



ANTI-SOCIAL BEHAVIOUR, HARASSMENT & HATE CRIMES POLICY



Anti-Social Behaviour, Harassment and Hate Crimes Policy			
Last Reviewed	January 2025	Next Review	January 2026
Responsible Officer	Director of Operations		

Policy Statement: Freebridge supports the view that everyone has the right to live in the way that they wish, providing that it does not impact on the quality of life of others. This means that we expect all of our customers, those that live with them, and those that visit them, to be tolerant and respectful of the choices and needs of others. We want to ensure that the communities in which our customers live are peaceful and secure.

When this does not happen, we seek to support our customers by keeping accurate records of any unacceptable behaviour and taking legal action when required. We shall also work with our other partners to ensure early intervention and resolution using a range of tools

We are committed to doing all that we reasonably can to tackle anti-social behaviour. Where this potentially includes criminal behaviour, we will always work closely with the Police, to ensure that any action is robust.

The Board has responsibility to support the Director of Operations in ensuring that Freebridge will not tolerate hate incidents and that the organisation will make all reasonable efforts to tackle anti-social behaviour. The policy shall be subject to periodic Board review to ensure that it continues to meet relevant legislation and regulatory requirements, reflect best practice and Freebridge's overall objectives.

Policy Detail:

These arrangements apply to all of our tenanted, shared owner and leasehold properties, the neighbourhoods they are situated in and those living in them. It covers anti-social behaviour and all forms of harassment and hate crimes. Our **Domestic Abuse** and **Safeguarding Children & Young People** and **Safeguarding Vulnerable Adults** arrangements complement our work in this area.

Where we have management agreements in places for agents to manage our properties on our behalf, these agents will be expected to have regard for this policy, in addition to any of their own.

General Responsibilities

We shall:

- Ensure we make clear our expectations for customers to live peacefully with their neighbours and within their communities, and our commitment to taking action when this does not happen.
- Ensure early detection and reporting of anti-social behaviour, harassment and hate crime is facilitated by our procedures.
- Minimise the impact of anti-social behaviour, harassment and hate crime on our customers through early intervention and resolution using a range of tools.
- Take timely and proportionate action, in partnership with others such as the Police or the Local Authority, as appropriate.
- Provide support to victims, and ensure their wishes are considered throughout the process.
- Work with partners to provide support options for perpetrators in order to prevent reoccurrences of anti-social behaviour, harassment and hate crimes.
- Consider legal enforcement, and especially action against a perpetrator's tenancy, in only the most serious cases.

Strategy

We shall:

- Ensure that we meet our duties under all relevant existing legislation and regulations; and
- Work with customers, residents and other agencies to:
 - Respond to complaints of anti-social behaviour, harassment and hate crimes quickly and sensitively, to resolve them in an efficient and fair manner.
 - Ensure all reports of anti-social behaviour, harassment and hate crimes are taken seriously, including any anonymous reports
 - Investigate all cases in accordance with our procedures.
 - Take a victim centred approach to dealing with complaints, provide access to support, and as far as we reasonably can, take their views into consideration when deciding on appropriate action.
 - Provide support to individual victims and communities to work with us and partner agencies to report and address concerns.
 - Take reasonable, proportionate and appropriate action against those responsible for anti-social behaviour, harassment and hate crimes.
 - Introduce preventative measures, enforcement, and rehabilitative action to stop anti-social behaviour and harassment.
 - Work with a range of specialist agencies to ensure that support is made accessible to both vulnerable victims, as well as to offer the opportunity of rehabilitation for perpetrators.
 - Work closely with other local Housing Providers and statutory partners such as the Police and Local Authority to tackle problems affecting residents on a wider basis
 - Regularly seek feedback regarding our service in order to continually develop and improve.

Categorising Anti-Social Behaviour, Harassment and Hate Crimes

We will categorise incidents of anti-social behaviour, harassment and hate crimes according to severity and respond accordingly within agreed timescales.

Cases may often involve several different types of behaviour, in which case our staff will use their discretion when categorising cases to ensure the matter is dealt with in the most appropriate way.

Not all incidents of anti-social behaviour will be investigated in the first instance; appropriate advice, guidance and sign posting will instead be given until thresholds are reached, and therefore a sustained pattern of behaviour can be determined.

Our Anti-Social Behaviour Procedural guidance outlines these categories and thresholds.

