



Anti-Social Behaviour (ASB) Policy

1. Accessibility of Document

Our aim is to make our services easy to use and accessible for everyone. We will take steps to make any reasonable adjustments needed for you to contact us, access our policies, or any requests to provide responses in other formats.

Depending on the individual's needs, these might include:

- Using larger print, or a specific colour contrast
- Giving more time than usual to provide information or comments on a complaint
- Using the telephone rather than written communication
- Communicating with a person through their representative or advocate
- Arranging a single point of contact
- Having an 'easy read' version of the document

If you would like to contact us about reasonable adjustments or alternative formats, please email edi@dacorum.gov.uk or call us on **01442 228000**

If you prefer to write to us, send your letter to:

Equality, Diversity and Inclusion Team
Dacorum Borough Council
The Forum, Marlowes, Hemel Hempstead
Hertfordshire
HP1 1DN

You can find information on Advocacy support here:

<https://www.dacorum.gov.uk/home/do-it-online/contact-us/advocacy-support>

Glossary of acronyms and any other abbreviations used in this policy:

Anti-Social Behaviour (ASB) Acceptable Behaviour Contract (ABC)

Community Protection Notice Warning (CPNW)

Community Protection Notice (CPN)

Community Safety Action Group (CSAG)

Community Safety Partnership (CSP)

Joint Action Group (JAG)

Public Space Protection Order (PSPO) Regulator of Social Housing (RSH)

2 What is the goal of the policy?

Dacorum Borough Council recognises that Anti-Social Behaviour can have a devastating impact on individual's lives and local communities. Problems created by Anti-Social Behaviour (ASB) need to be dealt with in a robust but proportionate manner. Residents are entitled to live in a quiet and peaceful environment, so when appropriate the Council will aim to work quickly and efficiently to tackle incidents of ASB.

This policy document explains what we consider to be 'ASB and sets out the five principles the council will apply, when responding to a report of ASB. It also details the service categories, response times and the quality we will provide.

This policy details how we will deal or seek to resolve incidents of ASB. The policy document should be read in conjunction with Dacorum Borough Council's Antisocial Behaviour Procedure, which relates to the actions our staff will take when investigating ASB.

3 Who and what does the policy impact?

The Council's ASB policy applies to and will impact upon tenants and residents (regardless of tenure), their family members and other occupants and visitors.

4 How does the policy comply with the law and other requirements?

4.1 The Anti-Social Behaviour, 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 or residential premises, or;
- Conduct capable of causing (housing-related) nuisance or annoyance to any person.

4.2 Other relevant legislation as follows;

- Data Protection Act 1998, 2003 and 2018;
- Crime and Disorder Act 1998;
- Anti-social Behaviour Act 2003;
- Police and Criminal Evidence Act (PACE);
- Mental Health Act 1983 (amended 2007);
- Environmental Protection Act 1990;
- Criminal Justice and Police Act 2001;
- Housing Act 1996;
- The Noise Act 1996 as amended by the Anti-social Behaviour Act 2003 and the Clean Neighbourhoods and Environmental Act 2005;
- Children's Act 2004;
- Harassment Act 1997;
- Human rights Act 1998;

- Homeless Reduction Act 2017;
- Domestic Abuse Act 2021;
- Freedom of Information Act 2000
- Social Housing Regulation Act 2023.

4.3 Our role as a social landlord.

As a landlord, we have a duty to respond to ASB affecting the properties we manage. Our landlord duties and powers are different from, and in addition to, the duties and powers we have to deal with ASB in the wider community.

4.4 Regulator of Social Housing (RSH) and consumer standards

Social landlords (including councils and housing associations, also known as registered providers) need to comply with standards set by RSH. The RSH promotes an efficient, well governed social housing sector, able to deliver and maintain homes of appropriate quality that meet a range of needs. The RSH has set new standards that all registered providers of social housing must comply with. As part of the new standards that have been set out by the RSH, our ASB policy directly aligns with the following standard;

‘The Neighbourhood and Community Standard will require landlords to engage with other relevant parties so that tenants can live in safe and well-maintained neighbourhoods and feel safe in their homes.’

