory grounds are where the Court has no discretion and possession of the property should be granted by the Court if the required conditions are met.

We will use mandatory grounds, where the tenant or a person residing in or visiting the property has:

- Been convicted of a serious criminal offence
- Breached a criminal behaviour order or an ASB injunction
- Breached a notice or court order in relation to noise nuisance

We will also use mandatory grounds where a closure order has been made on the tenant's property, and access to the property under the order or closure notice has been prohibited for more than 48 hours

Serving notices (Section 21) to end starter or fixed term tenancies is also considered a mandatory ground, where the Court has no discretion as to whether we are granted possession.

Where our action means a tenant is at risk of homelessness, we will try to get their consent to make a Local Authority referral for housing advice. Where we have safeguarding concerns, we may refer without consent.

6.2.1 Housing and Youth Injunctions and Respect Orders

Before applying for a Housing Injunction, Youth Injunction or Respect Order we must carry out a risk assessment for the application which considers:

a) The risk of any person caused nuisance or annoyance in relation to their occupation of residential premises by the respondent's conduct.
b) In relation to application for a youth injunction, the risk of any person being caused harassed, alarm or distress by the respondent's conduct,
c) Any vulnerabilities of the respondent.
d) any alternative means of preventing the respondent from engaging in relevant conduct, and
e) such other matters as we consider to be relevant.

When carrying out such an assessment we will have regard to any guidance issued by the Government.

6.2.2 Use of Closure Orders by Cornerstone Housing

The purpose of this power is to allow the police, the local authority and now housing associations to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder. The order is issued out of court in the first instance, can close premises for up to six months and can restrict all access. Breach of the order is a criminal offence

- The first step is the issuing of a Closure Notice, this has to be authorised at Cornerstone by a member of the Executive team who is satisfied on reasonable grounds:
  a) That the use of particular premises has resulted, or (if the notice is not issued) is likely soon to result, in nuisance to members of the public, or
  b) That there has been, or (if the notice is not issued) is likely soon to be, disorder near those premises associated with the use of those premises.
  And the notice is necessary to prevent the nuisance or disorder from continuing, recurring or occurring.
- A Closure Notice may prohibit access by all persons except those specified in the notice, at all times or at all times except those specified and in all circumstances or in all circumstances specified. At the Closure Notice stage it may not prohibit access by the people who habitually live there or the owner of the property. Before a Closure Notice is issued any other appropriate agency or body will be consulted. Normally for Cornerstone this will involve consulting the Police and the Local Authority before a Closure Notice is served.
- The maximum period in a Closure Notice is 48 hours (disregarding Christmas Day). Closure Notices must be fixed to a prominent place at the property and at every normal means of entry and be given to anyone who live at the property.
- Unless a Closure Notice has been cancelled, following the service of a Closure Notice, an application must be made to a magistrates court for a Closure Order.
- The magistrates court must hear the case not later than 48 hours after the service of the Closure Notice (excluding Christmas Day).The court then decides if a Closure Order is made applying the legal test. The initial closure period may not exceed 3 months. The Court can extend a Closure Notice if it considers an adjournment is needed.
- A Closure Order may either be a full closure or a partial closure (there is no legal difference but the Court has the power to allow some people e.g. the tenant to remain). Closure Orders that do not exclude the tenant may be

considered by Cornerstone where the tenant is vulnerable and is being taken advantage of in their reasonable opinion.

- Cornerstone can apply to extend a Closure Order which has been made for up to a further 3 months. A decision to apply for such an extension will be considered by, and signed off, by a member of the Executive Team. The Police and Local Authority will be consulted about such a decision. The magistrates court will decide if this is permitted at a hearing.
- During the Closure Order, anyone authorised by Cornerstone can enter that property and can use reasonable force to enter.
- Anyone not authorised to be at the property whilst a Closure Order is in place is guilty of a criminal offence and the Police should be called to enforce the

6.3 Supporting victims and complainants

We know that reporting ASB can be daunting for some so we will take all complaints from victims and complainants seriously and will aim to respond promptly, with empathy, and in a supportive manner.

Some victims or complainants may be more vulnerable than others; we will aim to identify this at the earliest opportunity, undertake adequate assessment of any vulnerabilities or risks and offer appropriate advice and referrals for support. Our safeguarding policies will be considered in relation to any vulnerabilities and implemented where necessary.

We will consider the following:

- Whether their vulnerability puts them at an increased risk of harm, and take steps to mitigate that where possible.
- Whether additional help is needed for them to record or report incidents and offer that where possible.
- Whether they will need additional support to attend Court, this could include a private room away from the person complained about, video testimony etc.

We will not normally rehouse victims or complainants; we will follow our own Lettings Policy and accept the recommendations of the Police, and other relevant agencies, based on an assessment of risk.

6.4 Supporting persons complained about

We recognise that some Anti Social Behaviour can be a result of, or made worse by, other factors in tenants' lives, for example, poor mental health, drug or alcohol dependency. We will aim to identify these factors as early as possible and refer tenants for appropriate support.

Our aim is to resolve this issue through support or advice but where this is not engaged with or it fails to resolve the issue we will consider the most appropriate enforcement action available to us. Our safeguarding policies will be considered in relation to any vulnerabilities and implemented where necessary.

