



# Anti-Social Behaviour & Hate Crime Policy

**Owner: Tenancy Services Manager**

**February 2025**

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<b>V6.0</b>	<b>Full Review</b>	<b>12/03/202</b>	<b>Community Voice</b>	<b>2027/2028</b>
V5.0	Full Review	16/6/2020	Community Voice	2023/2024
V4.0	Health Check	2/9/2015	Heads of Service	2018/2019
V3.0	Full Review	11/12/2014	NLH Board	2015/2016

## **Contents**

		<b>Page</b>
1.	Our policy is...	2
2.	It applies to...	2
3.	Definitions	3
4.	Our approach	5
5.	Making sure we do what we say...	6
6.	Other things to bear in mind ...	6
7.	We'll look at this again...	7

## **1. Our policy is...**

- 1.1 We recognise the effect of crime, Anti-social Behaviour (ASB) and hate incidents on residents, communities, colleagues, contractors and the impact it has on our properties. We are committed to deterring, stopping and tackling ASB in our communities in line with our service standards
- 1.2 This policy sets out how we will do this and following consultation with our residents, our approach is to:
- Provide a definition of what is ASB and hate crime/incidents
  - Ensure all residents are treated with fairness and respect
  - Set clear expectations with residents and partners
  - Provide a range of accessible options for reporting ASB and hate incidents
  - Take a harm centred approach when deciding how to prioritise cases considering individual needs
  - Take prompt and appropriate action using the full range of tools and powers available
  - Give customers regular updates on their case
  - We will consider individuals personal circumstances and may offer support to meet these
  - Work with partners to problem solve, stop ASB and signpost customers for support
  - Work with those causing ASB to support change of behaviour where possible
  - Work with our communities and partners to develop effective and co-ordinated responses to problem solving
  - We will ensure that all residents or involved tenants wanting to influence and scrutinise our policies have opportunity to do this.
- 1.3 We will give our teams guidance and training on how to support, signpost and deal with reports of ASB, hate crime and hate incidents.
- 1.4 Complaints about the way we manage our response under this policy will be dealt with through our Complaints Policy.

## **2. It applies to...**

- 2.1 This policy applies to all customers of Ongo, colleagues, volunteers, contractors and communities where Ongo have properties.
- 2.2 We may address unacceptable actions from our customers under our Unacceptable Behaviour Policy.
- 2.3 Our approach to domestic abuse is detailed in our Domestic Abuse Policy.

### **3. Definitions...**

#### **3.1 Anti-Social Behaviour**

The ASB, Crime and Policing Act 2014 defines ASB as:

- Conduct that has caused or is likely to cause harassment, alarm or distress to any person;
  - Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises; or
  - Conduct capable of causing housing-related nuisance or annoyance to any person.
- This conduct must be housing related for Ongo to start an investigation. This is all the services and functions that Ongo offers and provides to our customers.

#### **3.2 Some examples of behaviour that is ASB:**

- Violence and threats of violence
- Hate incidents (see Section 3.2 below)
- Drug misuse, nuisance related to alcohol and prostitution
- Verbal abuse
- Misuse of communal areas
- Criminal acts
- Persistent noise at high levels or unreasonable hours
- Nuisance from vehicles
- Animal nuisance
- Environmental issues such as litter/fly tipping/graffiti and vandalism

#### **3.3 Some examples of behaviour that is not ASB:**

- Parking
- Household noise
- Children playing
- One off parties
- Social media comments
- Dog fouling
- Lifestyle and personal differences with neighbours
- Family disputes
- Boundary disputes

#### **3.4 Where we decide that reports are not ASB, we will tell you this in the first instance and assess to see if it should be dealt with under another policy, offer advice and support or signpost customers to partners who may be able to assist.**

### **3.5 Hate Crime/Hate Incidents**

3.6 Hate crime is a criminal offence and targets individuals or groups due to their identity, including race, disability, religion, transgender identity or sexual orientation. It can be committed against a person or property.

3.7 A hate incident is any incident which the victim or anyone else, thinks is based on someone's prejudice towards them because of their race, religion, sexual orientation, disability or transgender identity. Examples are:

- Verbal abuse
- Harassment
- Intimidation
- Threats of violence

3.8 Ongo is a Hate Crime Reporting Centre for North Lincolnshire and we will ensure that when incidents are reported, support will be offered or signposted. We will work with police and other agencies to take joint action where necessary.

### **4.0 Partnership working and Information Sharing**

4.1 We work in partnership with appropriate local authority departments, the police and other relevant organisations to deter and tackle ASB and hate incidents. This may include sharing information and retaining information under the relevant legislation.

4.2 We will store and share information with third parties in accordance with our Data Protection Policy.

### **5.0 ASB Case Review (formerly Community Trigger)**

5.1 We will work within the ASB, Crime and Policing Act 2014 that allows customers to request a multi-agency audit of their case if they believe no progress has been made. If required, we can advise customers how to raise this with the relevant local authority.

