

Cheshire West & Chester Council

# Council Housing

## Anti-Social Behaviour Policy

Issue date: July 2024

Review date: July 2027



Cheshire West  
and Chester

## 1. Management Information

Approval Date:	July 2024
Next Review Date:	July 2027
Policy Owner:	Janet Lawton, Head of Housing Delivery
Responsible Service Area:	Council Housing Management Service
Responsible Director:	Director of Economy and Housing

## 2. Introduction

The Council recognise the impact that Anti-Social Behaviour (ASB) can have on the lives of tenants and aim to enable a living and working environment that is free from any form of intimidation, harassment, discrimination or victimisation because of a person's age, gender, sexual orientation, disability, race, nationality, ethnic origin, or religion.

The Council is committed to delivering services through a non-judgemental, balanced approach. All cases of ASB will be treated fairly, considering the needs of all individuals involved, including the complainants, witnesses, and alleged perpetrators.

The Council believe that all tenants should be able to live without fear of abuse from a spouse or partner, former spouse or partner or other member of their household and understands that any person can experience domestic abuse. The Council provide victim-centred, accessible, and flexible assistance to tenants who are suffering domestic abuse and hate behaviour, as well as offering advice and support to perpetrators.

## 3. Aim of Policy

The aim of this anti-social behaviour policy is to prevent and reduce harm caused by anti-social behaviour (ASB) to individuals and communities. Key objectives include:

- Ensuring residents can enjoy their homes and neighbourhoods in peace and security.
- Taking prompt and decisive action to address ASB before it escalates.
- Enhancing safety and security through collaborative efforts with local authorities and community partners.
- Promoting safer communities and improving the quality of life for residents.
- These policies are designed to provide a clear and consistent approach to tackling ASB, ensuring that residents have realistic expectations when reporting incidents.

## 4. Strategic context

This policy helps the Council to meet the following national and local strategic aims.

## Social Housing Regulations Act 2023 – Consumer Standards

- Neighbourhood and Community Standard
- Tenancy Standard
- Transparency, Influence and Accountability Standard

[CWAC Borough Plan 2024 – 2028](#) - sets out how the Council will work with all its residents to build a stronger future where the Council and residents all play their part in creating thriving, caring and sustainable communities.

The Borough Plan has six missions as follows:

- Starting well - The best start for the borough`s children and young people, with improved opportunity, a healthier start, greater resilience in families and the best possible support and care when it is needed.
- Tackling hardship and poverty - More people feel more financially secure as the causes and impact of hardship and poverty are addressed by working alongside residents.
- Resilient people living their best lives - Local people are enabled to flourish, be healthy, happy and independent for longer in supportive communities.
- Opportunity in a fair local economy - Local people and businesses contribute to and benefit from a strong and fair local economy.
- Neighbourhood pride - Residents live in well maintained, connected and safe places with good and affordable homes.
- Greener communities - Individuals, public services and businesses take action to move to tackle the climate emergency, achieve net zero, protect the natural environment and adapt to the impact of climate change.

[Together with Tenants Charter | Cheshire West and Chester Council Tenant Engagement Strategy 2025-30](#)

## 5. Definitions

### Definition of Anti-Social Behaviour

Anti-Social Behaviour is defined in the ASB Crime and Policing Act 2014 as conduct that:

- Behaviour which caused or is likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator.
- Conduct which can cause nuisance or annoyance to any person occupying residential premises or
- Is capable of causing Housing related nuisance or annoyance to any person.

The following is not an exhaustive list, but examples of ASB can include:

- Noise nuisance including loud music, shouting, slamming doors.
- Behaviour, which is aggressive, threatening or causes intimidation or harassment.

- Criminal activity which affects the community.
- Problems caused by animals (uncontrolled behaviour, or persistent barking).
- Graffiti.
- Abandoned cars and other vehicle nuisance including motorbikes/mopeds.
- Acts or threats of violence.
- Hate behaviour (including harassment).
- ASB as a result of misuse of drugs or alcohol.
- Domestic abuse.

