SP21 Anti-Social Behaviour Policy

Scope of policy

The Soha Group including Soha Housing, Soha Response and SIB Property is committed to preventing, identifying, and resolving Anti-Social Behaviour (ASB) and hate related behaviour and crimes that occur in our communities.

In accordance with the ASB, Crime and Policing Act 2014, and for the purpose of this policy, anti-social behaviour will be defined as:

Acting in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as (the defendant). The Crime and Disorder Act (1998)

Domestic Abuse is covered specifically under Policy SP24 Domestic Abuse Policy.

Unwelcome Behaviour

Soha defines Unwelcome Behaviour as activities that people find upsetting but are not a breach of a tenancy agreement, or criminal act. Soha expects a reasonable level of tolerance and will not investigate cases about:

- People's day to day activities (such as household maintenance, etc).
- General household noise (such as daytime hoovering, children playing, reasonable daytime music or TV).
- Thoughtlessness (leaving outside lights on, not taking in the bins, etc.)
- Uncourteous behaviour
- Posts on social media
- Poor parking
- Children playing
- Lifestyle differences
- Looking or staring at others

If you are affected by such activities, we would encourage you to speak politely to the person affecting you; or write them a polite letter explaining how it makes you feel and suggest some ways you could reach a compromise.

Criminal Acts

Soha does not have powers to enforce criminal law (e.g., assaults, drug dealing, theft, etc). Where you have been the victim of a crime, you must report it to the police. You can let Soha know too, and where Soha can support the police in sharing evidence, or working together on preventing further crimes, we will do so. The police will take the lead in investigating and responding to crimes. Should the police choose not to take further action on a crime, Soha has no additional powers to investigate or stop criminal acts.

Aim

Soha aims to prevent ASB in the first instance through early intervention and effective neighbourhood solutions such as mediation, but where incidents do occur then we will endeavour to identify the root cause (unawareness, tenancy inexperience, mental health crisis, etc.)of the behaviour and take appropriate actions. The issues that are most likely to affect our residents are reported as: persistent noise nuisance; cannabis use; living in close proximity to people experiencing poor mental health, who are not effectively supported by statutory agencies.

Furthermore, residents expressed a preference to be supported in gathering evidence by wider use of targeted CCTV in our communities.

Finally, residents reporting ASB feel that the onus is too often on them to ‘prove’ the ASB is happening, while the Subject (person alleged to be causing the issue) is allowed to continue to act in an anti-social manner with little disruption from Soha.

Soha will ensure that the time given by Sources (people reporting the issues), and the expectations put on Subjects to address their behaviours, is better balanced in favour of the Source.

Soha will prevent incidents of ASB in our communities by:

- Raising awareness of Soha’s approach to ASB and hate crimes
- Working with Local Authorities to ensure that residents are appropriately housed and have the support they need to successfully maintain their tenancies
- Providing new tenants with clear guidelines and expectations
- Enabling access to local support agencies and Soha’s Tenancy Support Service
- Making full use of Early Intervention Tenancy Review meetings where appropriate.
- Considering ASB when designing and buying new homes for customers (such as improved lighting and clearly identified private and public spaces)
- Working closely with partnering agencies and our communities
- Publicising the work that we are doing to prevent ASB and enforcement action taken

Soha will provide a Source centred approach and will support Sources (and Subjects where appropriate) throughout their claim by:

- Dealing quickly and sensitively with all claims of ASB and hate crimes
- Setting clear and published service standards
- Providing a named officer to manage the case and keep the Source updated regularly (e.g. weekly or fortnightly, as set out to the Source at the start of the case).