### **6.0 Prevention**

6.1 We aim to prevent ASB and hate incidents through:

- Setting clear expectations to our customers to behave responsibly including their visitors
- Proactive partnership work for interventions
- Promoting early interventions, where appropriate, including supporting customers to speak to their neighbour prior to involving Ongo
- Making the best use of our homes through the Lettings Policy
- Issuing starter tenancies to new customers in line with our Tenure Policy
- Targeted campaigns and feedback from residents

## **7.0 Our Approach**

- 7.1 We provide a range of options for reporting ASB and hate incidents including telephone, email, via the website, in person at an Ongo office and our My Home app.
- 7.2 We will respond to reports of serious ASB such as violence or threats of violence, safety issues, domestic abuse, hate incidents and hate crime within 24 hours. Ongo will assess the risk of harm to the victim, along with any potential vulnerabilities at the time the report is received.
- 7.3 Where there is actual or immediate risk of harm, this should be reported to the police via 999 in the first instance.
- 7.4 We will respond to all other cases within 5 working days, giving a named officer for the case.
- 7.5 We will agree an action plan, including clear expectations, timescales, regular updates and possible outcomes. We will be clear if we are unable to take further action.
- 7.6 Any action we take will be proportionate and timely to the situation. Our response will be based on the severity, impact of the ASB and include the level of evidence provided.
- 7.7 Our aim is to stop the problem behaviour through early intervention tools for example, mediation, acceptable behaviour contracts and good neighbour agreements. This will be assessed on a case-by-case basis.
- 7.8 Where appropriate, we will consider the use of legal interventions as provided by current legislation, including the use of Ground 7a of the Anti-Social Behaviour, Crime and Policing Act 2014 for absolute possession where grounds of possession are met.
- 7.9 We will complete a proportionality assessment prior to commencing legal proceedings. This process helps ensure that legal proceedings are a last resort and that all other avenues have been considered to address the ASB in a fair and balanced manner.
- 7.10 Residents may be requested to help gather evidence and work with us to assist with a resolution. In the few cases where legal action is taken, we may ask you to attend court as a witness, our team will support you through this if needed.
- 7.11 We will close a case where behaviour has improved to an acceptable level, when there is no further reasonable action we can take to resolve the matter, based on the information we have or at the request of the customer. We will keep you informed of this.

## **8.0 Support**

- 8.1 We will only consider moving people who are experiencing problems as a last resort when all other measures have been exhausted. For such circumstance, this will be done in line with our Lettings Policy.
- 8.2 We recognise the impact that ASB has on individuals. We will consider individuals personal circumstances and may offer support to meet these. Examples are:
- Regular contact and updates
  - Signposting to other agencies and/or digital channels where appropriate
  - Mediation
  - Target hardening e.g. security lights, window locks, CCTV
- 8.3 We will provide support where appropriate to those causing the ASB to assist in changing behaviour and sustain tenancies. This could include signposting to other agencies.
- 8.4 We are committed to safeguarding vulnerable adults and children. We will ask for support and guidance from agencies where ASB is caused or made worse by someone's vulnerabilities or disabilities to find the best solution. Our approach to safeguarding is outlined in the Safeguarding Policy.
- 8.5 Ongo Homes is committed to ensuring Equality and Diversity is embedded across all our services and working practices. We will take reasonable steps to identify any vulnerabilities and provide reasonable adjustments dependant on individual needs. Further information can be found in our Reasonable Adjustments Policy for Tenants & Customers Policy.

## **9.0 Anonymous Reports**

- 9.1 We will always ask a customer to provide contact details so we can keep them updated. Anonymous reports limit what action we can take and will be taken on a case-by-case approach.
- 9.2 If we are unable to establish any further details of an anonymous reported case it will be recorded for information only.

## **10.0 Making sure we do what we say ...**

- 10.0 The Head of Landlord Services is responsible for making sure this policy is implemented and monitored.

- 10.1** We collect data on ASB to show our performance against targets; how satisfied customers are and where to improve our services; identify hotspots and specific problems to target our resources effectively.
- 10.2** We will involve residents who have been subject to ASB and involved tenants in co-designing solutions to community issues or to gather feedback to make sure the services are responsive to change. As part of our service, we will ensure we are visible across our communities and work together to identify and resolve any issues.
- 10.3** Key performance indicators to measure and monitor our performance will be provided every 12 months to Ongo Homes Board, this will include but not limited to:
- No of cases opened and type of case
  - Length of time to resolve a case
  - No of cases resolved and unresolved
  - No of complaints relating to ASB
  - No of complaints relating to Hate Crime/Incidents
  - Resident feedback
  - Identify and consider any emerging trends
- 10.4** We will be open and transparent and share our performance on our website, annual report and relevant tenant groups. This will help us review the current service provided and shape future services.

## **11.0 Other things to bear in mind...**

This policy also links to our:

- Domestic Abuse Policy
- Data Protection Policy
- Data Retention Policy
- Crime and Disorder 1998
- CCTV Policy
- Equality, Diversity and Inclusion Policy
- Safeguarding Adults & Children Policy
- Tenancy Management Policy
- Tenancy Agreements
- Tenure Policy
- Neighbourhood Management Policy
- Lettings Policy
- Unacceptable Behaviour Policy
- Complaints & Feedback Policy
- Reasonable Adjustments Policy
- Our Service Standards

12.0 The main pieces of legislation and regulation relevant to this policy include:

- ASB, Crime & Policing Act 2014
- ASB, Crime & Policing Act 2014: ASB Powers
- ASB Act 2003
- Protection from Harassment Act 1997 (as amended)
- Housing Acts 1985 and 1996
- Housing and Regeneration Act 2008
- Environmental Protection Act 1990
- Human Rights Act 1998
- Equality Act 2010
- Crime and Disorder Act 1998
- Crime and Security Act 2010
- Criminal Justice Act 2003
- Consumer Standards 2024
- Data Protection Act 2018 and subsequent regulations

13.0 **We'll look at this again...**

13.1 This policy will be reviewed on a 3-year review timetable. We will review it earlier if any regulatory, legislative, service review, scrutiny or feedback from residents have an impact on this policy.