Dacorum Borough Council ensures that our policy is aligned with the consumer standards by carrying out the following;

- Proactively working with partner agencies to tackle ASB, crime and disorder within the borough.
- Producing an annual Community Safety Partnership strategic assessment, which will support the development of the Community Safety Partnership Action plan.
- Developing an annual engagement plan, to include resident engagement days, 6 monthly newsletters, CSP survey, member feedback and specialised focus groups.
- Publish the strategic assessment and Community Safety Partnership Action plan via our website and other forms of communication.
- Ensuring that work carried out in our Joint Action Group (JAG), is reported to our Community Safety Partnership strategy group and local communities.
- Develop clear plans and measurable actions, in order to tackle and deter hate crime. Data will also be monitored through the Tenant Satisfaction Measures.
- Review all risk assessments upon receiving them, to ensure expectations are managed and communication with individuals is a tailored approach.
- Provide clear and concise information to residents and local communities, via our website, through the development of dedicated ASB leaflets and other communication activity. Ensuring that detailed signposting and guidance is provided, relating to how to report to concerns and what to expect from the service.

4.5 Our role as part of the Community Safety Partnership

Under the Crime and Disorder Act 1988, the Council must work with the Police and other agencies to reduce crime and disorder in Dacorum. In this role, we play a key part in dealing with ASB of all kinds.

4.6 Our environmental protection role

The Council has a range of responsibilities to deal with “environmental” ASB, such as noise, litter, bonfires, fly tipping and abandoned vehicles. These responsibilities arise from a number of Acts and local byelaws, but in particular from the Environmental Protection Act 1990.

Whilst these are three distinct roles, there are very strong links between them and close working arrangements have been developed between teams that deliver the various services.

4.7 ASB Case Review

The Anti-Social Behaviour Case Review, formerly known as Community Trigger, gives victims and communities the right to request that agencies deal with persistent ASB by reviewing their case and any actions taken. Any resident in Dacorum can request an ASB Case Review, if they feel it meets the criteria.

The ASB Case Review can be used if you have complained to Dacorum Borough Council, Herts Police and/or your Housing Association / Registered Social Landlord on 3 or more occasions about separate incidents in the past 6 months. Where the same incident has been reported to more than one agency this is classed as one incident. This is called the threshold. If the threshold is not met the case review will not occur.

<https://www.dacorum.gov.uk/home/community-living/community-safety-dacorum/anti-social-behaviour/community-trigger>

4.8 Governance Structure

As a partnership it is essential that partners remain in regular contact with each other, meeting regularly to discuss concerns, emerging issues, key hot spots, crime trends and to monitor the strategic priorities through the partnership action plan.

Dacorum has a number of fixed groups that meet on a regular basis to ensure that work within the Community Safety Partnership is progressing. The groups are split into three tiers – Community Safety Partnership Board, JAG (Joint Action Group) and CSAG (Community Safety Action Group).

5 Supporting Policies or Procedures

| 1. Procedures / Guidance / Impact Assessments | 2. Dependant policies / strategies |
|---|--|
| Enforcement procedure Tenancy Enforcement Procedure.pdf | Domestic Abuse Policy Domestic Abuse Policy for Residents, Tenants and Members.pdf |

6 EDI Statement

The Council is committed to promoting equality of opportunity. The Council has procedures in place to ensure that all individuals are treated fairly and without unlawful discrimination.

7 Policy Statement

7.1 Context

7.1.1 Which of the six goals in the Corporate Plan does the policy fall under?

A clean, safe and enjoyable environment

7.2 Policy content

7.2.1 The Council’s objectives relating to ASB

The Council’s ASB Policy is founded on the following five objectives;

1. No one should have to tolerate ASB
2. Reports of ASB will be treated seriously and dealt with professionally
3. ASB will be dealt with firmly, fairly and proportionately
4. We will work with partners in order to deliver an effective, value for money ASB service across the community
5. We will provide a high quality service that meets people’s identified needs

7.2.2 Our Commitments

No one should have to tolerate ASB

Our policy is to:

- Make people aware of what anti-social behaviour is.
- Publicise and promote our various services to combat ASB.
- Encourage people to report ASB.
- Seek to respond to each reported case of ASB as quickly as possible.
- Support victims of ASB throughout the case

Reports of ASB will be treated seriously and dealt with professionally

Our policy is to:

