



## Anti- Social Behaviour Policy

**Revised** November 2025

**Review Date** November 2028

**Approved by:**

**Board:** December 2025

**Responsibility:**

**Housing Services Manager and Chief Executive**

### Policy statement

St Peter's (Saltley) Housing Association Ltd (SPSHA) is always concerned about the effects of people's behaviour on others and takes a pro-active approach to resolve issues before they escalate.

### Regulatory Framework

This policy operates within The Regulatory Framework for Social Housing

The main relevant standard is outlined below:

### Neighbourhood and Community Standard

Anti-Social Behaviour

- We work in partnership with other agencies to prevent and tackle anti-social behaviour
- We publish our Anti-Social Behaviour Policy to all via the website, leaflets and regular newsletter updates.
- We will provide prompt and appropriate action to anti-social behaviour using the full range of tools and legal powers available to us.

## **What is Anti-Social Behaviour?**

Anti-Social Behaviour (ASB) has no one definition. We use the Anti-Social Behaviour, Crime and Policing Act 2014 to guide us in defining ASB, which is “conduct capable of causing housing related nuisance or annoyance to any person living in, visiting or employed in the area”.

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

- Noisy behaviour – refer to the [Dealing with Noise](#) procedure
- Vandalism and graffiti
- Drug misuse and alcohol-related nuisance
- Harassment and intimidation
- Physical violence
- Nuisance from vehicles
- Misuse of common areas
- Criminal behaviour
- Pet nuisance

We will record all incidents which we investigate and believe to be anti-social within the definition above.

## **What is not Anti-Social Behaviour?**

We do not usually consider everyday living noises to be anti-social behaviour as individuals have the right to enjoy their homes and entitled to go about their daily lives without concern of complaints made against them. Such noises include, but are not limited to:

- Noise from people walking or talking in adjoining properties.
- Children playing, babies crying
- Noise from washing laundry, household appliances or flushing toilets in adjoining properties, noise from closing cupboards or doors.
- Infrequent or occasional noise
- One-off parties or barbecues
- Parking issues
- Cats going into gardens
- DIY at reasonable hours

Anti-social behaviour can be wide and subjective as we all have different tolerances, perceptions and expectations. We will assess each case when deciding whether it is ASB, considering factors such as frequency, impact, circumstances etc. We will also ascertain if the noise was a deliberate act to cause distress or nuisance.

Anti-social behaviour complaints are different from service complaints which are addressed through the internal complaint's procedure. A service complaint is dissatisfaction with the standard of service, actions or lack of action e.g., not receiving a satisfactory service or not in accordance with policy/procedure.

Cases that do not meet the threshold of anti-social behaviour, will be managed via the [Neighbourhood Management Policy](#)

Incidents of Hate Crime will be managed under the [Hate Crime Policy](#).

Domestic Abuse reports will be managed under the [Domestic Abuse Policy](#).

Incidents of harassment can include sexual comments or gestures, offensive graffiti, abusive language and behaviour, violence, or threats of violence towards people of all ages. We may address some forms of harassment under our Safeguarding Policy and Procedure. This will be discussed fully with the reporter of the harassment.

### **Working in Partnership**

We recognise our responsibilities to the wider community and as such we are committed to ensuring that we work closely with tenants, residents, community groups and other relevant agencies. Such agencies include the police, other registered providers, local authority anti-social behaviour teams, environmental health departments, neighbourhood wardens and community safety partnerships.

Our aim in developing partnership approaches is to discourage and prevent anti-social behaviour, where possible, and to deal robustly with the consequences when it does occur.

We will:

- be active members of Birmingham Community Safety Partnerships in all the areas in which we work.
- consult with and actively involve Tenants and relevant agencies in our policy making.
- work with residents and relevant agencies to minimise the incidence of anti-social behaviour in and around our properties.
- provide literature.
- access training on all dealing in all areas of anti-social behaviour.
- contribute to good practice in the areas in which we work.
- attend meetings with relevant agencies and community groups to agree approaches to situations which are affecting communities.

### **Categorising and responding to Anti-Social Behaviour**

We will categorise incidents of anti-social behaviour according to severity.

