



**Procedure:** Antisocial Behaviour and Hate Crime

**Approved by:** Leadership Group

**Date**

**Approved:** May 2026

**Frequency of review:** Every 3 years

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## 1. PURPOSE

- 1.1 We are committed to tackling ASB and harassment experienced by our residents, their neighbours, staff and contractors. This procedure outlines our approach as to how we prevent and tackle ASB/hate crimes in our communities.
- 1.2 This procedure will apply to all properties/communal areas that are owned and managed by Broadland Housing Association. Properties that are owned by Broadland but managed by another organisation, will be subject to those organisations own policies and procedures.

## 2. KEY STAFF RESPONSIBILITIES

### Board

The Board is responsible for ensuring the continued development of this policy.

### Senior management

The implementation of this policy will be overseen by the Assistant Housing Director responsible for Local Delivery Management. Local Delivery Managers are responsible for ensuring staff are adequately trained to effectively deliver the policy. Local Delivery Managers need to ensure that all ASB cases in their area are reviewed in accordance with this procedure.

Local Delivery Managers are responsible for ASB performance reporting and gathering feedback on this procedure.

### Staff

Employees are responsible for ensuring they are fully aware and adhere to the terms set out in the procedure. Neighbourhood Officers are responsible for the investigation of reports of ASB in their area. Local Housing Advisors, Customer Services and Sheltered Scheme Managers are responsible for recording any new ASB incidents that are reported directly to them.

### 3. DEFINITIONS

**Antisocial behaviour:** We use the definition of housing related ASB that is contained within Part 1 of the ASB, Crime and Policing Act 2014, namely:

“Conduct capable of causing housing- related nuisance or annoyance to any person”.

In addition, we consider the immoral or illegal use of our properties to be ASB for the purpose of this policy.

**Hate Crime:**A hate crime or hate incident is any incident that is perceived, by the victim or any other person, to be motivated by hostility or prejudice against a person based on their actual or perceived disability, race, religion, sexual orientation, or gender identity. This includes gender-based violence and sex-based hate under gender identity

**Vulnerability:** A victim of ASB is vulnerable if the conduct in question causes an adverse impact on their quality of life. Adverse impact includes the risk of harm, deterioration of their health; mental and or emotional wellbeing; or an inability to carry out normal day-to-day routine through fear and intimidation.

**Risk of Harm:** An adult is at risk of harm if:

- Another person's conduct is causing (or is likely to cause) the adult to be harmed,
- or;
- The adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm

**Harm centred approach:** This encourages organisations to define ASB, and categorise the severity of it, by way of looking at both the behaviour type and the impact that the behaviour is having. It promotes an approach where risk factors are identified, and action is taken accordingly.

### 4. RELATED DOCUMENTS

RELVANT KEY LEGISLATION AND RELATED DOCUMENTS: (not limited to)	
Legislation	Documents
The Anti-social Behaviour, Crime and Policing Act 2014 Landlord & Tenant Act Housing Act 1988 Equality Act 2010 RSH Consumer Standards Tenant Satisfaction measures General Data Protection Regulation (GDPR) Data Protection Act 2018	Tenancy Agreement Complaints Policy and Procedure Neighbourhood Management Procedure Neighbourhood Management Policy Domestic Abuse Policy Safeguarding Policy Equality Impact Assessment Customer Charter Antisocial Behaviour Policy Resident Involvement Policy Complaints Policy and Procedure Data Protection Policy Eviction Policy

## 5. What we consider ASB

This statutory definition of ASB is very subjective, based on the perceptions, tolerance, and expectations of the person reporting the behaviour. We all have different views about what behaviour is acceptable.

