



ASB Procedure

Contents

1.0	Introduction	2
2.0	Reasonable Adjustment	4
	What is Reasonable Adjustment?	4
	Reasonable Adjustments that would be considered	4
	Staff Guidance	5
3.0	Reporting and Recording	6
4.0	Case Management	8
5.0	Monitoring and Reviewing	9

1.0 Introduction

This procedure has been developed to support the Wales & West Housing (WWH) [Anti-Social Behaviour Policy](#). It aims to provide clarity on the Reporting, Recording, Management and Reviewing of ASB cases that are received.

The procedure has been drafted to comply with s.12 of the Anti-Social Behaviour Act (2003) which requires landlords to have both a policy and procedure for dealing with occurrences of ASB and is in line with the 'Code of Guidance for Local Authorities and Housing Associations (2005)'.

By reviewing the ASB service from a customer's perspective we have determined that the purpose of the ASB System is to **support residents to feel safe in their homes and communities.**

To achieve this purpose, we understand what matters to residents when addressing reports of ASB is that:

- **Residents are supported to deal with issues that are affecting them.**

Residents will contact us for assistance for landlord and non-landlord related issues. We aim to work with our residents to help them resolve issues, giving realistic advice on what options are available to us and them, to resolve the problem and the best way of approaching it.

- **Residents are listened to and the right problem to fix is fully understood.**

We will take time to understand the effect and impact of the issue on a person. We will use information that a person may have already shared with us to understand their situation, history or background that may affect their ability to deal with or take the necessary actions to address the issue they are reporting.

- **Residents are supported to get the right help at the right time.**

We will seek to understand if a person has needs and how that impacts on their ability to manage their circumstances. We will support residents to access services or support and make referrals to safeguarding services and statutory agencies as appropriate (ref safeguarding policy/area).

- **Residents feel safe in their homes and communities.**

It is recognised that ASB is often a symptom of a deeper issue with the individual, their homes, or community. It is the responsibility of all staff to support the management of ASB in our communities. This may range from direct support to residents with regard to specific issues; to property or environmental improvements; or to community development activities to support the wider community.

- **Residents are kept informed**

We will seek to understand when and how a person wishes to be kept updated of any actions we agree to undertake and agree a realistic and appropriate way of doing this.

Definition

WWH has utilised the definition presented in the Crime and Disorder Act (1998) of anti-social behaviour, which states that:

“any conduct that causes or is likely to cause harassment, alarm or distress to one or more persons not in the same household” and “is conducted by a resident, any member of their household or visitor to their home who carries out, threatens to carry out, engages in, or with knowledge of, allows such conduct to occur”.

WWH has recognised that there is behaviour and activity in communities, which may be considered as anti-social behaviour as defined above, and may also be a breach of tenancy conditions, but does not meet the threshold for formal, legal, intervention to be pursued. It is for this reason that WWH has adopted an approach which may see complaints considered as ‘low level or low risk’ which do not have the same degree of impact on the victims and the wider community. The differentiation between these ‘degrees’ of behaviour also informs the type of response and actions that are available to resolve the issues.

To support the management of ASB, WWH has a specialist team to provide advice and support to staff and residents and can be drawn upon at any point during the investigation. The team consists of an ASB Co-ordinator, and Neighbourhood Dispute Officers (NDOs). The NDOs work generally on a geographical basis but will provide support and cover where required.

In addition to individual case management, WWH has adopted other approaches to the management of schemes and communities with the aim of reducing the potential impact of ASB on residents. These include local lettings policies, estate improvement work and security improvements such as CCTV or door entry systems.

It has also been recognised that pre-tenancy work with residents is an important element of setting up a successful and sustainable tenancy. This may include, but is not limited to, conversations to understand if it is the right home, accessing support, recognising and understanding previous issues, and appropriate advice and support to refuse an offer of accommodation.

We are also committed to ensuring that persons contacting us regarding ASB, or any other issue, are not disadvantaged in any way when accessing our services, and we will undertake to make reasonable adjustments to meet individual needs.

2.0 Reasonable Adjustment

What is Reasonable Adjustment?