- Providing access to mediation.
- Keeping all parties advised of the progress of the case with regular updates
- Agreeing action plans and timescales with Sources
- Respecting confidentiality of Sources while recognising that evidence is normally vital in successful case resolution. When a Source does not allow Soha to use their evidence then Soha will not retain that evidence. This will be conveyed to the Source. Where evidence is provided of abuse, crime, or disorder, Soha reserves the right to share the evidence without consent of the evidence holder.
- Recognising additional needs of all those parties involved as appropriate and ensuring our response takes such needs into account.
- Only closing a case with the agreement of the Source, or once Soha has completed all actions agreed with the Source at the outset of the case
- Asking for customer feedback once the case is closed

Soha will only use legal action where necessary and will work with Subjects to resolve the situation by using:

- Early Intervention Tenancy Reviews
- Restorative approach sessions
- Mediation
- Informal agreements
- Acceptable Behaviour Contracts
- Technology to gather evidence of ASB such as CCTV and noise monitoring equipment.

<u>Early Intervention Tenancy Reviews</u>

When Soha receives more than two reports about a Subject within six months, or receives reports about an incident from more than one Source, we will consider inviting the Subject to attend the office for an Early Intervention Tenancy Review. The review meeting will be to set out what the concerns are, how they breach the current tenancy agreement, and to form a plan on how to address the breaches. The meeting will also set out what action will likely follow should the breaches continue.

The meetings will normally be held at the Soha offices and will be chaired by a Head of Service or Community Lead, supported by a member of the community team. Where appropriate, Soha will invite an involved resident as an observer.

Where these tools fail to achieve the desired outcome (or the ASB is of a serious nature) we will enforce the tenancy by using our tenancy clauses as well as the tools established by the ASB, Crime & Policing Act (2014):

Tools available to Social Landlords under the ASB, Crime & Policing Act (2014)

1. *Absolute Ground for Possession*
   1.1. Intended to expedite possession where another court has proven significant antisocial behaviour or criminality in the locality of the property. It is intended to provide better protection and faster relief for those affected/ witnesses. However, Soha would have to wait until a criminal case is concluded prior to acting. This delay might lead Soha to still progress with discretionary powers / a civil injunction if that is in the better interests of the community.
2. *Criminal Behaviour Order*
   2.1. Police led action against persons convicted of criminal activity. These can also require positive action to address the anti-social behaviour. Soha can assist the police with CBOs
3. *Civil Injunctions*
   3.1. These will allow the requirement for positive actions, as well as prohibitions, to tackle anti-social behaviour. These will require civil standards of proof (balance of probabilities) to obtain and will be part of the approach to bring about long-term solutions as well as address immediate impacts for individuals/ communities affected by anti-social behaviour. Can be used from the age of 10 and up.
4. *Community Protection Notice*
   4.1. Police or Local Authority led action. Can be issued to prevent a person engaging in ongoing or persistent anti-social behaviour that is unreasonable and has a detrimental effect on the lives of others in the community. Soha can assist the agency in obtaining a CPN.
5. *Community Trigger* (ASB Case Review)
   5.1. The Community Trigger, or ASB Case Review, is for Sources who feel that no one is dealing with the anti-social behaviour problems they have been reporting. If the Source has already reported the problem to the council, police or Soha, the community trigger is a way for them to ask agencies to review their case. It will make sure agencies work together to try and solve the problem. They must have reported the behaviour to an agency three or more times within a 6-month period before requesting a trigger. The Community Trigger can also be used by any person on behalf of a Source, for example a family member, friend, carer, councillor, Member of Parliament, or other professional person. This is intended to ensure that all Sources can use the Community Trigger. However, the Source's consent should be sought by the person using the Community Trigger on their behalf.

Tools available under the Crime & Policing Act (2026)

1. *Respect Orders*
   A new civil order targeting persistent ASB. Social landlords can apply to the County or High Court for these orders against individuals over 18. They can include prohibitions and positive requirements, and breaching one is a criminal offence.
2. *Closure Notices & Orders*
   Previously limited to police and local authorities, social landlords can now issue closure notices for premises linked to ASB. They also have extended time (72 hours) to apply for a court order following a notice.
3. *Youth & Housing Injunctions*
   These civil injunctions allow landlords to address ASB by individuals under 18 (Youth Injunctions) or adults in residential settings (Housing Injunctions), using the civil standard of proof.