There are some types of behaviour that may **not** be considered as ASB, such a baby crying, people completing DIY at a reasonable time of the day or dogs barking intermittently. The Council will assess each report individually when deciding whether it is ASB, considering factors such as frequency and circumstances.

### **Definition of Hate Incidents/Hate Crime**

A **Hate *Incident*** is: Any non-crime incident which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a personal characteristic.

A **Hate *Crime*** is: Any criminal offence which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a personal characteristic.

There are five centrally monitored strands of hate crime:

- Race or ethnicity
- Religion or belief
- Sexual orientation
- Disability
- Transgender identity

The Council will adopt a zero-tolerance approach to all hate crime and hate related incidents. This is set out within this Policy.

### **Definition of Domestic Abuse**

Domestic Abuse is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence, or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The Domestic Abuse Act 2021 defines abusive behaviour as the following:

- Psychological
- Physical
- Sexual
- Controlling or coercive
- Violent or threatening
- Financial
- Emotional

Domestic Abuse can encompass, but is not limited to, the above types of abuse. It does not matter whether the behaviour consists of a single incident or a course of conduct.

Both parties must be 16 and over and “personally connected”, defined as being married or civil partners; or have agreed to a marriage or civil partnership; are or have been in an intimate personal relationship with each other; or have a parental relationship with same child; or are relatives. Domestic Abuse can also occur between adult children and parents, or those in similar relationships.

## **6. How the policy will be delivered**

The Council’s Landlord Service Neighbourhoods Team will have day to day responsibility for delivering this Policy. If employees become aware that there are problems with effective operation of this Policy or the associated procedures, they should report this to the Housing Manager. This feedback will be incorporated into the policy and procedural review process.

### **Categories of Behaviour**

The Council categorises and prioritises types of ASB as follows:

- Reporting ASB – ASB can be reported via, phone, email, on line and in person, via our normal contact methods.
- The Council will acknowledge a report within one working day and arrange to discuss the problem with the Complainant.
- If the problem does not include violence or harassment, staff will speak to the Complainant within five working days of receiving the report and interview the alleged perpetrator within five working days of them being identified.
- If the problem involves harassment (including hate behaviour or domestic abuse) staff will meet with the Complainant within two working days and interview the alleged perpetrator (where appropriate) within two working days of them being identified.
- If the Complainant is suffering violence (or the threat of it) staff will meet with them within one working day and (where appropriate) take action against the perpetrator on the same day.

### **Obligation of Tenants**

The tenancy agreement sets out the tenant’s responsibilities to behave in a reasonable manner and to ensure that their family and any visitors do so as well. The Council will take appropriate action against tenant, members of their household or their visitors if they do not comply with the conditions of the tenancy agreement.

Where it is reasonable and safe to do so, staff will encourage and support complainants to try to resolve issues themselves by speaking directly to the other party or by attending a joint meeting facilitated by staff.

## **Multi-agency Working**

Many ASB cases/ hate crime will require the involvement of other agencies and services to be able to resolve them. The Council will work with partner agencies such as the Police and other providers as well as support services, for example Social Services, Education, Health, Youth and Fire Services. This can include carrying out joint interviews or home visits to Complainants or Perpetrators to assess support needs or issue warnings.

Involvement with partners includes:

- meeting on a local level with Cheshire Police, sharing information, reviewing cases, and identifying hot spot areas. They are also involved in the Police's Problem-Solving Group where agencies meet to discuss issues and seek resolutions via a multi-agency approach.
- MARAC for Cheshire (multi-agency risk assessment conference).
- With support agencies such as Turning Point (Drug and Alcohol support) to support both victims and perpetrators of ASB and domestic abuse.
- Staff also work closely with West Cheshire Homes in relation to allocations and sharing information to help protect communities.
- Staff work closely with Social Services (both adults and children) on Safeguarding cases.

## **Support for Victims and Witnesses**

The Council will ensure that appropriate support is provided on a case-by-case basis. This will include carrying out a comprehensive Risk Identification checklist ensuring that the victims support needs are met throughout the duration of the case.

