



Anti-Social Behaviour (ASB) Policy

Contents

1. Purpose.....	1
2. Definitions	1
3. Reporting an incident.....	3
4. Responding to reports of nuisance.....	5
5. Responding to reports of ASB.....	4
6. Vulnerability and Domestic Abuse	4
7. ASB Case Reviews.....	5
8. Preventing ASB, Nuisance, and Noise.....	6
9. Monitoring and implementation	6
10. Legislation and regulation.....	6
11. Equality, Diversity and Inclusion	6
12. Communication and Consultation.....	7
13. Scope and exclusions.....	7

1. Purpose

We are committed to ensuring our tenants and leaseholders enjoy their right to peace, quiet and security in and around their home and neighbourhood. We understand that anti-social behaviour (ASB) can have a severe effect on the well-being of residents as individuals and as communities.

We recognise that we have a particular duty as a landlord to take action to minimise and tackle ASB, and we are fully committed to doing so. To be as effective as possible we will use a range of preventative measures and enforcement action, and offer victims support and assistance.

This policy outlines the definition of ASB and nuisance and the legislation governing our response. It explains how we will respond to any reports of ASB or nuisance and what we will do to try to reduce ASB in the areas in which we operate, working alongside our residents and partners.

2. Definitions

Anti-social behaviour (ASB)

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.



For the purpose of this policy, we consider ASB to be behaviour that fits within this legal definition, and where we may be able to take action for breach of tenancy or lease. We categorise our response to this behaviour based on the risk it presents.

Nuisance

We recognise that sometimes another person's behaviour may be annoying or disturbing, but may not reach the threshold for ASB. Reports of this behaviour will be handled under our 'nuisance' procedures. In such instances, we will take steps to try to resolve the situation, but it is very unlikely we will be able to take enforcement action against a tenancy or lease for such behaviour.

We expect all our residents to act responsibly but also to be reasonable. Everyday noise and lifestyle differences are almost inevitable when living close to other people, but anti-social behaviour is not acceptable. We will not usually investigate behaviour or incidents under the ASB policy that fall outside of these definitions, but will still try to provide or signpost to support where it is needed. This includes, for example, day-to-day living noises - children playing or crying; the sound of footsteps; toilets flushing or vacuuming. We will not take action for one-off parties or disturbances.

Noise

Reports of noise will normally be investigated as nuisance first.

Noise, particularly between 11pm – 7am, *may* be considered ASB if it:-

- Is persistent, occurs regularly, and continues for an unreasonable period of time.
- Breaches statutory limits. To do so, it must 'unreasonably and substantially interfere with the use or enjoyment of a home or other premises', or 'injure / be likely to injure health'.

Noise being annoying or disturbing is not enough to be treated as ASB. We will work with the Council's Enforcement Team to deal with noise that is louder than statutory limits.

3. Categorisation

We categorise and prioritise our ASB and Nuisance cases by risk, as follows:-

- **Category A cases** – these are ASB cases where there is a significant risk of harm to someone. These will be handled by a specialist ASB officer (and/or Domestic Abuse Support Officer), who will complete a risk assessment and action plan within 1 working day.
- **Category B cases** – these are cases which meet the legal definition of ASB and where we are likely to be able to intervene. These may be handled by a specialist ASB officer or your local Housing Officer / Independent Living Officer, as appropriate. We will contact the customer, complete a risk assessment and action plan within 5 working days.
- **Category C (/ Nuisance) cases** – these are lower risk cases meeting our definition of 'nuisance', and may or may not reach the legal threshold for ASB. These cases will generally be handled by your local Housing Officer / Independent Living Officer, who complete a risk assessment and action plan within 5 working days.

See Appendix 1 for a guide to the types of cases which would be likely to fall under each category. This guide is not prescriptive, and each case will be categorized and assigned based on risk.

If anyone believes that the victim of ASB has been targeted due to a personal characteristic (such as disability, race, religion, sexual orientation or gender identity), we will deal with the report as an emergency and follow our [Hate Crime and Hate Based Incident policy](#).



