

Anti-Social Behaviour Policy

Our policy to take responsive, swift and proportionate action to anti-social behaviour.

The basics

Anti-social behaviour (ASB) can mean different things to different people.

We want to be clear about what we will treat as ASB and how we will deal with it.

There are things that we will not class as ASB, but where this is causing nuisance or distress, we will act upon this using our [Good Neighbourhood Management Policy](#).

Our approach

When a report of ASB is made we will assess it to decide if it will be handled under the **ASB Policy** or the [Good Neighbourhood Management Policy](#).

We will report any potential crime to the police or ask our customers to do this.

We have information sharing agreements with relevant local authorities like the police and the local council. We will share information with these partner organisations if it might help in investigating or resolving ASB.

How to report ASB

ASB can be reported in the following ways:

- by phone to your Neighbourhood Officer
- by phone to our contact centre on 0113 386 1000
- by email to your Neighbourhood Officer
- by email to hello@lfha.co.uk
- using your My Account log in on our website at www.lfha.co.uk

Risk Based Approach

Leeds Federated adopt a risk-based approach and will carry out risk assessments at regular intervals during the case to make sure that the level of action is in proportion to the risk.

What is ASB

Some of the things we deal with as ASB are:

- Violence or threats of violence
- Hate crime
- Domestic abuse
- Aggressive behaviour
- Verbal abuse

- Excessive and/or persistent noise/Statutory noise nuisance as defined by the Environmental Protection Act 1990
- Nuisance
- Dealing drugs
- Criminal activity
- Nuisance vehicles

What is not ASB

Some of the things that we will not class as ASB are:

- Parking or vehicle issues
- Untidy gardens
- One off environmental issues such as vandalism, graffiti or fly tipping
- Smoking/Vaping
- Boundaries/Fences
- Dogs barking
- Cats/Pets in gardens
- Cooking smells
- Placement of bins
- People looking/staring at each other
- Children playing
- Working from home
- One off celebrations
- Occasional noise made by a customer or someone in their household who has a protected characteristic such as a mental health condition or a physical disability
- Reasonable DIY/household activities
- Breakdown in friendship
- One off incident of shouting/arguing/loud music
- General household noise such as:
 - babies crying
 - children playing
 - people talking or walking within their homes
 - closing doors and windows
 - vacuuming
 - using white goods
 - switching lights on and off
 - flushing the toilet/running the taps

(This list is not exhaustive)

We will decide if we think the person causing upset is doing it to cause nuisance, annoyance or distress. We refer to this as **with intent**.

Where the behaviour is **not carried out with intent**, it will be handled under the [Good Neighbourhood Management Policy](#).

Hate Crime

Hate crime is a criminal matter and should be reported to the police in the first instance. We will work with the police to investigate this where possible and seek guidance from them if there is a risk to a customer's wellbeing as a result. We will work with partners to raise awareness of hate crime and incidents and review any geographical trends that could identify any preventative steps that we can take in conjunction with partners such as the police, local authorities and support groups.

Investigating ASB

When we open a case we will **write to you** and let you know what the **next steps** are.

We will **investigate** the report made. This will include interviewing people including the person who has reported the ASB and the person who has been accused of the ASB.

We will also gather evidence from other people who report the same incident, or from witnesses, the police, or by asking to look at CCTV footage.

If counter allegations are made, these will be put to the other party.

We will discuss with you if it is possible for you to remain **anonymous**. If the case is likely to go to court, you may not be able to remain anonymous as you could be called as a witness to court.

Once we have completed our investigation, we will review the case for the most suitable course of action. We will take into account any historical cases and actions taken on those.

We will use the tools that are available to us to help us to carry out a thorough investigation. This can include the use of noise monitoring equipment, accessing or installing CCTV, or through partnership working with the police or other agencies such as LASBT (Leeds Anti Social Behaviour Team) or other relevant local authority ASB teams.

We will also make reference to other linked policies such as the [Challenging Behaviour Policy](#), [Domestic Abuse Policy](#), [CCTV Policy](#) or [Neighbourhood Management Policy](#).

Action plan

We will create an action plan to try and resolve the issues without the need for legal action. We will **communicate** this with the people involved in the case and we will **check this regularly** to see if it is having the desired effect.

If the action plan is **successful**, the case will be closed without the need for further action.

Where the action plan is **not successful**, we will consider what extra steps we can take.

The action plan will be updated to include any new measures that are in proportion to the ASB that is happening.

The action plan may change during the case if the issues get worse. We will carry out regular reviews and update the action plan.

Support during the ASB case

We will help customers to access the support they need during an ASB case. This could be for the person reporting, the alleged perpetrator, or witnesses.

We will be open-minded about potential outcomes and work with all sides to manage expectations.