This can include:

- Support for victims (and their families, where required) tailored to their individual needs, including out of hours support and pre and post court support.
- A tailored approach to support victims with protected characteristics.
- Referrals to other agencies such as IDVA services, Drug and Alcohol services, Mental Health, Social Services and language translation services advice around housing.
- Additional security measures.

There may be limitations to what staff can do to help if the victim wishes to remain anonymous or does not want to accept support.

## **Support for Vulnerable Perpetrators**

Support will be offered and provided to Perpetrators who exhibit vulnerabilities or support needs. This will be reviewed by staff on a case-by-case basis.

The Council will assess the needs of a perpetrator during the initial interview and throughout the duration of the case. Where appropriate, staff will work with specialist services, such as drug and alcohol, mental health, and other Council services, to

ensure appropriate support and advice is provided. However, it may not always be possible to offer support before action is taken, for example in circumstances where the Council apply for a 'without notice' injunction.

## **Prevention**

The Council is committed to preventing ASB happening in the first place by:

- Working with partner agencies such as the Police, Local Council and other agencies to maintain joint working arrangements; this includes attending strategic and operational meetings to manage demand, threat, risk, and harm in community safety across our areas of operation. Through multi agency operational case management meetings, individuals and families involved in ASB are discussed and action plans agreed.
- Working with statutory and voluntary organisations, Residents groups and other organisations to assist in the provision and delivery of diversionary activities; for example, if we need to, we may bring in other agencies such as Social Services. This might be to help deal with the root cause of a problem, for example, mental health difficulties or drug and alcohol abuse. Likewise, we may involve sport and youth projects to provide diversion and other activities to help deal with problems caused by children or young people.
- Carrying out effective pre-tenancy checks - prior to new sign-ups, we carry out a pre-tenancy interview which includes identifying potential support needs so that measures can be put in place to reduce the risk of a failed tenancy.
- Applying a robust tenancy sign up process – there is a section in the tenancy agreement dedicated to ASB, this clearly states what is expected of tenants and the legal remedies available to us if the tenancy agreement is breached. Neighbourhood Officers draw specific attention to this section of the tenancy agreement at sign up.
- Using Introductory tenancies - all new tenancies are 'introductory tenancies'. We conduct regular reviews during the initial 12-month period of an introductory tenancy to ensure that any support needs are identified and met, and any problems around the conduct of the tenancy (e.g., rent arrears and/or anti-social behaviour) are discussed with the tenant. We instigate a 'current tenant visit' where any concerns are raised regarding the property or occupants of an ongoing tenancy.

We make use of introductory tenancies and will instigate the extension process, where appropriate, to monitor tenancies which may be at risk and allow the opportunity for issues to be addressed with a view to the tenancy being successfully sustained in the long term.

## **Resolving an ASB Case**

Staff will explore all avenues available and always try to resolve ASB cases through informal action. This includes, but is not exhaustive to:

- Where additional needs have been identified such as mental health difficulties (inclusive of dementia) staff will work to resolve ASB cases seeking additional support as required.

- Where appropriate, make use of Warning Interviews, Restorative Justice, Good Neighbour Agreements and Mediation methods.
- When necessary, install noise monitoring or surveillance equipment or make use of professional witnesses.
- Upon resolution of a case, when appropriate, publicising successful outcomes through various media to demonstrate the Council's commitment to tackling ASB, to inform staff and the wider community and to deter potential perpetrators.
- If a tenant feels that their ASB case has been incorrectly closed, they have the option to appeal the decision made to close their case, with the appeal being fully investigated by a manager who has had no involvement with the case; and
- Where tenant express dissatisfaction with the way that ongoing live cases are handled or complain that they do not feel the process is being followed, they will also have the opportunity to have their case reviewed through the appeal process, as above.

The Council will monitor how we handle anti-social behaviour through feedback and our tenant satisfaction measures introduced by the Regulator of Social Housing.