- Assess (and reassess, when the Council considers necessary) the seriousness of the ASB reported to us.
- Treat all reports as confidential, sharing information only with other organisations that can help with the problem (e.g. the Police) and observing data protection laws and information-sharing agreements and any other relevant legislation.
- Ensure that criminal ASB reported to the Council is quickly passed on to the Police.
- Register and record each case we take on.
- Fully investigate the complaint, which may involve interviewing any alleged perpetrator and may involve interviewing third party witnesses.
- Quickly refer cases between the different departments of the Council and to other agencies as necessary.
- Formally close all cases in writing.
- Should we feel no action is appropriate, explain our reasons and advise on self-help or other alternative courses of action, whenever it is possible and appropriate to do this.
- Seek feedback on our handling of the case by way of satisfaction surveys sent to all complainants, once their case has been closed.
- Look to improve our service based on the feedback we receive

ASB will be dealt with firmly, fairly and proportionately

Our policy is to:

- Take necessary action at the earliest point, to protect people and property.
- Investigate the circumstances and seek to understand all of the facts, relating to the matter that has been reported to us.
- Always seek to resolve cases at the lowest level of intervention, taking formal action when the ASB is serious or persistent, or when it threatens people's safety or health.
- Use any of the tools and powers available to us under the law and Council policy, according to our best professional judgment.
- Take into account (and adjust our approach as necessary) when a victim or perpetrator is a vulnerable person.
- With the consent of the people involved, we may refer suitable cases to a mediation service.
- Not necessarily intervene where the issue involves private sector housing or private businesses, where there is no statutory duty on the Council to act.
- Insist that when dealing with a neighbour dispute that mediation be attempted and this may be the only action taken by the Council where there is no impact on the wider community.

We will provide a high quality service that meets people's identified needs

Our policy is to:

- Ensure that staff dealing with ASB are appropriately trained.

- Ensure that staff dealing with ASB understand and follow agreed policies and procedures.
- Focusing the response to ASB on the needs of the victims by adopting a victim-centred approach.
- Review this and other relevant policies to reflect new legislation and lessons learnt.
- Seek to ensure that all our activities are prioritised and undertaken with regard to clear evidence of need; sound consideration of how effective the work undertaken is likely to be, and a clear understanding of the outcomes sought.
- Ensure all steps are considered in line with the Equalities Act and that if there is a known vulnerability, or if one becomes known during the course of the investigation, that details are recorded and taken into account when deciding how to proceed or respond.
- All referrals and risk assessments will be reviewed by trained officers, to ensure that subjective views, do not solely form the basis of any necessary investigation and complainant expectations are managed.

Categories and contact times

Reports of ASB, will be prioritised under the following categories, for initial contact to be made by a member of the Community Safety Enforcement Team;

Category 1: Target time for first contact with victim or referrer: 1 working day

Category 1 will include ASB such as:

- Hate related incidents – Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity.
- Physical violence such as assault
- Arson
- Child abuse
- Domestic abuse – definition listed below
<https://www.legislation.gov.uk/ukpga/2021/17/section/1/enacted>
- Serious harassment/intimidation and threatening behaviour
- Racist or offensive graffiti following a report
- Other forms of Antisocial behaviour requiring an immediate response
- Threats to Dacorum Borough Council staff

Category 2: Target time for first contact with victim or referrer: 3 working days

Category two includes serious cases of Antisocial behaviour such as:

- Allegations of aggressive/abusive behaviour
- Regular disturbances, such as noise
- Drug/solvent and alcohol abuse
- Allegations of drug dealing
- Verbal abuse and written intimidation and harassment
- Allegations of sex working, sexual acts and kerb crawling
- Vandalism and damage to property (including reports that could be classed as Criminal Damage)
- Other forms of serious ASB, which in our opinion, needs priority but does not warrant an urgent or immediate response
- Threats of harm / violence

Category 3: Target time for first contact with victim or referrer: 5 working days

Category three includes neighbour nuisance and tenancy breaches (which will be investigated by the Tenancy Management Team) such as:

- Pet and animal nuisance
- Minor noise nuisance
- Untidy gardens
- Litter, rubbish, refuse disposal and fly tipping
- Running a business without permission
- Car repairs
- Nuisance from vehicles such as untaxed vehicles, abandoned vehicles
- Access disputes
- Misuse of the communal areas
- Parking disputes where no restrictions are in place
- Lifestyle disputes where breaches of tenancy cannot be proved
- Disputes between children
- Misuse of communal gardens
- Gardening disputes

Disputes about cleaning communal areas where a service charge does not exist.