Prevention

Whilst we are committed to addressing housing need and providing homes for as many people as possible, we also seek to protect and maintain a peaceful home life for all our customers. Therefore, before we decide to proceed with any nomination for housing, we will always require satisfactory references from previous landlords where appropriate.

Where tenancies have previously been ended by us through legal enforcement, or where a tenant has abandoned a property following commencement of legal action, we will usually require proof of a successful subsequent tenancy before offering further accommodation.

We are also committed to preventing anti-social behaviour that arises from unmet family support needs. All our front-line staff have a good awareness of our Safeguarding Children & Young People, Safeguarding Adults at Risk of Abuse and Neglect and Domestic Abuse policies and procedures. Our Tenancy Advisors are also trained in identifying risk via the Domestic Abuse, Stalking and Honour Based Violence Risk Assessment Checklist (DASH model).

Stop Hate in Norfolk (SHiN)

We are committed to adhering to the objectives of the Stop Hate in Norfolk Protocol, in order to raise awareness, tackle hate incidents and hate crime and to provide support and help to people who are victims.

We shall:

- Publish clear messages to customers that we do not tolerate hate incidents or crime in any form.
- Publish information for customers about how to report hate incidents in Norfolk, and the different reporting options available.
- Publish a hate incident policy for staff and/or volunteers, which sets out:

- The definition of a hate incident
- The different ways a hate incident can be reported to the police
- The responsibility of staff/volunteers to report a hate incident on someone else's behalf, if the victim or witness does not feel confident to do it themselves
- Definition of a multi-agency case conference
- Information about how staff/volunteers can access Norfolk's free learning and development on hate incident reporting
- Ensure that staff/volunteers can access at least one option for reporting a hate incident.
- Ensure relevant staff/volunteers undertake Norfolk's free learning and development on hate incident reporting.
- Ensure that relevant senior management teams receive reports produced by Norfolk Constabulary setting out hate incident data and trends, so that this informs service planning.

Reporting Anti-Social Behaviour, Harassment and Hate Crimes

Accessibility

We are committed to ensuring that all our customers can access our anti-social behaviour, harassment and hate crime support. Whether you need to access our services in alternative ways, want to update your details to reflect a change in circumstances or need additional support, we want to help as best we can.

Examples of support we provide are:

- Supplying auxiliary aids to assist in communication (such as sign language, interpreters and Induction Loops).
- Providing information in alternative formats (e.g. large print, Braille, coloured paper
- etc.)
- Giving extra time for customers to respond to our communications
- Sending emails or communicating via telephone in preference to hard copy letters
- Communicating with a nominated family member or third party.
- Offering advice or signposting to advice agencies/resources.

Customers can let us know about any additional support needed at any point during the process. We will always try and meet the needs of our customers. There may be instances where this isn't possible. When this happens, we will do our best to work with you to find another solution

Responding to reports

We shall:

- Ensure that victims can make initial complaints to us in as many ways as possible, including anonymously, over the phone, by email, text, and in writing.

- Act as a recognised reporting centre for hate crimes and share information, as appropriate with the Police and Local Authority in respect of those issues arising within the scope of their statutory responsibilities.

On receiving a report, we will allocate an initial category to a case, pending further investigation.

When deciding on appropriate action we shall:

- Aim to balance the wishes of the victim with what we believe to be a reasonable and proportionate response to the problem.
- Be clear and open about what we can do to assist from the first meeting with a victim; and
- What we know that we can realistically do.

To enable us to support a victim appropriately, we will require all complainants to engage in an interview, in whichever format is most appropriate for the individual.

We will take all anonymous complaints seriously, however, where there is a named victim involved in the case, we will expect engagement with that person to provide further information for us to act.

Throughout our investigations and interventions, we will keep victims updated at regular, agreed intervals, and will provide timescales for our actions.

Before a case is closed, we will discuss our intentions with the victim, and where possible we will only close cases with the agreement of the victim.

In some circumstances, where we feel we have exhausted all available options in resolving the matter, or where we no longer agree that the behaviour is anti-social. We may still close a case even if a victim disagrees, however we will give a full explanation of our reasons and advice on what the victim can do next.

Support to Victims

We recognise that some victims may be more vulnerable than others to the effect of anti-social behaviour.

We shall:

- Always carry out a victim risk assessment as part of our initial investigations.

We will work with a range of agencies, national and local partners, such as Victim Support, as well as our own in-house tenancy support service if appropriate, to sign post and/or directly provide support, tailored to the needs of the victim.