### **Legal Action and Enforcement**

When all options to resolve a case have been exhausted, appropriate, reasonable, and proportionate legal action will be sought. There will also be occasions where immediate legal action is required such as where serious threats have been made or violence has occurred.

The Council aim to do this whilst keeping the need for evictions to a minimum. Staff will take necessary action against tenants, members of their household or their visitors if they do not comply with the conditions of the tenancy or lease agreement.

Possession of a Council property may also be sought where ASB and/or criminality has already been proven by another court (e.g., Magistrates Court). This can apply when the perpetrator is the tenant, a member of the tenant's household or a person visiting the property.

In some cases, it may be more appropriate for the Council to support other agencies in taking legal action.

### **Data Protection, Confidentiality, and Information Exchange**

The Council 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.

All information shared in respect of Perpetrators will adhere to the principles of data protection and in accordance with legislation as it relates to information sharing between agencies for the purposes of the reduction of crime and disorder.

## 7. Equity and reasonable adjustment statement

We value diversity and work to create an inclusive environment for customers and staff, where everyone has access to the same opportunities. We welcome our responsibility to comply with equalities legislation and regulatory requirements that relate to equity, diversity and inclusion and aim to do more. Through our activities we aim to remove systemic barriers to equal opportunities and eliminate all forms of discrimination, harassment, and victimisation within our organisation.

We are committed to providing excellent customer services, which are fair, equitable and inclusive. As such, we will endeavour to understand and make any reasonable adjustments required for customers in line with our Reasonable Adjustment Statement and the Equality Act 2010. Any reasonable adjustment provided will be recorded and kept under active review.

## 8. Related Documents

Policies, procedures and website pages in the following areas:

- Domestic Abuse
- Hate Crime
- Safeguarding
- Data Protection
- (Crime and Disorder Act 1998)
- [http://www.legislation.gov.uk/ukpga/2003/38/pdfs/ukpga\\_20030038\\_en.pdf](http://www.legislation.gov.uk/ukpga/2003/38/pdfs/ukpga_20030038_en.pdf) (ASB Act 2003)
- [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/352562/ASB\\_Guidance\\_v8\\_July2014\\_final\\_2\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/352562/ASB_Guidance_v8_July2014_final_2_.pdf) (ASB Crime and Policing Act 2014)

## 9. Equality Analysis

Results of EA / Actions taken forward to mitigate any potential negative impacts	Inform that this policy can be provided in alternative formats.  Inform about the ongoing equality and diversity training for staff in the delivery of this policy.
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See appendix 1 for full Equality and Diversity Impact Assessment.

## 10. Consultation and Business Intelligence

The policy was created in consultation with the Council's tenants leaseholders and staff.

## 11. Monitoring and review

The Council Housing Management Board has responsibility for the monitoring and review of this policy. This policy will be reviewed every three years starting from the date it is approached and adopted.

Staff will monitor and report performance in compliance with this Policy through the in-house IT system, performance indicators and tenant satisfaction feedback. This ASB Policy will be available to all staff through the intranet and via the Council website for tenants and partner agencies. Regular training will be provided to relevant staff on all ASB policies and procedures.

## 12. Approval and Review History

The approval route for all policies and procedures is via the Cabinet Member for Homes and Planning who has delegated powers for policy approval from the Council's Executive Cabinet.

Issue	Approved	Date
Approval	ForHousing SMT	30 April 2018
Approval – V1	Cabinet Member for Homes and Planning	8 September 2018
Approval – V2	Cabinet Member for Homes and Planning	17 February 2022
Approval - V3.1	Cabinet Member for Homes and Planning	2 July 2024

## 13. Document Revision History

Date	Version	Key Changes
8 September 2018	1	Original version
15 March 2021	2	Updated to strengthen the policy by being more explicit about our focus on 'Prevention'. Updated CW&C responsible Director name and title.
6 May 2024	3	Change of definition to Domestic Abuse Change of definition of ASB Remove of office address
28 June 2024	3.1	Revised version following tenant feedback: <ul style="list-style-type: none"> <li>Information to reflect new ways of working in community.</li> <li>Additional information about support for victims and witnesses.</li> <li>Information on reporting mechanisms including keeping tenants informed on progress.</li> <li>Informed about monitoring through TSM's</li> <li>Made clear that this policy document can be provided in alternative formats.</li> </ul> Informed about the ongoing equality and diversity training being provided to staff in the delivery of this policy.
15 September 2025	3.2	Revised version to take into account the insourcing of the housing management service from ForHousing to the Council.