It is for this reason that when deciding whether something is ASB, we consider whether the behaviour meets the statutory definition and whether it is unreasonable. We make the decision as to whether behaviour is unreasonable based on a number of factors including but not limited to:

- The severity of the behaviour
- The harm it is having
- Frequency, duration, and the times of day that it is occurring
- Whether it is a one-off incident/whether there is a genuine risk of it happening again

Whilst a decision as to whether something is ASB is made on a case-by-case basis, the following types of behaviour are unlikely to be considered as ASB:

- Garden maintenance, including mowing the lawn
- Boundary disputes
- Noise from domestic appliances, such as washing machines
- Children playing in the garden or local area
- One-off events like birthday parties or wedding receptions
- General living noise (flushing toilets, closing doors, footsteps)
- People staring at each other

***Reports of this nature will be dealt with through our Neighbourhood Management Policy.***

## 6. Examples of ASB

Because of our harm-centred approach to deciding whether something is ASB, we cannot provide a definitive list of behaviours that we consider to be anti-social, however examples include:

### **Personal ASB**

Threats of violence  
Actual violence  
Verbal abuse

### **Community ASB**

Alcohol related nuisance  
Noise nuisance  
Immoral/illegal use of property  
Drug related nuisance

### **Environmental ASB**

Littering  
Dog fouling  
Graffiti

## 7. Prioritisation

We aim to prioritise the most harmful cases of ASB, based on behaviour type and the impact that the behaviour is having. We use two categories of ASB, which help us to ensure that we achieve this. They are detailed in the table below:

Category	Examples of behaviour	Response times
Serious ASB	Threats of violence, actual violence, hate crime, other behaviours where there is a risk of serious psychological harm and/or the victim is assessed to be particularly vulnerable	Within 24 working hours of a Broadland staff member being made aware of the report
General ASB	All other matters that meet our definition of ASB	Within 3 working days of a Broadland staff member being made aware of the report

## 8. Victim Risk

Aside from the initial categorisation of the report, we continue to take steps throughout the case management process in order to identify any risks to the victim and take steps to mitigate these. These include:

- Completing a victim risk assessment with the person reporting the behaviour.
- Taking any steps that are required as a response to the risk score
- Continuing to keep the assessment under review, in case of any changes that affect the score
- Considering harm and risk when deciding the most appropriate action to take in response to ASB that we have found to have occurred
- Discuss any reasonable adjustments that a victim may need from our service

We also work to best support victims of ASB. What we offer or provide will be dependent on the needs of each individual person but may include:

- Taking measures to improve security
- Working with partners to provide more visibility in the area
- Signposting to specialist support agencies as appropriate

Where a victim has agreed to come to court as a witness in one of our legal cases, we may offer additional support to help make this process as comfortable as possible.

Aside from the initial categorisation of the report, we continue to take steps throughout the case management process in order to identify any risks to the victim and take steps to mitigate these

## 9. Prevention

Our preference is to work to ensure that ASB does not start in the first place. We take a number of steps to try and achieve this, including:

- Designing out the potential for ASB when developing new schemes

- Using starter tenancies
- Having a robust sign-up process and using a pre-tenancy risk assessment
- Carrying out regular inspections of our schemes and estates to identify any concerns at the earliest stage

## 10. Action

Our aim is to be realistic with tenants about what we can achieve. We will only make the decision as to whether something is ASB or not after we have all the information needed to be able to confidently do so. Once a decision has been made, we will explain clearly, and at the earliest opportunity, to the person who reports the ASB why the matter is not considered ASB

If after our initial assessment we do not classify a report as ASB, we still may decide to utilise Neighbourhood Management Procedure. The Neighbourhood Management Procedure has examples of when to use that specific procedure and not to follow the ASB Policy. We will always make it clear which policy we are using to investigate a report

In some cases, the same concerns may continue to be raised even after we have explained that we are unable to take action in relation to the behaviour. Where we consider this contact to be unreasonable, we may take steps to manage it. This may include setting clear guidelines on who contact can be made with, how future contact will be acknowledged, and how communication will be managed going forward.

Where Broadland has investigated a matter and concluded that there is no ASB, but the same allegations continue to be raised and there is no evidence to support them, we reserve the right to use our discretion and not make the alleged perpetrator aware of the allegations, as doing so may be considered harassment. We will be open and honest with the person reporting the ASB where this approach is taken.

We use a range of preventative, non-legal and legal actions in order to try and prevent/resolve issues of ASB. We decide on the best course of action on a case-by-case basis, considering what is proportionate to the behaviour that is being exhibited. We take into account a number of factors, including but not limited to: severity, frequency, harm, the needs of the victim/s and the perpetrator and what previous action may have been tried. When taking action we will consider all of the tools and powers outlined in the Tackling Anti-social behaviour Toolkit and Crime and Policing Act 2014

When dealing with ASB cases involving counter allegations or breakdowns in neighbour relationships without supporting evidence, Broadland will offer mediation as the appropriate resolution and will make it clear that this is the only outcome for the case. Once this decision is made, Broadland staff will not remain involved beyond making the initial mediation referral.