Support will also be extended to witnesses in cases where appropriate and required, and may include but will not be limited to:

- Security improvements.
- Considering temporary or respite housing/accommodation.

- Using professional witnesses to gather evidence.
- Providing practical help with gathering evidence in different formats i.e. audio diaries.
- Arranging for witnesses to be supported through and during any court hearings.
- Providing financial support to those affected because of assisting with legal action, such as but not limited to compensation for the loss of earnings.
- Providing a dedicated point of contact through our Tenancy Enforcement Advisor.

We are committed to tackling and resolving problems so that victims can remain in their homes. We will not usually permanently move victims or witnesses of anti-social behaviour within our own stock, except in the following circumstances:

- Domestic Abuse (threatened or perpetrated), and supported via the MARAC
- Hate Crime Harassment (threatened or perpetrated).
- Substantiated threat to life or actual violence, supported by the Police or other statutory agency

Safeguarding

At all times when dealing with anti-social behaviour, harassment and hate crimes we will have full consideration for the need to safeguard any children and adults at risk who may be involved, as well as the immediate victims.

We understand that often anti-social behaviour and harassment can be symptomatic of many other more complex problems within a household. All our staff dealing with cases will work with regard to our Safeguarding Children & Young People, Safeguarding Vulnerable Adults and Domestic Abuse arrangements, that may involve other agencies as appropriate, in order to protect the welfare of others.

Working in partnership

We believe that anti-social behaviour, harassment and hate crime can only be successfully tackled by working in partnership with other agencies, in order to access a wider range of tools, powers and services. Where other agencies have statutory responsibilities for certain issues, such as noise nuisance, we will assist customers as appropriate in gathering evidence to inform the Council's decisions regarding enforcement.

We shall:

- Be party to information sharing protocols to allow the proportionate, responsible and appropriate sharing of information with others in order to prevent and detect crime, and to protect our residents.
- Continually develop our approach to tackling anti-social behaviour, harassment and hate crime, learning from the best practice of others.
- Actively engage and welcome scrutiny and challenge in joint case reviews, such as via the Community Trigger process.

- Not treat initial or ongoing reports of anti-social behaviour, harassment and/or hate crimes as a corporate complaint. Our Complaints, Comments and Compliments arrangements are intended to address instances where customers are not happy with the service we have provided, rather than the anti-social behaviour itself.

Leasehold/Shared Ownership Properties

We expect:

- Our leaseholders and shared owners to be able to live peacefully and securely in their properties and that they will also be respectful and tolerant of their neighbours and community.
- That if our leaseholders choose to sublet their properties, they will act responsibly as well as ensuring that their tenants also live in a way that does not cause nuisance or annoyance.
- Our leaseholders to be responsible for the behaviour of their tenants in accordance with the terms of their lease.

When anti-social behaviour, harassment and hate crimes are alleged to be perpetrated by our shared owners and leaseholders, or tenants of the leaseholders, we will work with partners and statutory agencies to take comprehensive action. Where we consider it proportionate to do so, we may take possession action against our shared owners, or action against leaseholders in forfeiture of their lease. Where this circumstance arises, leaseholders will be provided with the opportunity to appeal our decision and/or actions.

Training

All of our newly recruited Tenancy Advisor staff responsible for dealing with cases will receive training on our procedures for tackling anti-social behaviour & harassment. These procedures will be maintained and easily accessible for all customer-facing staff to support them in their work.

Legal Enforcement

We recognise that despite our interventions and those of partners, there will be occasions when legal action is required.

When we take legal action we will make decisions on what is appropriate on a case-by-case basis, aiming to take the least punitive action required to modify behaviours.

We will take a victim led approach to agree a plan of action, as well as try to balance the wishes of the victim(s) and other residents against any support needs or vulnerabilities that we know the perpetrator has.

We will always consider any known disabilities that the perpetrator may have when deciding on what action is proportionate to the behaviour and the effects on the victim(s) and wider community. This will include having due regard to the Public Sector Equality Duty (PSED) as contained in Section 149 Equality Act 2010.

Where we feel that other agencies have more appropriate powers, we will work in partnership with them to share information and make use of alternative tools, such as Closure Orders or Criminal Behaviour Orders etc.

