



Wythenshawe Community Housing Group (WCHG) Anti-Social Behaviour & Hate Crime Policy

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Responsible director	Executive Director – Customers and Communities
Policy monitoring body	Customer Experience Committee
Resident input into Policy date	Customer Experience Committee - March 2023
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Linked strategies/policies	See Section 11
Version/date	V3 – March 2023
Owner	Bernie Woodward - Community Safety Manager

1. Introduction

- 1.1 Wythenshawe Community Housing Group (WCHG) adopts a proactive approach when tackling nuisance and anti-social behaviour (ASB). WCHG recognises that whilst the vast majority of residents are committed to the area in which they live, a disproportionately small number of people fail to maintain their tenancy to an acceptable standard which can detract from our objective to provide sustainable communities where customers want to live. This can be due to support needs, this is managed through our Living Well approach, or can be due to nuisance, antisocial behaviour or criminal activity
- 1.2 This policy supports WCHG's purpose to provide good quality homes and services to our tenants and leaseholders and to play a leading role in creating a safer, healthier communities.
- 1.3 This Policy also applies where staff, customer representatives, contractors, partners or agents are subjected to abusive, threatening or intimidating behaviour (including hate behaviour) whilst working or acting on behalf WCHG.

2. Scope

- 2.1 This policy sets out WCHG's approach to tackling ASB and Hate Crime and the way we intend to work in partnership with local residents and other agencies to resolve it. The policy applies to all Assured and Assured Shorthold tenants of the Group and includes leaseholders, license agreements and Market Rent tenancies.
- 2.2 The aims and objectives of this policy are to:
 - Prevent and minimise the amount of ASB & hate crime experienced by our customers and colleague and ensure tenancy sustainability.
 - Ensure we take a victim-centred approach to tackling ASB & hate crime, including prevention, intervention, enforcement and support.
 - Ensure we target support to the most vulnerable customers and high-risk cases, whilst.
 - Offer early intervention & support to ensure customers are able to self-manage lower-level issues that they may be experiencing.
 - Ensure WCHG works with statutory bodies, partners and relevant 3rd sector organisations to help resolve ASB and hate crime and support the victims of such behaviour
 - Ensure all customers are treated in a fair and equitable manner
 - Ensure WCHG monitors & reports the effectiveness of its approach to tackling ASB and hate crime including equality, diversity and inclusion reporting

3. Definition

3.1 Anti-social Behaviour

3.1.1 WCHG defines Anti-Social Behaviour as:

- “Conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaged in a lawful activity in the locality”. (Housing Act 1996).
- 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.
- Conduct capable of causing housing-related nuisance or annoyance to any person where it directly or indirectly effects are housing management function. (ASB, Crime and Policing Act 2014)

3.1.2 The service delivery approach at WCHG includes neighbourhood management, living well teams, customer engagement, community and neighbourhood development including youth and play services property maintenance and repairs, income collection, financial inclusion and estate management.

3.1.3 ASB can be defined as but not limited to:

- Noise nuisance including loud music, shouting, slamming doors;
- Behaviour which is aggressive, threatening or causes intimidation or harassment;
- Criminal activity which affects the community;
- Acts or threats of violence;
- Hate behavior (including harassment); a crime, typically one involving violence, that is motivated by prejudice on the basis of ethnicity, religion, sexual orientation, or similar grounds.

3.1.4 There are some types of behavior that may not be considered as ASB, such a baby crying, people completing DIY at a reasonable time of the day, dogs barking intermittently, one off parties and people using household appliances at reasonable times of the day.

3.2 Hate Related Incidents

3.2.1 A Hate Incident/Crime is defined as:

“A racist incident is any incident which is perceived to be racist by the victim or any other person” (Macpherson Report 1999)

3.2.2 The Home Office classifies Hate Crime within the following categories:

- Race, colour, ethnic origin, nationality or national origins
- Religion (or lack of)
- Gender or gender identity
- Sexual Orientation
- Disability (including learning disability and mental health)

3.2.3 WCHG works in partnership with the Police through a referral system, operating support and assistance to victims/witnesses of Hate Crime

3.2.4 WCHG also works directly or indirectly with organisations who may be able to provide support to victims of hate crime and WCHG will offer this as an option to victims of hate crime.

4. Policy

4.1. WCHG recognises that tackling anti-social behaviour cannot be the responsibility of one group or agency alone. Partnership working brings the best results and through integrated working WCHG are committed to working with our partner agencies and the local community to take a stand against anti-social behaviour, moving away from a situation where communities tolerate problems to one where everyone works together to tackle the problems and improve the quality of life for all.

4.2 WCHG will seek to

- Make it easy and accessible for tenants and residents to report ASB and Hate crime.
- Respond promptly to all complaints of ASB with appropriate action being taken against perpetrators and resolved at the earliest opportunity
- Promote community engagement and mutual responsibility and encourage and provide advice to customers to find their own solutions in the first instance by taking responsibility and ownership where appropriate.
- Ensure tenants are aware of their obligations under the Tenancy or contract Agreement
- Tackle ASB through effective co-ordination of service actions including prevention, diversion and enforcement including where appropriate providing target hardening measures or additional security measures to protect residents.
- Support victims and witnesses throughout the process, maintaining regular contact and providing an out of hours witness support service
- Provide a tailored response to ASB according to individual circumstances.