A [Reasonable Adjustment](#) is a legal term described within the Equality Act (2010). It means that we, as a Housing Association, are required to ensure that we understand if a person requires us to deliver services differently so that one person is not substantially disadvantaged in comparison to another due to their personal circumstances.

Reasonable Adjustments that would be considered

We are committed to ensuring that our residents and customers have a high standard of accessibility to our services. We will ensure that this approach recognises the definition within the Equalities Act that:

“a person has a disability if he or she has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities (S6(1))”

Due to the different needs and requirements of individuals, it is not possible to provide examples of all adjustments that could be considered, however the following are some examples of the adjustments that could be made to provide additional support to residents or customers with a physical, developmental or mental health condition; with learning or communication difficulties; or with sensory impairments, such as sight or hearing difficulties:

- Use the preferred method of communication.
- Not require information to be provided in writing where this would create difficulties for the resident.
- Regular breaks in interviews.
- Provision of information in an accessible format.

We would also consider adjustments for instances which are not covered by the Equalities Act, for example:

- Translation services for residents or customers where English or Welsh is not their first language.
- Provision of additional support for residents or customers who may have literacy difficulties.
- Making pre-arranged appointments and not calling unannounced.

Staff Guidance

When meeting and communicating with resident or customers, Wales & West Housing staff should:

- **Ask, don't assume** – In many instances disabilities or specific needs are not always visible or clearly apparent. We should, as routine, ask if a person requires additional support, or whether we should be delivering our services to them in a particular way. It does not need to be awkward or intrusive, but simply a question such as: “Our usual approach to dealing with this would be ***, do you think you would need any additional support?”. This allows the person to tell us what support they would need, while also allowing them to be as open, or not, about their personal circumstances.
- **Listen** – Residents or customers with particular support needs will know what they need, and by allowing them the opportunity to tell us, and by listening, we will be able to meet those needs where it is reasonable.
- **Be Flexible** – It can be easy to assume that persons with a similar disability will require the same support, however this may not be the case. We should be prepared to be flexible in our approach when responding to requests for reasonable adjustments.
- **Record** – We will ensure that the information and request for support provided by the person is recorded and shared appropriately. Our Housing Management system allows for “Important Information About Delivering Services” to be completed and ensures that all departments are aware of the resident’s particular requirements. In addition, a “Secure Documents” library is available to record sensitive information.

3.0 Reporting and Recording

Residents, or other parties, should be encouraged to report ASB issues in whatever way is most convenient to them. We will accept reports verbally, in writing, or electronically. This may come directly from the person affected or from someone else on their behalf. In addition, in many instances residents will be contacting Housing Officers, and others directly, as mobile phones numbers of staff are made available to residents.

It is important that as much factual and relevant information is gathered at the initial point of reporting as is possible. This will include, but is not limited to:

- What is happening?
- Where is it happening?
- Who are the persons involved?
- When did it happen?
- How often is it happening?
- What, if any, steps have they taken to address the matter?
- Have they reported it to any other agencies, such as the Police or Environmental Health?

This initial contact is an opportunity to have a conversation with the person, to understand the impact the issues are having upon them and to provide initial advice and assistance.

When receiving a report, it will be categorised and may be recorded, in one of three categories:

1. Advice only – the nature of the report would see the person being provided with advice on a situation that, at this point in time, might not be pursued further, for example, noise from an unidentified source, lifestyle noises, children playing during the day – this type of report may not need to be recorded, if any notes are made they should be recorded on the Tenancy Diary.
2. Low level / low risk report – this type of issue could be considered as a situation which appears to have a low impact, or is low risk, to the person making the report or the community, for example non-criminal vehicle related annoyance, fly tipping or animal nuisance - this type of report should be recorded on the Low Level Spreadsheet, in addition any actions agreed should be recorded on the Tenancy Diary.

3. Serious / High Risk – this report would be an issue considered to be having a high impact on the person, or the community, this may include violent or aggressive behaviour, suspected criminal activity or persistent noise – this type of report must be recorded in ASBEM in Dynamics.

It is important to consider that this categorising of reports is not 'fixed'. If a report that initially appeared to have been resolved with advice only, or was low level, escalates, then it can be re-categorised, and re-recorded. Also, the reverse might be the case, where a report appeared to be high risk, de-escalates, then it can be made 'Inactive' within ASBEM.

