

Grainger Trust Limited ('GT') Anti-Social Behaviour Policy

February 2025

Introduction

The aim of our Anti-Social Behaviour Policy is to ensure our accommodation, and the surrounding communities are pleasant and secure places to live. We will not tolerate any ASB cause by residents, their visitors, family or any other person.

Housing providers have a number of powers at their disposal to deal with tenants who exhibit antisocial behaviour (ASB). These powers are contained in the Anti-Social Behaviour Act 2003, 2004 Housing Act and the Anti-Social Behaviour, Crime and Policing Act 2014. This document is designed to give a clear statement of our approach to ASB and the way we intend to work together with customers and other organisations, such as Safer Neighbourhood Teams, the Local Authority, Police etc.

GT will not tolerate harassment and nuisance that disrupts the lives of individuals within the communities within which we operate. Grainger Trust (GT) recognises that to provide a quality housing service, and in the interests of community safety, it must be effective in tackling the problems created by ASB.

Definitions

Anti-Social Behaviour (ASB) incorporates a very wide variety of behaviours ranging from, for example, noise nuisance through to criminal activities, hate motivated behaviour, assault and criminal damage. Here are some examples of what we will investigate as ASB:

The following (although not exhaustive) is a list of what might be recognised as ASB by Grainger Trust:

- Verbal abuse/harassment/intimidation/threatening behaviour
- Noise nuisance
- Hate related incidents
- Vandalism and/or damage to property
- Pets and animal nuisance
- Drugs/substance misuse/drug dealing
- Alcohol related incidents
- Domestic violence/abuse
- Physical violence
- Misuse of communal areas
- Prostitution/sexual acts/kerb crawling
- Criminal damage or other criminal behaviour

The following list (although not exhaustive) are not considered as ASB

- Noise from children playing or babies crying
- Normal living noise such as closing doors, going up and down stairs or people talking
- Smells from someone cooking

- Noise from vacuum cleaner, washing machine or DIY
- Parking issues
- Boundary issues

At GT we encourage children to have active, healthy lifestyles and so would not consider children playing with balls as ASB and therefore will not get involved unless the children's behaviour is related to other issues for example verbal abuse, hate related incidents or criminal damage.

Personal Disputes

We encourage our customers to live amicably within their community. Lifestyles and personalities can be diverse, and tolerances differ, and sometimes people fall out with their neighbours. This can result in disputes with neighbours which may include:

- Dirty looks
- Comments in passing
- Disagreements over bins, or parking
- Lower tolerance to children playing
- Allegations from both sides (counter allegations) against each other, without independent witnesses or independent evidence

In most circumstances, we will not record this as ASB. We can offer advice and guidance and referrals to an assessment service and mediation. However, we are unlikely to be able to resolve neighbour disputes for customers.

Here are some examples of other times we will not take any actions:

- The alleged perpetrator is not our customer or a visitor to our properties
- Lack of evidence or support from victims or witnesses
- The alleged nuisance is caused by reasonable everyday behaviour, such as living noise
- Where we believe that the complaints are malicious
- Matters that fall outside the landlord duties

In these cases, we will offer advice and guidance to encourage customers to manage the situation themselves.

The definition stated in the ASB Act 2003 is:

“Conduct which is capable of causing nuisance or annoyance to any person and which directly or indirectly relates to or affects the housing management functions of a relevant landlord”.

Alleged perpetrators may include;

- Tenants
- Members of their household including relatives/children & visitors to their property,
- Lodgers & Sub-tenants (although it must be noted that this would be in breach of the tenancy terms as well)

Our approach

Our aim is to adopt a preventative strategy towards ASB. We work closely with local councils to understand the needs of each person housed and will co-operate with third party support services where these are identified at the Nominations stage. We also conduct full referencing including contacting a prospective resident's current landlord to get a reference of their conduct during the tenancy.

Every report of ASB made will be listened to, investigated and the appropriate action taken.

We seek to provide an environment in which all employees, customers and members of the public can live free from ASB, discrimination, harassment and domestic violence. We recognise our key role in supporting and maintaining the development of a cohesive community where people can prosper and enjoy living without the fear of, or blight brought about by ASB.

We aim to create places where people are proud to live, work and play. Our homes are increasingly in mixed developments, often with shared amenity within Build to Rent developments and it is vital that all our schemes remain desirable places to live for all our different customers.

Starter Tenancies

Starter Tenancies play an important part in managing and deterring ASB. Understanding that ASB can lead to either the termination or extension of a starter tenancy instead of being transferred to a longer fixed term tenancy acts as an important ASB management tool.

All Grainger Trust tenancies will start with a 12-month probationary period with a review conducted between 6 and 9 months as to whether the tenancy can roll over into its remaining fixed term. This is further detailed in our separate Starter Tenancy Policy.