## 11. Non-legal intervention

In some cases, we may support person who reports the ASB to take their own actions to try and resolve the issues. For example, where noise nuisance is being reported, we may suggest that the individual speaks directly to the neighbour causing the noise before we become involved. It may be that the neighbour is unaware that their behaviour is causing a disturbance. We will always consider any risks before making this suggestion and will offer advice and guidance on how best to take this approach.

Non-legal actions that we may take include but are not limited to:

- Offering mediation
- Sending warning letters
- Arranging a meeting with the perpetrator to discuss the issues
- Inviting the perpetrator to sign an Acceptable Behaviour Contract

## 12. Legal intervention

Whilst we will try to deal with ASB using non-legal interventions, there may be cases where legal action is the proportionate response to take. We will complete a proportionality assessment before taking any legal action, to help us to understand whether legal action is appropriate, what type of tool to use and whether we have satisfied our duties under the equalities act.

Legal actions that we may use to address ASB include:

- Taking action to end or extend a starter tenancy – where a notice is served to end a starter tenancy, the tenant will be offered a right to an internal appeal
- Applying for a demotion order, reducing the security of tenure that the tenant holds for a period of 12 months – if subsequent action is taken to end the demoted tenancy, the tenant will be offered a right to an internal appeal
- Applying for possession – we may use the discretionary ground (ground 14 of schedule 2 of the Housing Act 1988) and/or the absolute ground (ground 7(a) of schedule 2 of the Housing Act 1988). Where we serve notice that contains the absolute ground, we will offer the tenant a right to an internal appeal.
- Seeking an Injunction under Part 1 of the ASB, Crime and Policing Act 2014

We do not have access to all of the tools available to tackle ASB. There may be cases where we recognise that a partner agency has a more suitable tool available to manage the problems, such as a Community Protection Notice, Criminal Behaviour Order or Closure Order. We will work with other partner agencies to determine the best approach in these cases. When legal action will result in us evicting a tenant, we will ensure that we follow our Eviction Policy and procedures.

### **13. A twin-track approach**

We recognise that people causing ASB may have a need or vulnerability themselves, that is exasperating or contributing to the ASB. We will consider the needs of the perpetrator at various stages of the case management process, making support referrals where appropriate and considering these needs when deciding upon the best course of action.

We adopt a twin-track approach to managing ASB, meaning that we will combine our actions to resolve the ASB with our steps to try and support the perpetrator. Our priority is always to try and prevent the harm being caused to the victim/s and recognising that the perpetrator has a support need or vulnerability will not stop us from taking appropriate action, where necessary. In addition, non-availability of support or non-engagement from the perpetrator will not delay or prevent appropriate action from being taken.

### **14. Communication**

We realise the importance of communication; staff will adhere to the key communication principles throughout the ASB process. Where we are required to take tenancy, enforcement action we will provide the perpetrator with clear advice on the implications of this action.

Where a victim has agreed to come to court as a witness in one of our legal cases, we may offer additional support to help make this process as comfortable as possible. What is offered will depend on the requirements of the witness and the resources available but may include:

- Pre-court visits
- Seeking out and requesting special measures
- Referring the witness to Victim Support or other specialist witness service
- Assisting with travel arrangements
- Answering any questions, the witness may have pre, during and post any hearing

### **15. Performance management**

ASB cases will be reviewed after being open for one month and then every two months until they are closed. The cases will be reviewed by the relevant Local Delivery Team Leader or Local Delivery Manager.

Our officers will be kept up to date on related ASB legislation, policy and best practice to ensure they have the skills required to effectively manage ASB cases.

We will monitor reports of ASB and identify hot spots. In areas where we have multiple reports, we will hold tenant community meetings to help gain a greater understanding and develop a joint action plan.