## Appendix 1 – Equality and Diversity Impact Assessment

<b>Area of activity or change</b>	<b>Anti-Social Behaviour Policy</b>
<b>IMDF Approval</b>	<b>Allan Batty, Senior Housing Policy Officer</b>

<b>STAGE ONE - SCOPING</b>	<b>Outlines the decision that is being made any why</b>
<b>STAGE TWO - RESEARCH</b>	<b>Outlines the collaboration and research that will inform this decision</b>
<b>STAGE THREE - FINDINGS AND NEXT STEPS</b>	<b>Considers how learnings from research and engagement are being embedded, the potential impact of the decision on different people and how these can best be managed.</b>

<b>STAGE ONE – SCOPING</b>	
<b>Consider points such as:</b> <ul style="list-style-type: none"> <li>Where has the proposed activity or change come from and why is it needed?</li> <li>Why is it important to the Council?</li> <li>How will this affect the tenant / customer journey or colleague experience?</li> </ul>	<b>What activity or change is being proposed and why?</b> This Policy sets out how the Council will endeavour to prevent and tackle ASB and applies where the alleged perpetrator and/or the complainant lives in, or is visiting, one our properties. This could also apply if an incident takes place elsewhere, for example something is posted on a social media platform such as Facebook. The policy has been transferred to the new template, and a full review undertaken to ensure that the policy reflects current practice, complies with the current, and future tenancy consumer standard.
	<b>What benefits are you trying to achieve?</b> The policy is up to date and available to be referred to, and demonstrates we are fully aligned with the local authorities, and compliant with the regulator of social housing consumer standards, and all associated legislation.
<b>STAGE TWO – RESEARCH</b>	
<b>Consider points such as:</b> <ul style="list-style-type: none"> <li>What groups or individuals will you approach to discuss this?</li> <li>How will you ensure that these people are diverse and representative? (See Equity and Diversity table in stage three)</li> <li>Is there any data you can look at to support you?</li> </ul>	<b>Who will help develop your thinking so that different experiences and perspectives are included?</b> The policy has not changed, the policy complies with requirements set out in the ASB Crime and Policing Act 2014 and Government Neighbourhood and Community Consumer standard.
	<b>What research will you do to inform your understanding?</b> <ul style="list-style-type: none"> <li>ASB Crime and Policing Act 2014</li> <li>Equalities Act 2010</li> <li>Government Neighbourhood and Community Consumer standard</li> </ul>

### STAGE THREE – FINDINGS AND NEXT STEPS

<b>Consider points such as:</b> <ul style="list-style-type: none"> <li>• What have people told you are some of the key issues?</li> <li>• What good practice is happening in other organisations?</li> <li>• What changes are you planning to make because of the things you've found out?</li> </ul>	<b>What have you learnt from your research and engagement?</b> <ul style="list-style-type: none"> <li>• Consultation with tenants and leaseholders informed on minor changes to the policy which is recorded in the final document.</li> </ul>
	<b>How will you embed what you've learnt into your activity or change?</b> <ul style="list-style-type: none"> <li>• The policy sets out a framework within which the Council is able to ensure our neighbourhoods are clean, safe, attractive and well managed.</li> <li>• Make relevant minor changes to the policy</li> <li>• Inform within the document that this can be provided in alternative formats.</li> <li>• Inform about the ongoing equality and diversity training being provided to staff in the delivery of this policy.</li> </ul>

**Equity and Diversity** - Not everyone has the same access to opportunities or services, and the things that make us different – such as the characteristics listed below – can affect our experiences and outcomes. Therefore, it is important to consider how different people could be impacted by any activity or change we want to bring about.