Other issues

Environmental nuisance such as reports of persons urinating, leaving rubbish in communal areas, etc should be reported to our Environment team in the first instance, if there is no identified perpetrator. These cases will be referred back to the ASB team as required. The Environment team can be contacted at estates@lewisham.gov.uk.

Other issues that may constitute a breach of a tenancy or a lease such as overgrown gardens, are dealt with separately. We also have a procedure for dealing with vehicles that are abandoned, SORN or dangerous on our estates.

4. Reporting ASB and Nuisance

We want to ensure it is as easy as possible to report ASB or nuisance to us. We offer a range of reporting methods, to enable reports to be made at any time. Translation services are available if English is not your first language.

Contact method	Details
Online	Online portal
Over the phone	0800 028 2028 9am to 5pm, Monday - Friday
Email	ASB@lewisham.gov.uk housingmanagement@lewisham.gov.uk
By letter	Housing Services, Lewisham Council Laurence House, 1 Catford Road SE6 4FN
Face to face	Contact the ASB team or your Housing Officer / Independent Living Officer to arrange an appointment in person or by phone.
Noise App	Website Instructions for using the app can be found here .
Through a third party	We will speak to advocates such as friends, support services, the Police, MPs, Councillor, Tenant and Resident Associations, with your written consent.

Our ASB team is not available outside of normal working hours. If a crime is in progress or someone is in danger, please call 999.

Help is also available from charities and support services, who can speak to agencies (including us) on your behalf, and advise you on the process for tackling crime and ASB.

Organisation	Details
Victim Support	Website 0808 168 9291 – South London team, 8am-8pm Monday to Friday 0808 168 9111 – National Supportline, 24hr/365 days a year
Citizens Advice	Website ASB Advice 0800 231 5453 – Citizens Advice Lewisham
Crimestoppers	Criminal activity can be reported anonymously to Crimestoppers. Online form. 0800 555 111 – 24hr / 365 days a year.



5. Responding to reports of ASB

We take all ASB incidents seriously, and will handle your information sensitively and confidentially. We will not disclose your details to the alleged offender without your permission.

We will respond to category 'A' reports of ASB within 24 hours, and category 'B' and 'C' reports within 5 working days. Every case will have a named officer assigned, who will agree a clear action plan and risk assessment with you.

As part of the action plan, we will agree how we will keep in contact with you whilst we are investigating the case. We will also let you know when we've concluded our investigation and what the outcome is.

We do not keep cases open for 'monitoring' where the behaviour has stopped and/or options for addressing it have been exhausted. We encourage you to contact us again if your case has been closed and the behaviour has since re-started.

The causes and effects of ASB are wide ranging and varied, so the ways we tackle it will also vary. Our interventions will generally aim to prevent ASB, support victims of ASB, and / or enforce against ASB perpetrators. We may use a combination of these approaches as an organisation, or in partnership with others, depending on the circumstances of the case.

In cases where we believe there is a strong likelihood that evidence will enable us to take enforcement action, we can help residents gather evidence through the Noise App, diary sheets, and mobile CCTV cameras.

We work with other agencies and partners, such as the police and social services, to share information and tackle anti-social behaviour in a coordinated and effective way. Some partners may have tools or powers that we do not.

6. Vulnerability and Domestic Abuse

We will consider the possible vulnerability of both victims and perpetrators when deciding on the most appropriate action to resolve the ASB. We recognise that perpetrators may not be deliberately causing ASB and indeed may be victims themselves. (*See our Vulnerable Residents Policy*).

We understand that issues that appear to be ASB may be an indicator of another issue. For example:-

- Victims of Domestic Abuse (DA) are significantly more likely to have ASB complaints made against them (for example, neighbours hearing frequent shouting, screaming or banging).
- Regular visitors to the property of a vulnerable resident may suggest cuckooing or exploitation.

Our officers will engage their professional curiosity when investigating and responding to ASB reports to identify the root cause of an ASB report.

Our ASB Officers will work closely with our Domestic Abuse Support Officers where DA is suspected. We will also sometimes receive new information from partner agencies about our residents suffering DA. In these cases, our DASO's will attempt to discretely contact the victim and agree an action plan as needed.