Tenancy Enforcement Action

As a landlord we will usually only consider taking action against a perpetrator's tenancy where we feel that other remedies have failed, we have reasonable grounds to believe would fail, or where we consider that the severity or nature of the behaviour requires such action, with or without any prior intervention.

This could include:

- Injunctions to prevent certain activities or behaviours in our properties.
- Possession proceedings which may lead to eviction.
- Use of the Mandatory Ground 7A for Possession.

We will ensure that we provide customers with the opportunity to appeal our decisions and/or actions via our Appeals arrangements.

Vulnerable perpetrators

We understand that anti-social behaviour can sometimes be a symptom of unmet support needs. We will also work to prevent future problems where ever we can, by providing perpetrators with options to seek support or assistance with issues such as their mental health or substance misuse, as appropriate and reasonable.

In some cases, even when we recognise that a perpetrator is vulnerable and that our actions will have an adverse impact on their lives, if we reasonably believe that the impact of their behaviour on neighbours/other tenants is significant, we will take further action which may include eviction or injunction proceedings.

However, in taking our decisions or actions we will always have regard for the:

- Effects on a perpetrator of any vulnerabilities or disabilities they may have; *and*
- Extent to which these may influence their behaviour; *as well as*
- Impact that their behaviour has on the victim(s) and/or the wider community; *in comparison to*
- Likely impact that our proposed action will have on the perpetrator

Information Sharing

We recognise the importance of treating all information with appropriate caution and shall ensure Freebridge complies with all relevant legislation when handling data.

We are signatories to joint information sharing protocols across Kings Lynn and West Norfolk with relevant partners in order to ensure effective joint case working and the protection of victims.

We will monitor the number of incidents of anti-social behaviour and harassment that we deal with in respect of a range of measures, which provide us with an insight into the issues.

We will separately monitor all cases of racial harassment and hate crimes.

Appendix One - Definitions

Anti-Social Behaviour

Freebridge uses the wording of the Anti-Social Behaviour, Crime and Policing Act 2014 as a guide to defining Anti-Social Behaviour (ASB) as follows:

Anti-social behaviour means:

- a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
- b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- c) conduct capable of causing housing-related nuisance or annoyance to any person

Anti-social behaviour in practice can be anything from graffiti, to physically attacking someone. We will record all incidents which we investigate and believe to be anti-social within the definition given above.

Harassment

Harassment has no one definition but can be considered as any behaviour which makes another person feel distressed, humiliated or threatened. Incidents of harassment can include sexual comments or gestures, offensive graffiti, abusive language and behaviour, violence or threats of violence towards people or property and can be an isolated incident or a series of incidents.

Harassment of anyone because of a Protected Characteristics as defined by the Equality Act 2010 (and listed below) can also be considered as a Hate Incident/Crime:

- Age.
- Disability.
- Gender reassignment.
- Marriage or civil partnership.
- Pregnancy and maternity.
- Race.
- Religion or belief.
- Sex.
- Sexual orientation.

Hate Incidents & Crimes

A **Hate Incident** is any incident which may or may not be a crime and is perceived by the person, or any other person as being motivated by prejudice or hatred.

A hate incident may or may not be a criminal offence. Only the police can decide whether a hate incident is a hate crime.

A **Hate Crime** is any offence committed against a person or their property motivated by the offender's hatred of that particular person or group of people because they are seen as being different. This could be because of their:

- Disability.
- Race or ethnicity (this includes Gypsies and Travellers and people from other countries in Europe)
- Religion or belief.
- Sexual orientation (Lesbian, Gay or Bisexual).
- Gender identity.
- Age.
- Sub-culture / lifestyle (e.g. Goths, Emos).

(Definitions taken from <https://www.norfolk.gov.uk/safety/hate-crime>). Where we refer to hate crimes(s) throughout this policy we use the term to mean both hate crimes and hate incidents.

Incidents may involve physical assault, damage to property, bullying, harassment, verbal abuse or insults, offensive graffiti or letter, emails.

Racist Incident

We apply the same criteria to hate incidents as to racist incidents, and have adopted the following definition of racist incident: -

‘Any incident which is perceived to be racist by the victim or any other person.’
(Macpherson Report 1999, Recommendation 12).

If anyone – the victim, a witness, the Police or our staff – perceives an incident to be a hate crime or racist incident, it will be recorded as such. Incidents of racial harassment and hate crimes, for monitoring purposes are recorded in such a way to make them easily distinguishable from anti-social behaviour and other forms of harassment.