How could the proposed activity or change affect people with these characteristics (positively or negatively)?		-		+
<b>Age</b> (Younger or older people)	The ASB policy is inclusive for all tenants regardless of age. We will inform statutory services where we believe a child is at risk, and will make appropriate referrals where we believe an adult to be at risk.			
<b>Caring responsibilities</b> (Parents and those looking after an older or disabled person)	No change – how we seek to support tenants in ASB cases is set out within the ASB Procedure.			
<b>Digital inclusion</b> (People without access to digital platforms or devices)	The policy will be made available via the website, and can be printed on request for those tenants who do not have digital access. Reports of ASB can be made, in person, by phone, by email and by filling in the form on the website.			
<b>Educational attainment</b> (People who have experienced barriers to formal education)	No equality considerations identified			
<b>Ethnicity, race and nationality</b> (Including migrants, refugees and asylum seekers)	The ASB policy is inclusive for all tenants regardless of ethnicity, race and nationality. Implementing the policy will have a positive impact as staff will be required to signpost tenants to the appropriate support services			
<b>Financial inclusion</b> (People experiencing financial barriers or challenges)	No impact assessed.			
<b>Marriage / civil partnership</b> (Legal union between different-sex or same-sex couples)	No equality considerations identified			

<b>Mental health</b> (People with a mental disability or ill-health)	Disabled people are at an increased risk of being a victim of ASB, whether that be a physical or mental disability. The Policy could provide a positive impact in that referrals will be made to support agencies where a disability is identified as part of the victim risk assessment.	
<b>Neurodiversity</b> (Such as people with ADHD, Autism, Dyslexia, Dyspraxia)	Disabled people are at an increased risk of being a victim of ASB, whether that be a physical or mental disability. The Policy could provide a positive impact in that referrals will be made to support agencies where a disability is identified as part of the victim risk assessment	
<b>Physical health</b> (People with a physical disability or ill-health)	Disabled people are at an increased risk of being a victim of ASB, whether that be a physical or mental disability. The Policy could provide a positive impact in that referrals will be made to support agencies where a disability is identified as part of the victim risk assessment.	
<b>Pregnancy and maternity</b> (Someone who is pregnant or has recently given birth)	The policy will treat all victims equally and will work with partner agencies to ensure appropriate support is in place for expectant mothers.	
<b>Religion, faith or belief</b> (All religions and faiths, including people with no religion)	The ASB policy will not negatively impact anyone's Faith, Religion or belief. The policy will be implemented and as part of the risk assessment completed religion, faith and belief will be recorded. All Hate behaviour reports are prioritised and victim interviewed within 1 working day.	
<b>Sex</b> (Men and women)	The Policy will not negatively impact someone due to sexual identity and all reports of ASB will be investigated as per the policy	
<b>Gender identity</b> (Including trans and non-binary people)	The Policy is inclusive and any specialist service referrals needed will be made.	
<b>Sexual orientation</b> (Such as Lesbian, Gay and Bisexual people)	The ASB policy will not negatively impact on anyone's sexual orientation, all Hate behaviour reports are prioritised and victim interviewed within 1 working day.	
<b>Any other characteristic</b>	No equality considerations identified	

<b>Managing positive and negative effects</b>	
<b>Consider points such as:</b>	<b>If potential negative effects have been identified, how will any harm be reduced or avoided?</b> The ASB policy provides tenants with reassurance that the Council take all reports of ASB seriously and will provide support in line with the policy.

<ul style="list-style-type: none"> <li>• Do you need to escalate any issues or seek legal advice?</li> <li>• Can you see any opportunities to promote or celebrate positive outcomes?</li> <li>• How will you build monitoring into the implementation of your activity or change and who will you report to?</li> </ul>	<p><b>If potential positive effects have been identified, how can we ensure these are realised?</b></p>
	<p><b>How and when will the impacts of your activity or change be monitored moving forward?</b></p> <ul style="list-style-type: none"> <li>• ASB performance will continue to be reported and monitored.</li> </ul>