We will work with partner agencies where support may be of benefit to the case.

Combined justification exercise and equality impact assessment

Before we consider court action, we will carry out a combined justification exercise and equality impact assessment to make sure that the action is in proportion to the incidents reported.

We will take into account any considerations under The Equalities Act 2010 which could relate to the person reporting the ASB, the person who is being accused of causing the ASB, and any witnesses.

Potential measures to resolve ASB

If a case is being dealt with under the ASB Policy, then it is likely that we will take some kind of enforcement action. Some of these actions need support from the local authority or police and so will only be available if they agree to work with us to achieve them.

The types of actions include:

- Reminder of Terms of the Tenancy Agreement
- Formal Tenancy Warning
- Acceptable Behaviour Contract
- Good Neighbour Agreement
- Mediation referral
- Noise level agreement
- Undertaking to the court
- ASB Injunction (with or without notice)
- ASB Injunction with power of arrest (With or without notice)
- Committal proceedings
- Persons unknown Injunction
- Exclusion orders
- Criminal Behaviour Orders
- Full or partial closure orders
- Demoted tenancies
- Noise abatement notices
- Possession proceedings

This list is not exhaustive.

Where we can, we will signpost customers for help outside of Leeds Federated, this may be for applications such as non-molestation orders or occupation orders.

Closing Cases

We will close ASB cases when:

- The issues reported have come to a satisfactory end
- We have stopped receiving reports
- There is not enough evidence to continue the case
- A case review cannot support the case to be continued

Before closing a case, we will write to the person reporting the ASB to let them know that we will be doing so. If new evidence is provided, we will check if this is enough to carry on with our investigations.

Complaining about your ASB case

If you are not satisfied with the way we have handled your ASB case, you can request an ASB case review, or you can make a complaint using our [Complaints Policy](#).

Anti-social behaviour case review

This used to be called the Community Trigger. It gives customers who are victims of persistent ASB the right to ask for a multi-agency case review. Agencies that could be brought together to discuss the case could include the local authority, the police, local health teams and housing providers.

There will usually be a lead agency who will manage this process, this is set locally and is usually the local Authority or the police.

The local area will also set a threshold which must be met to be able to ask for a case review. To understand the threshold in your area, you can check with the local authority.

If the threshold is met, a case review will take place with all relevant bodies. Information will be shared across those involved in the case review and the case will be assessed to see if any additional actions should be taken, setting out timescales for them.

If the threshold is not met, the formal process will not be started, but the agencies may agree to review the case in a multi-agency format to see whether there is more that can be done.

The victim of the ASB will be invited to the case review and they will be informed of the outcomes. There is a right to appeal.

Key points for customers

There is more information about the points covered in this policy in your **Tenancy Agreement**.

We need information from our customers to investigate and resolve ASB. If we ask you to record when things happen and how they make you feel, this can help us

understand the effect it's having on you. This helps us to take appropriate, timely and proportionate steps to deal with the ASB you are reporting and to help us to prevent it from happening again.

If the action that we take is successful and we think that there is no longer any need for us to be involved, we will end our involvement. This means that the case would be acted on under the [Good Neighbourhood Management Policy](#).

Key points for colleagues

Customers involved in ASB cases should be contacted **regularly** throughout the case even when court action has been agreed.

Action plans will be updated and any changes to the action plan will be shared.

Customers can report and record ASB in several ways. This may include ASB diary sheets, but other methods of gathering this information should be used as needed.

We will update all actions or evidence to the case. When we make suggestions to customers to help reduce the impact of ASB, we will record this on the case and any reasons why they have been refused.

We will use tools available to us to investigate noise nuisance, such as the Noise App, noise monitoring equipment, or partnership working with environmental health to record noise levels.

Linked with the **Community Based Approach**, we will review types of ASB within Neighbourhood Plan areas. Any trends identified will be discussed with the community and partners in the area so that actions to prevent ASB can be considered as part of the Neighbourhood Plan.

Where trends relating to noise nuisance are found within a particular property, we will discuss whether we can change anything inside the property when it next becomes empty.

Key points for board/committee members and the regulator

Our housing management team are responsible for approving this policy and making sure it supports the Association's objectives to:

- Sustain
- Engage
- Grow

We consider tackling ASB as part of our:

- Budget and business plan
- Strategic risk register
- Corporate balanced scorecard and performance management
- Regulatory compliance and Tenant Satisfaction Measures
- Equality, diversity and inclusion strategy

In creating our approach to dealing with ASB, we have referenced the Housing Ombudsman's Spotlight report into Noise complaints.

Policy updates

The Housing Management team is responsible for updating this policy.

Policy updated and approved January 2025. Next review due January 2028.