- Provide support to tenants, residents or their household members who may have difficulty in managing their tenancy or home by adopting a person-centred approach to understand the situation and where relevant work with relevant WCHG teams or partners to help to try to resolve the situation or drivers of ASB..
- Ensure staff are trained, resourced and supported to enable them to identify and respond to acts of anti-social behaviour. Including how to respond to and recognise safeguarding concerns. The training will be ongoing and will consider best practice and changes in legislation and we adopt an adverse childhood experiences (ACE) approach.
- Ensure tenants and residents are kept fully informed about action taken to tackle anti-social behaviour and publicise successful outcomes
- Work closely with the Police, the Local Authority and other agencies and landlords to develop strategies and initiatives which respond to and reduce the incidence of anti-social behaviour
- Operate a zero-tolerance approach to Hate Crime of any description and will act in accordance with the ASB & Hate Crime Policy
- Act as a third-party reporting centre for those wishing to report any incidents of Hate Crime and will report all cases to the Police.
- Utilise the CCTV system and Assure 24 service to support the ASB team, the police and the Local Authority to act by providing intelligence, evidence and information.
- In all appropriate cases, make referrals to the Multi Agency Safeguarding Hub (MASH), Early Help Hubs and the Police when information relating to safeguarding concerns comes to light during the investigation of ASB cases.

4.3 Prevention

4.3.1 WCHG recognises that prevention is an essential part of its approach to dealing with anti-social behaviour and uses a full range of preventive measures. These include:

- Providing or working with others where support is needed to help resolve a tenancy sustainability issue such as mental health support
- Providing support to victims of Hate Crime
- rime Mediation between parties or including WCHG
- Use of social prescribing and Community & Neighbourhood services
- The use of Restorative Justice
- Formal tenancy warnings
- Work with partners, such as Early Help Hub
- Youth intervention projects
- Starter Tenancies
- Placing perpetrators on the re-housing review list
- Support to enable more appropriate rehousing applications can be made

4.4 Enforcement

4.4.1 WCHG will fully utilise the range of tools and remedies available to it to ensure that it responds to ASB & hate crime in ways which are both proportionate and effective. The tools available are below, some of which are delivered in partnership with other agencies, including:

- Injunctions – with and without notice
- Criminal Behaviour Orders
- Demotion orders
- Possession orders
- Dispersal orders (in partnership with the police)
- Closure orders (in partnership with the police)
- Community Protection Orders
- Eviction - use of the discretionary and absolute grounds for possession when appropriate.

5. Data Protection, Confidentiality and Information Exchange.

5.1 WCHG will not disclose any information about, or provided by, a Complainant without their consent unless there are safeguarding issues that could impact on the safety of children or vulnerable adults or where there may have been a crime committed.

5.2 All information shared in respect of perpetrators will adhere to the principles of the UK General Data Protection Regulation (UK GDPR) and Data Protection Act (DPA) 2018, as it relates to information sharing between agencies for the purposes of the reduction of crime and disorder.

6. Responsibility

6.1 The Executive Director of Customers & Communities shall be responsible for the implementation and review of this policy. The operational day to day delivery of the policy is the responsibility of the Head of Housing.

7. Consultation, Monitoring and Review

7.1 The ASB policy will be reviewed on a 1-year cycle dependant on any significant changes on legislation move to the end of the policy

7.2 Indicators that will be monitored include but are not limited to:

- Number of new ASB cases arising including by type and locality
- Number of Hate crime cases being investigated and resolved

- Percentage of cases successfully resolved.
- Satisfaction with the outcome of the case
- The time taken to resolve ASB by type
- The use of legal action & cost to resolve ASB cases.
- The use of non-legal action actions to remedy ASB cases
- Case studies and customer experiences
- Equality, Diversity and inclusion indicators

7.3 An annual report to the Customer Experience Committee and or Board will provide an assurance of our compliance with the policy and our customer engagement

8. Equality & Diversity

8.1 WCHG will ensure that the ASB & Hate Crime Policy and procedure is accessible to its diverse customers

8.2 WCHG will consider the different needs of our customers when considering action.

8.3 WCHG recognises that customers of all races, ages, religions, gender, sexual orientation, literacy levels and disability should be treated equally and fairly and will make every reasonable effort to ensure that no-one is discriminated against on the basis of any protected characteristic as defined by the Equality Act 2010.

8.4 WCHG's Single Equality Scheme works towards developing services, facilities and working practices, which are equally accessible and non-discriminatory for all its customers. This is irrespective of their gender, age, race, sexuality, disability, religion, marital status/civil partnerships, pregnancy/maternity and economic status and in line with the nine protected characteristics as part of the legislation under the Equality Act 2010

8.5 WCHG will provide information in languages other than English, in Braille, Large Print and Audiotape. Our receptions and interview rooms are fitted with a hearing loop system.

8.6 If you require assistance with translation of this policy, large print, easy read, braille, or an audio copy, contact us by phone on: 0300 111 0000 or 0800 633 5500 or by email: communication@wchg.org.uk

10. Legislative Framework

10.1 This policy statement incorporates a number of legislative and regulatory requirements, which includes but not limited to:

- Human Rights Act 1998
- Housing Act 1988
- Housing Act 1996 (as amended)

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- Mental Health Capacity Act 2005
 - Mental Health Act 2007
 - Children's Act 1989 and 2004
 - Crime and Disorder Act 1998
 - Anti-social Behaviour Act 2003
 - Data Protection Act 2018
 - Equality Act 2010
 - Anti-social Behaviour, Crime and Policing Act 2014
 - Neighbourhood and Community Standard

11. Associated Policies

- Equality & Diversity Policy
 - Domestic Abuse Policy
 - Data Protection Policy
 - Tenancy Management Policy
 - Allocations Policy
 - Safeguarding Policy
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