If a Lewisham Council tenant or leaseholder is the perpetrator of DA, we will look to take enforcement action for breach of tenancy or lease, except where such action would leave the victim homeless.



7. Responding to reports of nuisance

We will respond to reports of Category C nuisance within 5 working days, and tell you who is dealing with your case. Where possible we will encourage residents to discuss their concerns with the person whose behaviour is affecting them.

If this does not resolve the nuisance, we may take action (with the consent of the resident) like:-

- Speaking to the person(s) causing the alleged nuisance and making them aware of the impact of their behaviour.
- Sending letters to individuals or groups of residents making them aware of the impact of the behaviour, and asking them to be mindful.
- Arranging [mediation](#) through a trained external company. This may involve a face to face meeting with a mediator facilitating, or a mediator taking messages back and forth. Mediation is voluntary and confidential, and can help you maintain a good relationship with your neighbour.
- Asking residents to sign up to a '[good neighbour agreement](#)', a voluntary agreement between residents to show respect and tolerance for each other.

If these actions do not resolve the nuisance, or the resident(s) do not wish to participate, we will not be able to take any further action.

We recognise that sometimes cases may increase or decrease in risk and require reallocation. The Head of Service for Housing and Communities will decide if and when your case needs to transfer between teams. This is at our discretion and on a case by case basis.

8. ASB Case Reviews

The ASB Case Review (previously known as the 'Community Trigger') gives you the right to request a multi-agency review of your case, if you have persistently reported problems of antisocial behaviour and believe that your report has not been properly addressed. ASB Case Reviews are handled by the Council's Safer Communities Service, which does not fall within Housing Services.

The threshold for a case review is automatically met when:-

- 1) three complaints have been made within one month of when the behaviour is alleged to have occurred, and;
- 2) a case review application is made within six months of when the behaviour is alleged to have occurred.

We will also consider the persistence of the ASB about which the complaint was made, the harm caused (or the potential for harm to be caused) by that behaviour, and the adequacy of the response to that behaviour. Anonymous applications, or applications we consider to be frivolous and/or vexatious, will not be considered.

Following an application, the ASB/Statutory Nuisance Senior Officer will decide if the threshold has been met within 14 working days. If the threshold is met, relevant agencies will review your case within 28 days of the decision being made. The panel will look at how organisations have shared information, review actions that have been taken, and, if necessary, make recommendations on how to resolve the problem.

Each victim can appeal the panel's decisions on whether the threshold has been met, or with the panels decision after reviewing their case. For Lewisham, appeals will be considered by the Head of Service for the Safer Communities Service. We will hear appeals within 15 working days of the appeal being received.



Residents can make a case review application [on our website](#).

9. Preventing ASB, Nuisance, and Noise.

The ASB team will work with other teams in the organisation and external partners to proactively prevent ASB and noise transference. This work includes:-

- Explaining the responsibilities of a tenancy, the importance of respecting your neighbours, and responsible dog ownership (when appropriate) to new tenants.
- Using our Alterations Policy and Lettable Standard to reduce noise transference (where possible).
- Giving feedback on new build developments.
- Operating CCTV systems (*in line with our CCTV and surveillance policy*).
- Requiring tenants to receive permission to operate businesses from their homes.
- Installing door entry systems in blocks.
- Installing anti-vibration mats under white goods (where we have received noise reports).
- Working with partners, residents, Tenant and Resident Associations, and community groups to identify ASB issues and possible solutions.

10. Communication, Implementation and Monitoring

We will communicate this policy and associated information through our website's [ASB page](#), our social media pages (including [Twitter](#), [Facebook](#), [Instagram](#) and [LinkedIn](#)), text messages, focused emails and e-newsletters to residents, paper copies in our independent schemes, and briefings to councillors and partners.

This policy will be implemented through our ASB procedure and other associated policies and procedures, such as:-

- CCTV and Surveillance
- Alterations and Improvements
- Hate based incidents
- Domestic Abuse
- Vulnerable Residents
- Safeguarding

Our Housing Executive Team and to the Councils Corporate Performance team will assess the ASB service's performance by monitoring our Tenant Satisfaction Measures results, case volumes, complaints analysis, case review checks, and benchmarking against other housing providers.