7.2.3 Tools and powers

There are a number of tools available to Local Authorities and partner agencies, such as the police. Using the relevant legislation, we will take the lowest level of intervention appropriate in the circumstances. Examples of tools that we can use to tackle ASB are listed below (this is not an exhaustive list);

Warning letters - This is a warning in writing issued to a tenant(s) where the local authority has received a complaint regarding the behaviour of the tenant, that could be deemed as a breach of a specific term of the tenancy agreement, that prohibits anti-social behaviour, nuisance, or conduct likely to cause annoyance or disturbance to any other persons.

Mediation - In many cases of ASB, mediation can be an effective tool, solving the issue quickly by bringing all parties to the table. This can be very effective in, for example, neighbour disputes, family conflicts, lifestyle differences such as noise nuisance complaints.

[Home | Mediation Hertfordshire \(mediationherts.org.uk\)](http://mediationherts.org.uk)

Acceptable Behaviour Contracts (ABC's) - ABC's are voluntary written agreements between the person who has been involved with the anti-social behaviour and one or more local agencies, whose role it is to prevent such behaviour. Usually this is Dacorum Borough Council

Demoted Tenancy - Section 82A (2) Housing Act 1985 allows the local housing authority to apply to the court for a demotion order which, when applied to secure tenancy, results in a non-secure tenancy. This removes the tenant's right to buy, right to exchange and their security of tenure for a minimum of one year.

Possession Orders - (for Dacorum Borough Council tenants) Possession proceedings allow landlords to apply for and possibly take back possession of a property in cases where there has been a breach of the tenancy or where the Local authority considers other orders or agreements to be inappropriate. A notice of seeking possession will be served in the first instance and then an application to the County Court for a court hearing may be made. It will be for the judge to decide if it is reasonable for the perpetrator to lose their home.

Discretionary Grounds for Possession – A person (or person living in or visiting the tenant's home) is guilty of conduct likely to cause nuisance or annoyance to the landlord, or someone employed in connection with the landlords management functions, where the conduct relates to or affects those housing management functions.

Absolute grounds for possession - With effect from 20th October 2014, if a tenant, a member of the tenant's household, or a person visiting the property has been: - Convicted of at least one of a list of 'serious' offences, or; - found by a court to have breached a civil injunction, or; - convicted for breaching a criminal behaviour order (CBO), or; - convicted for breaching a noise abatement notice, or; the tenant's property has been closed for more

than 48 hours under a closure order for anti-social behaviour. The Local Authority can apply for Court for a mandatory possession order.

Civil Injunction - An injunction to prevent ASB that causes nuisance or annoyance and the injunction can be issued on the balance of probabilities and can be used to prevent someone from doing something or to cause them to do something. This is likely to be used for the more serious cases.

Criminal Behaviour Order (CBO) - Available on conviction for any criminal offence in any criminal court. The order is aimed at tackling the most serious and persistent offenders where their behaviour has brought them before a criminal court.

Dispersal Power - This is a flexible power which the police can use in a range of situations to disperse anti-social individuals and provide immediate short-term respite to a local community.

Community Protection Notice/Warning (CPNW/CPN) - Designed to tackle the behaviour that has a detrimental effect on the quality of life in the locality and is persistent and ongoing.

Public Space Protection Order (PSPO) – Intended to deal with a particular nuisance or problem in a particular area, that is detrimental to the local community's quality of life.

Closure Order - Closure of premises associated with nuisance or disorder.

7.2.4 Circumstances where the council will not be able to intervene

- One off incidents, such as a party;
- DIY that is carried out at reasonable times;
- Nuisance generated by the placement of bins;
- Parking issues, including parking on verges, pavements and the highway. This also includes, not being able to park outside your own home or parking over driveways;
- Young people gathering socially, unless they are being threatening or deliberately intimidating;
- Children playing in their homes and gardens, including reasonable noise associated with this;
- Noise that is not perpetrated purposefully, such as babies crying;
- Day to day household noise, such as the opening and closing of doors, walking/running up and the down the stairs, people walking around in their own properties (flat blocks), using washing machines and tumble driers at reasonable times;
- Gossip between individuals.

7.2.5 ASB Action plan

On 27 March 2023, the government published its policy paper on the Anti-Social Behaviour Action Plan. The Council will ensure that tools and powers within the plan, are built into procedures, enabling ASB to be dealt as swiftly and robustly as possible.

[Anti-social Behaviour Action Plan \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

7.2.6 How the council work in partnership to tackle ASB

A strong partner agency working relationship, is key to tackling issues that may impact on individuals and the wider community.