The person reporting the issue should also be advised of the appropriate information to ensure that they are clear in how their issue is being managed. This could include:

- Name and contact details of their Housing Officer / Neighbourhood Dispute Officer.
- Actions which have been agreed, either by the persons reporting, or by WWH.
- How they will be kept informed of the progress of the investigation.
- Contact details for the Local Authority Environmental Services.
- Details of their local PCSO.

Where documentation is provided as part of the report, this should be saved in the appropriate Dynamics library, with a 'note' to advise where, and what, documentation is recorded.

It is important that when information is recorded, it is recorded appropriately. Information and documentation **must not** be stored in Outlook, WhatsApp, personal One Drive folders, or any other method. This ensures that all information is managed within the appropriate Data Protection Protocols and is accessible when required.

The Dynamics Tenancy library has a 'Secure' area for any sensitive documentation to be managed appropriately.

4.0 Case Management

ASB cases will be managed according to the situation and tailored to the needs of the persons involved.

We should ensure the needs of the persons involved are met and reviewed regularly, for example, if a situation is escalating, do target hardening measures need to be considered, or has new information been received that now requires us, or other support services, to deliver our services differently.

The following are guidelines that may be considered during the ongoing management of an ASB case:

- Record any actions and interventions – this may be on the ASBEM record, or within the Tenancy Diary.
- Confirm actions with the persons involved – seek to understand what outcomes are being sought and be realistic about what can be achieved, ensure that the persons are clear in what they should be doing, and what we are doing.
- Support and enable the resolving of the situation – including drawing upon NDOs, HMs, CDOs, TSOs, etc.
- Utilise Restorative Approaches where appropriate - seek amicable resolution to the satisfaction of the people involved.
- Utilise Statutory and other Agencies where required – make the appropriate referrals to Local Authority and other support agencies to access additional support.
- Monitor Referrals – ensure that any referrals, or action plans, are being progressed and the appropriate contact details are recorded.
- Involvement of Local Authority Environment Services – provide contact information and ensure partnership working is appropriate.
- Use existing procedures and guidance where required – there are separate procedures in place for situations such as Hate Crime and Discriminatory Behaviour, Domestic Violence, Victim and Witness Support and Safeguarding Issues, these should be utilised as appropriate.
- Formal interventions and legal actions available to WWH – to be used as appropriate, and in consultation with Housing Managers and ASB Co-ordinator
- Police-led Investigations – ASB reports may be initiated as a result of Police-led activity such as Problem Solving Groups or a result of Warrants or Intelligence, we should ensure that we are actively involved in the partnership and recognise the impact of activity on the wider community
- No further action

5.0 Monitoring and Reviewing

The cases recorded should be reviewed and monitored on a regular basis to determine if the appropriate actions and interventions have been applied to actively manage the case.

When cases are reviewed if recent activity or action has occurred, they will be considered 'Active', if there is no current activity in relation to the case, then it may be considered 'Inactive'.

When reviewing the case, it may be helpful to consider some of the guidelines below:

- How long has it been active – has it been continually active, or are there patterns of activity?
- What is being reported – is it the same issue as at the beginning; has it changed?
- What actions have been undertaken – what were the outcomes; what were the barriers, how were barriers overcome, or not?
- Have actions which have been previously agreed been undertaken on both sides (person and WWH)?
- What advice has been provided – how successful was this advice; did it help the situation?
- Is the information complete – have we missed anything; is there another approach which could be explored?
- Quality of the information held – if the case is to be progressed to formal/legal action, is everything available to ensure that, for example, the Court Evidence Bundle, can be prepared straightforwardly?
- Satisfaction – has a satisfaction survey been undertaken; what was the feedback; how could we have delivered the service differently; what did we do that was appreciated?
- Other support – have all other avenues of support been explored, both internally and externally?
- Does the situation reach the threshold for a wider [Community Trigger](#) response, where ongoing and multiple reports will draw together the Local Authority? Police, Clinical Commissioning Group and RSLs to undertake a wider case review and to develop an action plan.
- If the Community Trigger is to be progressed, is all the relevant information and documentation collated and easily accessible?