Domestic Abuse

Grainger Trust takes incidents of domestic abuse very seriously. We provide a multi partnership approach to dealing with domestic abuse incidents to ensure our residents obtain the highest levels of support and assistance.

Domestic Violence can include a variety of behaviours ranging from physical, sexual, physiological or financial.

- Physical – such as punching, slapping, hitting, biting, pinching, kicking, pulling hair out, pushing, shoving, burning, strangling
- Sexual – such as unwanted touching, forced sex, or sexual jokes or demeaning gender remarks
- Psychological or emotional – such as destructive criticism, name calling, sulking, persistently putting you down in front of other people, lying to friends and family about you, never listening or responding when you talk, harassment, stalking, being controlling, verbal abuse, pressure tactics, disrespect, breaking trust, isolation, making threats, denial that the abuse is happening

- Financial – such as withholding money, controlling money, not allowing you to earn your own money, denying access to financial information.

Domestic violence and abuse also includes so called ‘honour’ based violence, female genital mutilation and forced marriage.

In the first instance, residents are advised to report concerns to their property manager if they feel that the matter is of a non-urgent nature. Property Managers will be to signpost them to organisations who will be able to assist.

If a resident feels the nature of the incident or concern is urgent, the police should be contacted prior to Grainger Trust. Grainger Trust always advises residents to report all emergencies directly to the police. In an emergency you should dial 999.

Grainger Trust takes all complaints and reports of domestic abuse very seriously. When dealing with Grainger Trust residents can be assured that Grainger Trust will;

- Take a victim centred approach to reports of domestic violence and abuse
- Give priority to the safety of victims and their children
- Ensure confidentiality
- Take legal action against known perpetrators, where appropriate

Adopt a multi partnership approach to working out a solution. Further details are outlined in our Domestic Abuse policy.

Residents' obligations

All tenants are expected to abide by their tenancy terms and conditions. Tenants who do not abide by their tenancy terms and conditions can expect their behaviour or reported incidents to be investigated. If tenants do not abide by their tenancy terms and conditions, we use a three-stage warning system where appropriate. Where the breach is persistent or serious, further action will be taken to terminate the tenancy.

Tenants are responsible for the behaviour of every person (including children) living in or visiting their home. They must not take part in, allow or encourage ASB in their home, estate or neighbourhood. Reports of ASB relating to other people will be raised and investigated with the appropriate tenant.

We will foster a safe environment where victims, neighbours and third parties, who live near victims of harassment, hate crime or domestic violence, can report incidents anonymously through our online methods or directly to one of our team. This information will be shared with the relevant third parties only if the resident's consent is given for us to do so.

Good Neighbourhood Agreements

Where deemed appropriate, tenants may be asked to sign up to ‘Good Neighbourhood Agreements’ as part of their ASB management framework. These are often but not exclusively put in place in partnership with local policing teams.

Response and investigation

Where a member of the community contacts us to report an incident of ASB, this will be managed in line with Grainger's Complaint Handling Procedure. Where the complaint implies an immediate risk to persons, the police and council will be contacted within a 24hr time frame.

Grainger Trust operates a three-stage management and reporting system in regards to incidents of ASB;

Status	Description
Support	A single incident of low level ASB that is reported and discussed with the resident to establish expectations around behaviour and to introduce the ASB management process for future reports
Yellow	a single incident of significant ASB which is formally reported, investigated and yellow warning applied
Orange	reoccurring incidents of ASB over a period of 12 months. To be reoccurring the incident may be factually different but must satisfy the definition of ASB as included in this guidance note and must have occurred at least 4 times within the year. The incident must have been formally reported and investigated
Red	regular reoccurring incidents of ASB. To be regular, the incident must have occurred at least 12 times over a period of 12 months. The incidents must have been formally reported, and investigated

All reports of ASB will be formally investigated in line with the guidance set out in the ASB policy.

If any individual instance of ASB is deemed to have caused a real threat to the wellbeing of any resident within the community, Grainger Trust may accelerate the warning system. Our absolute priority is the wellbeing of residents within the areas that we operate and if ASB is causing risk of harm or absolute harm, we may progress to red without the required 12 incidents within a 12-month period.

Residents can have their warning level downgraded if a period of 12 months passes whereby no incidents of ASB are reported. Residents can only be downgraded by one warning level at any one time within a 12-month period.