In addition, we can still use the following powers previously granted:

- Notice of seeking possession on discretionary grounds.

Policy Statement

Soha believes that everyone has the right to live peacefully in their own homes and we recognise the effect that ASB can have on our communities so we will seek to prevent and tackle anti-social behaviour, abuse, or hate related crime quickly, effectively, and sensitively.
Where there is no evidence of ASB we will clearly explain our findings to the Source but where we believe that a complaint is malicious or unreasonable, we reserve the right to close the case and where appropriate act against the Source.

Implementation

Soha will communicate clearly with all residents before and at the beginning of their tenancies about our expectations regarding ASB. This includes explaining the implications of breaching their tenancy agreement.
As part of our case management, we will record all claims of ASB and will liaise with partners such as police, local authorities and support agencies and will use various methods to gain evidence such as:

- **diaries, witness statements, CCTV, Guardcam and noise monitoring equipment / The Noise App**

We will use our Case Management Procedure to guide us through the process from reporting ASB to court action and eviction. We will monitor levels of customer satisfaction and cases will be reviewed regularly by the Community Leads. We will also compare our services quarterly by providing statistics to Housemark's Benchmarking system.

Equality, Diversity & Inclusion

Soha will take protected characteristics into account when responding to ASB reports. People from protected characteristics (as set out under the Equality Act (2010) including disabled people, ethnic minorities, LGBT people, etc) may be more likely to experience hate crimes, Soha will work with the police to investigate and respond to hate crimes quickly and effectively. We will aim to protect the Source from further abuse.

We monitor cases of ASB by diversity strands – for both Sources of ASB and Subjects and analyse this data. This is to:

- Increase our understanding of which groups are Subjects and/or Sources of ASB
- Determine which groups may not be reporting ASB, or which certain groups may be disproportionately represented amongst Subjects or Sources
- Tailor and target our services accordingly.

Resident Involvement

When Soha serves a Notice Seeking Possession, or takes eviction action against a perpetrator of ASB, we work with involved residents (Eviction Review Panel) to ensure that Soha is acting in a fair and balanced way. Our involved tenants will hear from the Subject as well as the housing team and the Sources. They will make suggestions on how to solve the problems going forwards and always work to prevent people losing their tenancies.

Appeals

Where a Source is not happy that we are handling their claim in accordance with Soha's policies and procedures, they can access our complaints process SP07, and the case will be reviewed by a senior manager. This is in addition to the Community Trigger set out above.

Responsibility

The Head of Housing is responsible for the effective implementation of this policy.

Monitoring and review

We will monitor this policy to ensure it meets best practice and current legislation and will review it within 4 years. SLT, Members' Forum, and Board will receive information on case numbers and compliance with KPIs on a quarterly basis.

Context

The Crime and Disorder Act (1998)
HR17 Competence & Conduct Policy
Social Housing (Regulation) Act 2023 – Competence & Conduct Standard & s42 Awaab's Law
ASB, Crime and Policing Act 2014
Crime & Policing Act (2026)
Defining and measuring anti-social behaviour, 2004
SP15 Confidential Reporting
SP33 Information Security Policy
Soha Housing Staff Code of Conduct
SP06 Data Protection Policy
SP24 Domestic Abuse Policy
ASB Case Management Procedure
Data Protection Act 2018
Working Together to Safeguard Children 2013
Mental Capacity act 2005
Children Act 2004
Housing Act 2004
Equality Act 2010

Members' Forum approved	11 September 2025	SLT approved (via e-decision) SLT approved (minor amendments)	18 July 2025 11 November 2026
EIA completed	2 July 2025	Review Due Date	By July 2029

DPIA checklist completed	5 August 2025		