Tackling anti-social behaviour can be extremely complex and therefore the work of the Dacorum Community Safety Partnership, is integral in ensuring that residents of Dacorum feel safe, enjoy living in their community and feel confident and supported, when reporting ASB.

The council ensures that it plays a full part, as a key member of the Dacorum Community Safety Partnership. Participating in relevant strategic or preventative initiatives, permanent or ad-hoc multi-agency working groups dealing with specific ASB issues and working with police, housing associations, private landlords, letting agents and businesses, in order to provide professional advice and support as required. Enabling these organisations can act confidently to prevent or tackle ASB, making use of their own resources.

Please see below for the Community Safety Partnership link;

[Dacorum Community Safety Partnership](#)

7.2.7 Concerns for children, young people and vulnerable adults

In the course of an investigation officers may come across a person whose welfare raises concerns. Irrespective of any direct connection to the case under investigation, it remains the duty of officers to ensure these concerns are appropriately recorded and referred to the relevant safeguarding agency via the council's safeguarding mechanism.

7.2.8 Supporting Victims

The investigating officer for any anti-social behaviour case will make contact with the victim and provide their contact details (both email address and direct phone number). An action plan will be completed by the investigating officer, alongside the victim, which will detail what the victim can expect from the Council and what the investigating officer will need from the victim in order to resolve the investigation. The Council will work with local agencies and community groups to help provide support both practical and emotional, for victims of ASB.

The Council is committed to providing a high level of service to both victims and witnesses of ASB. Council will consider using professional witnesses and hearsay evidence where appropriate to do so.

The Council recognises that hate-motivated harassment is a serious offence and will remove hate-motivated graffiti and carry out emergency repairs as a matter of urgency after an incident is reported.

7.2.10 Supporting Perpetrators

We will consider whether the alleged perpetrator's behaviour is a result of their health (including mental health) status or disability. We will offer support and rehabilitation to alleged perpetrators, where we have identified a need for a referral to a relevant support agency.

7.2.11 Customer Engagement

Services that investigate ASB with Dacorum Borough Council will;

- Undertake customer satisfaction surveys and case reviews to identify and implement improvements to our services.
- Organise resident meetings when required to discuss ASB in hotspot areas either virtually or in person.

Provide information on our website to help understand our services

7.2.12 Information exchange and Data protection

Where appropriate, the Council will share information with the Police and other key agencies under the information sharing agreement, so that all agencies can carry out their function and duties in accordance with the Crime and Disorder Act 1998.

The Council will also work to ensure that residents of the Borough are encouraged and are able to report incidents, confident in the knowledge that they will be recorded and investigated where appropriate.

The Council will work within the provisions of the General Data Protection Regulations (GDPR) / Data Protection Act 2018 that provides a background for the sharing of information and the need for confidentiality and privacy.

7.2.13 Performance Indicators

The Council will set, monitor and report on performance in relation to ASB within individual Services, at a local level, and within the Community Safety Partnership. Hate crime figures will be reported under the requirement of the Tenant Satisfaction Measures.

7.3 Roles and Responsibilities

7.3.1. Specialised officers

ASB case management is investigated and managed by specially trained officers.

8 Review

The current version of this policy will be held on the Council's intranet (SharePoint) alongside supporting information, such as procedure guidance or impact assessments. Policies and strategies are continually monitored, and reviewed at appropriate intervals.

You can find external policies on the Council's website. If a policy has been updated or reviewed, these changes will be shown in the website copy. Internal policies are stored on the Council's intranet (SharePoint) alongside supporting information.

9 Appendix

9.1 Appendix 1 Policy Information

N.B. Wherever possible, please use job titles as well as names.

Document Owner: Community Safety Manager

Service: Community Safety

Author: Amy Dalton

Directorate: Safe Communities

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Team: Community Safety

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9.2 Appendix 2 List of Version Control

| 1. Revision Date | 2. Previous Revision Date | 3. Previous Revision Level | 4. Summary of Changes | 5. Approved By (e.g. named officer, SLT, Cabinet) | 6. Next Review Date |
|------------------|---------------------------|----------------------------|--|---|---------------------|
| 22/12/2023 | 2019 | 1.0 | New legislation, ASB categories and contact times and addition of performance indicators for Tenant Satisfaction Measures. | Natasha Beresford, Joshua Smith | 12/2025 |