Remedial measures

ASB will be tackled quickly and effectively, and measures can include:

- Encouraging tenants to try to sort the problem out themselves initially in an amicable way, where feasible
- Ensuring regular surgeries with Grainger Trust staff on the estates
- Adopting a multi-agency approach
- Enforcing the terms of the tenancy agreement by the use of legal remedies such as applying for a possession order in connection with nuisance behaviour which will satisfy statutory grounds for possession
- Seeking a Suspended Possession Order
- The use of injunctions in serious cases to prevent a breach of the tenancy agreement or to prevent nuisance or trespass.
- The use of a mediation service to act as a go-between and resolve differences between neighbours
- The use of professional witnesses in close conjunction with the police in order to gather personal evidence required
- Rehousing- If a resident feels unsafe in their own home, they will be advised to speak directly to the local council who will be able to help them apply for temporary accommodation or refuge (in domestic abuse cases)
- Legal Remedies- Domestic abuse matters can be dealt with via legal remedies. The English law presents a range of powers to help protect people. These include:
 - o A non-molestation order, which prevents a person from carrying out violent, pestering, harassing or threatening behaviour towards another person
 - o An occupation order, which prevents a person from entering another person's home
 - o A restraining order, which forbids a person from certain actions.

Vulnerable tenants

Grainger Trust will take all practical steps to safeguard and protect tenants that are vulnerable as a result of old age, physical or mental illness or learning disabilities or other special reasons whether they be the complainant or the alleged perpetrator.

The special needs of vulnerable tenants whose behaviour may be different through no fault of their own will be handled with sensitivity, and whenever appropriate, in partnership with other agencies whose support and input will be actively sought.

Should it become necessary to pursue legal action against such tenants the support agencies involved with the tenant will be consulted throughout the process and informed of the outcome.

Partnership working and sharing information.

Grainger Trust will request background references on all tenants and family members/lodgers above the age of 18 in advance of granting tenancies to ensure a stable, safe and cohesive community is created. Consent will be sought for this information sharing and gathering.

Grainger Trust recognises that dealing with ASB, harassment and hate crime is not the sole responsibility of one agency. Multi-agency working is an important tool in taking a holistic

approach to tackling ASB in our communities. Where possible, we will work with other agencies to combine resources and take a partnership approach to find a suitable resolution to ASB issues.

We will regularly review (with partner agencies where relevant) the areas where ASB is reported, to identify any trends or 'hot spots;' plans will then be agreed and will outline what measures will be put in place to tackle the problems.

Examples of our partner agencies include, but are not limited to:

- Adult social care
- Children's services
- Police
- Probation services
- Housing services
- Other statutory partners
- Voluntary sector partners
- Primary and secondary health services

Confidentiality, data protection and information sharing.

Data sharing with the police, local authority and other partners is limited by the Data Protection Act 2018, and we will jointly devise and/or comply with data sharing protocols that are in place.

While we respect privacy and confidentiality and are mindful of our obligations under the Data Protection Act, tackling ASB, harassment and hate crime requires the ability to exchange information with statutory and non-statutory agencies.

In addition to sharing information to resolve ASB, we will also share appropriate information with statutory agencies where we have reason to believe that there are safeguarding concerns, or where someone may be at risk.

Training

Grainger Trust will ensure that appropriate staff are provided with the necessary training to ensure that they are able to deal effectively with ASB,

Appeal

Residents have the right to appeal their ASB status if they feel it has been unfairly applied. This can be done by following Grainger Trust's Complaints Handling Procedure.

Monitoring and Performance

The board has overall responsibility for this policy, which will be implemented by Grainger Trust. Grainger Trust will be responsible for keeping the policy under review and for suggesting any required changes.

The policy will be reviewed and revised every two years unless legislation, business or sector developments require otherwise, to ensure that it continues to meet the stated objectives and take account of good practice developments.

Background Documents

This policy should be read in conjunction with the legal and regulatory documents listed below:

- [Housing Act 1996/2004](#)
- [Housing Act 1988](#)
- Equality Act 2006/2010
- Human Rights Act 1998
- Crime and Disorder Act 1998
- Landlord and Tenant Act 1985
- RSH Consumer Standards
- Data Protection Act 2018
- Safeguarding Vulnerable Adults Act 2006
- Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- Criminal Justice Act 2003
- [ASB Action Plan 2023](#)
- Antisocial Behaviour, Crime and Policing Act 2014
- Anti-Social Behaviour Act 2003
- Protection from Harassment Act 1997
- Domestic Abuse Act 2021
- The charter for social housing residents: social housing white paper
- Social Housing Regulation Act 2023
- Supported Housing (Regulatory oversight) Act 2023

Document Owner and Approval

The Head of Grainger Trust is the owner of this document and is responsible for ensuring that this procedure is reviewed in line with the review requirements of Data Protection.

A current version of this document is available to all members of staff on the corporate intranet.

Document History

Policy Owner	Head of Grainger Trust
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