<b>Category</b>	<b>Type of Behaviour</b>	<b>First responses Timescales</b>
Red	Actual and threats of violence Arson Graffiti (Offensive) Harassment Intimidation, aggressive or threatening behaviour Using property for illegal purposes	1 working day
Amber	Verbal abuse Damage to property, vandalism, graffiti Nuisance from vehicles, neighbours, sustained and excessive noise, drugs, alcohol, youth disorder. Constant visitors at unsociable hours	5 working days

	Repeats of reported Green incidents previously discussed and actioned. Behaviour deemed to be causing low level harassment.	
Green	Nuisance – unreasonable noise / loud music Inconsiderate parking Working on vehicles Problems with visitors	10 working days

### Preventing Anti-social behaviour

Whilst we are committed to responding swiftly and effectively to complaints of anti-social behaviour, our primary aim is to prevent it occurring in the first place. We will pay attention to: -

- Where possible, we will avoid letting properties where there is the potential for conflict between neighbours e.g., to young single people or families with young children too close to older people.
- Where possible, we will ensure individuals or families with additional support needs are not rehoused in areas where they will be vulnerable to harassment.
- We will use starter tenancies to help establish good behaviour before converting tenancies to assured status. We may end any tenancies before the tenancy becomes assured if there are ongoing and unresolved incidents of anti-social behaviour.
- Ensure new tenants are aware of their tenancy responsibilities in relation to ASB and our approach to ASB through the sign-up process and follow up visits.
- Encourage individuals to communicate with each other directly and develop their own resolutions to disputes.
- Make it easy for people to contact us about any problems they are experiencing by offering a range of contact & reporting methods.
- We will be clear about our approach to anti-social behaviour and the remedies available both to us and to our tenants.
- We will give clear advice on what constitutes anti-social behaviour.
- We will liaise closely with the community and statutory and voluntary organisations to reduce anti-social behaviour in the areas we work including working with organisations where the anti-social behaviour is caused by non-tenants on site.
- We will liaise closely with tenants to identify and address any potential ASB issues in the form of estate inspections including improved lighting and CCTV.

### Dealing with Reports of Anti-Social Behaviour

We will discuss the details of the incident with the reporter of the incident and agree an action plan of what will happen next., this may include contacting witness, interviewing the alleged perpetrator, checking CCTV. All potential solutions will be discussed with the reporter. These may include dispute resolution via a mediation service, civil or criminal court action or an injunction.

In some cases, it will be more appropriate for the individual to act themselves rather than the Association. In these circumstances the tenant will be notified and given any necessary advice and assistance.

Those reporting incidents will be kept fully informed of action and progress in relation to their complaint.

We will manage all cases using robust and evolving procedures, that reflect best practice.

### **Confidentiality and Data Protection.**

It is our aim to preserve, wherever possible, the confidentiality of all parties where an allegation of anti-social behaviour has been made. We will deal with complaints of anti-social behaviour promptly and sensitively and all information will be treated confidentially. However, complainants will be informed that we have agreed protocols for the sharing of information with the Police, other registered providers, and Local Authorities through Safer Estates Agreements.

Where a criminal offence has been committed, or where someone is a risk to themselves or others, we cannot preserve someone's confidentiality.

We will store data in accordance with our statutory security and document retention policies.

### **Vulnerable parties**

We recognise that for various reasons, some of our tenants may be vulnerable and where we are able, we will adapt our services to suit their needs. This also includes our obligation towards alleged perpetrators who are vulnerable just as we do for victims of anti-social behaviour. When dealing with alleged perpetrators who are vulnerable it may not be appropriate to follow our usual policy/procedure especially regarding seeking an eviction. It may be appropriate to liaise with the alleged perpetrator's support network if they have one or signpost to support services if needed. We will carry out a proportionality assessment in all cases to ensure that any support needs are identified during the investigation and action taken is proportionate to the case.

### **Victim and Witness Support**

We recognise that being a victim or witness in an Anti-Social Behaviour case can be a daunting experience for many people. However, it is often essential to the success of a case, particularly if the case goes to court, that witnesses are prepared to be involved. Supporting and protecting witnesses is a high priority for St Peter's and we make a commitment to support them throughout the process, including after court if necessary. We will work with partner agencies including the Police, Community Safety and Victim Support to provide appropriate support tailored to individual's needs.

### **Abuse of Policy and Procedure**

Action under this Policy will be taken against tenants who abuse this policy i.e., continually making false allegations of Anti-Social Behaviour.

### **Monitoring and reporting**

The Chief Executive will monitor performance via a detailed quarterly performance report.

The Board will monitor performance via a quarterly key performance indicator report.

### **Possible actions that may be considered**

**Tenancy Action** -There is a clause in all tenancy agreements specifically prohibiting nuisance, anti-social behaviour, and harassment by tenants, those who live with them and their visitors. To help protect tenants from the actions of others, we also have expected standards of behaviour in the tenancy agreement. Action will be decided on the circumstances of each case and will be proportionate to the behaviour exhibited.