We will report performance to residents on our website, our annual report, and other methods agreed with our residents. Our Tenant Satisfaction Measures performance can be viewed [here](#).

11. Legislation and regulation

Key legal and regulatory information that informs and directs this policy includes:

- Anti-Social Behaviour, Crime and Policing Act 2014
- Housing Act 1985
- Chartered Institute for Housing (CIH) Respect ASB Charter for Housing
- Police Information Sharing Protocol
- RSH Neighbourhood and Community Standard
- Home Office – Effective ASB Case Management Principles

12. Equality, Diversity and Inclusion



An Equality Impact Assessment was completed during the development of this policy.

We aimed to make reporting ASB as easy and accessible as possible, by including a wide range of methods to do this.

Key elements of this policy are preventative activity including work with young people, and the provision of support for complainants, witnesses and offenders, especially where vulnerability may be a factor.

When recording a case, we include potentially motivating factors based on a persons protected characteristics or vulnerability where we have been told this or have reason to believe it is relevant to the case.

13. Scope and exclusions

Tackling ASB effectively is key to achieving our priority of Safer communities and Strengthening Communities as stated in the Councils corporate plan and housing strategy.

This policy applies to all tenants, leaseholders, and licensees of Lewisham Council’s Housing Service, their household and visitors, regardless of tenure, and to the buildings and neighbourhoods in which we operate. It applies to any ASB or nuisance that takes place in or around estates, buildings or areas surrounding properties managed by our Housing Service, as well as within our workspaces.

The definition of ASB and nuisance outlined in this policy determines the behaviour we will investigate and where we will take action. We will not investigate, under this policy, behaviour or incidents that fall outside of these definitions.

Under this policy a report of anti-social is treated as a request for service rather than a complaint. Where someone wishes to make a complaint about the way we have delivered the ASB service this will be handled under our complaints policy.

The investigation of criminal behaviour is the responsibility of the Police who have powers we do not. We will report criminal behaviour to our partners in the Police service, offering our full co-operation and support. Any criminal convictions obtained by the police relating to our housing stock or residents may lead to further civil action being taken by Lewisham Council.

Lewisham Council’s Safer Communities Service deals with incidents of anti-social behaviour within the wider community context, with statutory nuisance and licencing. They are also responsible for responding to ASB case reviews (Community Trigger applications).

Replaces:	
Date approved: (Month, Year)	Effective date: (Month, Year)
Next review:	
Approved by:	
Document owner:.	



Housing
Services

**Anti-Social Behaviour
(ASB) Policy**



Appendix 1 – Example Behaviours

Category	Behaviours	Responsible Officer(s)	Response time*
* 'Response time' refers to the time to acknowledge an ASB case and develop a risk assessment & action plan.			
ASB Category A	<ul style="list-style-type: none"> • Hate crime • Domestic abuse • Physical violence and serious threats of violence • Sexual offences • Gun or knife crime • Arson 	ASB Officer or Domestic Abuse Support Officer	1 working day
ASB Category B	<ul style="list-style-type: none"> • Verbal abuse, harassment, intimidation, or threatening behaviour • Criminal behaviour in or around our property • Gang related ASB • Prostitution • Drug dealing • Dangerous dogs • <i>Some noise nuisance*</i> 	ASB Officer	5 working days
	<ul style="list-style-type: none"> • Use of illegal drugs • Misuse of communal areas • Vandalism • Vehicle nuisance such as joy-riding or reckless driving • Drunk and/or rowdy behaviour • Fly-tipping 	Housing Officer or Independent Living Officer	5 working days
Nuisance	<ul style="list-style-type: none"> • Inconsiderate parking • Lifestyle differences (eg different sleep schedules) • Noise (that does not meet the ASB definition) • Neighbour disputes • Garden or boundary disputes • Pet or animal nuisance 	Housing Officer or Independent Living Officer	5 working days

This list is not exhaustive or prescriptive, and we will assess each report individually.