6.5 Partnership working

In accordance with the Neighbourhood and Community Standard, our approach to tackling anti-social behaviour is rooted in strong, proactive partnership working. We are committed to collaborating with local authority departments, the police, and other relevant agencies to deter and address Anti Social Behaviour and hate incidents within our communities. This includes establishing clear protocols for joint working, sharing information responsibly, and ensuring tenants can easily report concerns and receive timely updates.

7. Right to a review – mandatory grounds for possession

Where a tenant has been served with a notice telling them that we intend to seek possession of their home due to Anti Social Behaviour and this notice is on mandatory grounds, the tenant will have a right to request a review of that decision.

Review requests should be received from the tenant in writing within fourteen days of the decision to end the tenancy (the fourteen days will start five days from the date we send the letter). Review requests should detail why the tenant believes their tenancy should not be ended. Tenants will be signposted for support in writing a review request where appropriate.

Requests for reviews will be dealt with, normally within 21 days, by a panel not involved in the original decision. During this time there may be a meeting or hearing with the tenant to hear from them directly and to give them an opportunity to get their views across. They will be permitted to have representation with them or someone to represent them at a hearing, or to provide written representation if required. The Board may be consulted by Cornerstone staff during the appeals process.

The tenant will receive a written response to their review request within 28 days of their original request or within ten days of any hearing.

7.1 What is an Anti Social Behaviour case review

An Anti Social Behaviour case review, also known as the community trigger, is a statutory mechanism introduced under the Anti-social Behaviour, Crime and Policing Act 2014. It gives victims of persistent anti-social behaviour the legal right to request a multi-agency review of their case when they feel that previous reports have not been adequately addressed.

How a case review is carried out is set locally. All relevant agencies should agree on a procedure that suits the needs of victims and communities in their area.

Applications may either come directly from the victims of anti-social behaviour or from a third party (with the victim's consent), such as a family member, friend or local elected representative (a councillor or MP).

The victim may be an individual, a business or a community group. Each local area sets a threshold which must be met for the trigger to be used. The threshold must include:

- the frequency of complaints
- effectiveness of the response
- potential harm to the victim or victims making the complaint

The threshold is about the incidents reported, not whether the agency responded. The threshold should be no higher than 3 complaints, but agencies may choose to set a lower threshold. If the qualifying complaints were made, a case review must be held to then determine the adequacy of the agency responses.

The relevant bodies and responsible authorities who undertake the case review are:

- councils
- police
- clinical commissioning groups in England and local health boards in Wales
- registered providers of social housing who are co-opted into this group

Police and crime commissioners and local health services may also be involved in the case review in certain instances.

7.2 Applying for an Anti Social Behaviour case review

Your local police or local council will be able to provide you with further information about the anti-social behaviour case review process in your area.

More details on this process can be found at: Anti-social behaviour case review - GOV.UK

8. Complaints

Complaints about how we have dealt with an Anti Social Behaviour case will be dealt with under our standard complaints process.

9. Recording, information sharing and monitoring

Incidents of alleged Anti Social Behaviour will be logged and, where these are serious or on-going, cases will be opened on our Anti Social Behaviour recording system.

Progress with cases will be monitored by the Housing & Customer Engagement Manager to ensure that cases reach early resolution where possible.

The number of cases, their location and the type of Anti Social Behaviour will be monitored to assess if hotspots are occurring, which may need other forms of prevention or intervention.

Complainants will be invited to complete a satisfaction survey when a case is closed, the outcomes of which will be used to help improve the service, where appropriate.

Key performance indicators, such as complainant satisfaction with case handling, will be reviewed by the Executive Team and the Board and benchmarked against peers.

In managing information related to anti-social behaviour cases, Cornerstone Housing do so in compliance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA 2018). Cornerstone Housing are also work in partnership with the Local Authority and Devon & Cornwall Police and, where necessary to support enforcement or safeguard children or vulnerable adults, share information within the Information Charter agreement with the Strategic Alliance managed by Devon & Cornwall Police.

Appendix A

Anti Social Behaviour & Hate Crime Service Standards

At the first point of contact we will:

- Ask for information about you and your circumstances so we know how best to help you
- Ask questions about what has been happening and how it has been affecting you
- Assess the seriousness of what you are reporting and the impact on you
- Decide if what you are reporting will be considered under our ASB policy or not
- Explain what will happen next
- Agree your preferred communication method and when we will next contact you by
- Signpost or refer you to any immediate support you may require
- Log your complaint and provide you with a reference number
- Be honest with you if what you are reporting is not something we are able to help with.

We will manage your report of Anti Social Behaviour by:

- Contacting you within one working day for serious Anti Social Behaviour complaints.
- Contacting you within five working days for all other Anti Social Behaviour complaints.
- Completing a risk assessment with you and repeating this process every three months if your case remains open, or more frequently if the seriousness of incidents or the vulnerabilities of residents' change.
- Agreeing an action plan with you within ten working days.
- Maintaining the agreed frequency of contact throughout the management of your case.
- Involving you in the decisions and the actions we take.
- Continuing to assess any risks to you and your household and acting, in partnership with other agencies, to prevent harm.