## 16. Safeguarding/Domestic Abuse

We recognise that officers dealing with ASB cases may come into contact with children and/or adults for whom there are safeguarding concerns. Our officers are trained to recognise these circumstances and take the necessary actions, in line with our safeguarding processes.

We also recognise that some ASB that gets reported to us may be as a result of domestic abuse. For example, a neighbour may report noise issues that are a symptom of domestic abuse. Our staff are trained to identify these types of situations and will take a sensitive and appropriate approach to manage these cases. Antisocial Behaviour and Domestic Abuse will be treated separately under the relevant procedures.

## 17. Closing a case

A case cannot be closed without the authorisation of a Local Delivery Manager/Neighbourhood Manager. When closing a case, we will contact the alleged perpetrator and all people that have reported the ASB to inform them of our decision. This will then be followed up by a letter or E-mail explaining why the case has been closed. Cases will be closed as either “resolved” or “unresolved”, please see **Appendix 1** for further information about the circumstances for when we will close a case.

## 18. Partnership working

To deliver a service which is supportive, collaborative, and cohesive, we will work in partnership with relevant statutory, non-statutory and support providers as appropriate to the specific case to cater for the needs of the person affected by the behaviour and the perpetrator.

We will use multi-agency meetings and Police Operational Partnership Teams (OPT) as appropriate, to benefit from the expertise and perspective of other professionals involved in the case. Neighbourhood Officers will also refer cases to the local Anti-Social Behaviour Action Group (ASBAG) or relevant multi agency meeting when appropriate.

## 19. Feedback

We welcome any feedback from our residents and partners, whether positive or otherwise. Feedback can be provided by visiting our website: [www.broadlandgroup.org](http://www.broadlandgroup.org) or calling our customer services on 0303 303 003.

Any feedback that is considered to be a service complaint will be dealt with in line with our complaints policy

## 20. ASB case review

The ASB Case Review (formerly known as the community trigger) is a statutory process, designed to allow residents to ask for their ASB case to be reviewed. To start the ASB Case Review tenants must make an application to the relevant local authority. We will make

residents aware of the ASB Case Review process that is relevant for the local authority area in which they live.

## **21. Confidentiality**

Sometimes the person reporting the ASB asks us to keep their identity confidential. To deal with ASB effectively, we need to discuss the nature of the behaviour with the alleged perpetrator. While we will take steps to protect the person reporting the ASB, anonymity cannot be guaranteed in every case, as the details of an incident may make it apparent who has raised the concern. We will explain this clearly and provide appropriate support and guidance to help the case progress.

There may be times where a party in an ASB case tells us something that they wish to be confidential but based on the nature of the information we have a legal obligation to breach this confidentiality. Examples include where a criminal offence has been committed or where someone is at risk of harm.

## **22. Evidence from CCTV**

We will consider domestic CCTV (including Ring doorbell) footage as part of an ASB investigation where it is relevant.

If a person has witnessed ASB, we encourage them to record the event in an incident log and, where relevant, submit only the specific footage that relates directly to the behaviour witnessed. Those reporting ASB should not search back through historic footage unless they believe a specific earlier incident occurred and can explain the relevance and the harm caused. We will not rely on footage that appears to be the result of persistent monitoring of neighbours, routine review without cause, or footage capturing private areas unnecessarily, as this may be viewed as intrusive, disproportionate, or even harassment.

## Appendix 1

### Closing an ASB Case

A case cannot be closed without the authorisation of a Local Delivery Manager/Neighbourhood Manager. When closing a case, we must provide all reporters with an explanation as to why it is being closed. This will be via a phone call and letter/E-mail.

An ASB case can either be “Closed resolved” or “Closed unresolved”. Please see below for the qualifying criteria for each.

#### **Closed Resolved: -**

- In the opinion of the landlord, the ASB has ended or is no longer cause for concern
- Cases investigated but it has been identified there is no breach of tenancy should be closed resolved

*Please note we should evidence that the ASB is no longer a cause for concern by agreeing this with the tenant.*

#### **Closed- Unresolved:-**

- Two months have elapsed since last contact with the reporter and we have tried to contact them on at least 4 occasions. The last contact being a notification that we will be closing the case
- Information reasonably requested by us is not provided by the reporter
- No further action is taken at the reporters request or no further action is possible.