Nuisance, anti-social behaviour, and harassment will be considered a serious breach of the tenancy agreement and will be enforced firmly and fairly by use of the actions outlined below.

All new tenants will be advised of their obligations at the start of the tenancy.

**Warning Letter** A letter may be sent by us warning a Tenant that a certain incident has occurred and been proven / accepted. The letter will inform the tenant that the behaviour is not acceptable and confirm monitoring timescales.

**Neighbour Agreements** Neighbour agreements is a two process between landlord and tenant resolving disputes by setting out clear standards of behaviour expected regarding the specific areas of conflict.

**Mediation.** Mediation is a form of conflict resolution. It is a process in which an impartial third party helps disputing neighbours to work out an agreement whereby they can live peacefully next to each other. It is used increasingly and is found to be very effective in dealing with neighbour disputes. The people in the dispute work out the terms of the agreement, not the mediator.

**Acceptable Behaviour Contracts (ABC's)** An ABC is a written agreement not to act in a specific manner. It is made between a person, and St Peter's (Saltley) HA Ltd (other agencies may sometimes be used). It may be used by the Association with tenants and or parents and children of St Peter's (Saltley) HA Ltd in an agreement to stop some forms of behaviour. It does not mean someone is guilty of a crime, but if the contract is broken then it can be used in court as evidence in legal proceedings.

**Legal action** Legal action will be considered to tackle problems if all other approaches have failed to stop a nuisance and there is little likelihood of the behaviour improving. The Tenant will be aware of the Association's intention to take matters to court with the issue of a Notice Seeking Possession served upon them. The Tenant may still have the opportunity to amend their behaviour during the notice period.

St Peter's is signed up to the Commitment to Refer to support the aims of The Homelessness Reduction Act 2017, in particular the Duty to Refer. Where there is a risk of homelessness to a tenant, we will make a timely referral to ensure the tenant receives support at the earliest opportunity.

Where there is a risk of homelessness, with the consent of the tenant(s) involved, we will make a referral to the Local Authority using the Alert under the [Commitment to Refer](#) duty.

**Criminal Behaviour Orders (CBO's)** This is issued by a criminal court against a person who has been convicted of an offence, not necessarily ASB. The Order will include prohibitions to stop ASB but can also include positive requirements to get the offender to address the underlying causes of the behaviour. Breaching a CBO is a criminal offence and will be dealt with by the courts, which can be a fine or imprisonment.

**Injunctions.** An injunction is an order of the court that requires a person to do something or stops them from doing something. Injunctions are normally used when there has been violence or threats of violence. There are also three different stand-alone injunctions used to tackle Anti-Social Behaviour; Unlawful use of premises; Anti-Social Behaviour and Breach of Tenancy Agreement. A breach of an injunction is a contempt of court and can lead to a fine or prison sentence.

**Community Protection Notice (CPN)** This notice is issued by the local council, police officers and police community support officers to stop a person aged 16 or over, business or organisation committing anti-social behaviour which spoils the community's quality of life. The behaviour must have a detrimental effect on the quality of those in the locality; be of a persistent or continuing nature and be unreasonable. Breaching a CPN is a criminal offence. A fixed penalty notice, or fine can be issued.

**Possession** If St Peter's (Saltley) HA Ltd can prove a breach of a tenancy condition, we may apply for possession of the perpetrator's home. Removing someone from their home needs a court decision. The courts will only take this decision as a last resort so it is something we will ask for only when all other measures have failed. If a criminal act has been committed and action is being taken by the police, we may be able to use this information to prove a breach of tenancy conditions.

**Absolute ground for possession** The Anti-Social Behaviour, Crime and Policing Act 2014 has introduced a new absolute ground for possession of secure and assured tenancies where ASB or criminality has already been proven by another court.

Where the tenant, a member of the household or person visiting the property has either been convicted of a serious offence; breached a civil injunction, breached a CBO or noise abatement notice; or the property has been closed for 48 hours under a closure order, the court must grant a possession order.

**ASB Case review** The ASB Case review is a mechanism for victims of persistent anti-social behaviour to request that relevant bodies undertake a case review. A case review would entail the relevant bodies sharing information in relation to the case, discussing what action has previously been taken, and collectively deciding whether any further action could be taken. Relevant bodies include local authorities, the police, health providers and providers of social housing.