

Cannock Chase Council Housing Services

Anti-Social Behaviour and Hate Crime Policy

2025 - 2028

Version Control

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1	Internal	24/9/25
2	Head of Service sign off	13/10/25
3	Tenants/Public Consultation	
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Relevant Legislation	Other associated legislation, relevant to tackling ASB, includes, but is not limited to: • The Anti-Social Behaviour Crime and Policing Act 2014 • Housing Act 1996 • Civil Evidence Act 1995 • Crime and Disorder Act 1998 • Data Protection Act 2018 & UK GDPR • Housing Act 1988 • Children Act 1989 • Anti-Social Behaviour Act 2003 • Human Rights Act 1998 • Equality Act 2010
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Background

Cannock Chase Council is responsible for delivering a Housing Management and dedicated Anti-Social Behaviour (ASB) Service.

We are responsible for delivering an ASB Service to customers as well as providing guidance for tenants and leaseholders on how the Council responds to complaints about Anti-Social Behaviour.

We understand that Anti-Social Behaviour (ASB) can have a negative impact on peoples' lives.

The aim of this Policy is to primarily minimise ASB. However, as it is not always possible to prevent ASB we also aim to be able to be efficient at identifying and mitigating ASB in the way that is fair to both the victim and the perpetrator. This Policy set out that where behaviour is reported to use that we consider to be ASB, and which effects our housing management function, we will act quickly and decisively to assist in resolving the matter.

The Policy offers a process to support this ensuring we provide a consistent and proportionate response that also addresses preventative measures. To deal with ASB effectively it might be necessary for us to work with our partners to get the victim the best possible help as we may not be equipped to handle every case. This might require sharing of information; we will ensure that this is done safely, and that the victim's confidentiality is preserved where possible.

This document is produced to set out our approach to tackling ASB and comply with section 218A of the Housing Act 1996 and section 12 of the Anti-Social Behaviour Act 2003.

In general, ASB is considered to include behaviour capable of causing nuisance, annoyance or disturbance to any person; or an act that causes, or is likely to cause harassment, alarm or distress to one or more persons, not of the same household.

There are three main types of ASB.

These are:

- Serious
- Persistent
- Environmental

1.0 Purpose of the Policy

This Policy outlines how Cannock Chase Council's Housing Services deals with reports of ASB, including hate crimes, and nuisance.

This Policy is not applicable to registered social landlords operating in Cannock Chase who are responsible for the investigation and management of ASB/nuisance relating to their own tenanted properties.

This Policy is not applicable to noise and environmental ASB/nuisance in private housing and on private land which is not owned by Cannock Chase Council Housing Services.

2.0 Policy Statement

Our aim is to promote a safe and secure environment for people living in Cannock Chase and we will work in partnership with other agencies to do all we can to prevent ASB and any form of harassment.

We understand that ASB can have a negative impact on our people, our communities and our employees. Where behaviour is reported to us that we consider to be ASB, and which affects our housing management function, we will act quickly and decisively to assist in resolving the matter. This Policy set out how we aim to do this and is designed to ensure that we provide a consistent and proportionate response.

We will use a range of preventative measures, early intervention and legal action if appropriate to tackle ASB. This includes the full range of tools and powers available to us set out in the ASB, Crime and Policing Act 2014.

It addresses the measures relating to ASB within the Charter for Social Housing Residents: Social Housing White Paper and outlines our duties in relation to the Equality Act 2010 (with regards to ASB and hate crime).

Any actions we take will be proportionate to the seriousness, impact and frequency of the behaviour, the level of risk it poses to those affected and the evidence available to support the case.

We will not take enforcement action where there is insufficient evidence, or it is not proportionate to do so. If there is an ongoing Police investigation, we may wait until the outcome before taking any action.

3.0 Policy Definitions

Anti-Social Behaviour

The Anti-Social Behaviour Crime and Policing Act 2014 defines ASB as: -

- *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, or*
- *Conduct capable of causing housing-related nuisance or annoyance to any person.*

Harassment

This is a form of ASB that is targeted at a person or a group of people for any reason.

The definition of harassment is set out in the Equality Act 2010 as being where a person A engages in unwanted conduct related to a relevant protected characteristic of another person B, and the conduct has the purpose or effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Hate Crime

A hate crime is generally defined as an act or acts where a person has demonstrated hostility towards another based on race, religion, disability, sexual orientation or transgender identity or which have been motivated by hostility based on race, religion, disability, sexual orientation, or transgender identity.

4.0 Investigation of Serious ASB

The following are classified as activities associated with **ASB** and will be investigated by the Housing Neighbourhoods Team.

- Threatening or intimidating behaviour.
- Physical violence.
- Criminal behaviour in council properties, including drug dealing and cultivation.

- Hate incidents and hate crime in council tenancies.
- Domestic violence/abuse in council tenancies throughout the course of the investigation.

This is not an exhaustive list and responsibility for investigation of each case will be addressed on the circumstances of the issue(s) being reported and either advice will be given, or the matter will be investigated.

The following list provides examples of activities that could be considered a **persistent nuisance**:

- Dogs barking excessively.
- Unreasonable domestic noise, for example, persistent night-time disturbances.
- Frequent and persistent loud music.
- offensive verbal abuse
- Alcohol related nuisance
- Causing an obstruction with vehicles and nuisance from vehicle repairs
- Communal area related nuisance
- Persistent foul language

This is not an exhaustive list and responsibility for investigation of each case will be addressed on the circumstances of the issue(s) being reported and either advice will be given, or the matter will be investigated.

The following list provides examples of activities that could be considered as **Environmental**:

- Vandalism
- Graffiti
- Pet and animal nuisance
- Garden related nuisance
- Litter/Rubbish/Fly Tipping

5.0 What Cannock Chase Council will do.

- Depending on the nature of the issue you are reporting we will either provide you with advice at the first point of contact or refer the matter to the Neighbourhoods Officer for investigation. We may also signpost you to other agencies who we feel may be able to assist you.
- We will consider your needs and the harm of the ASB or nuisances causes you. We will consider the risks to you and where appropriate, we will work with other agencies to protect your safety and provide you with support.
- We will tell you who will handle your ASB/Nuisance case. We will investigate the matter and we may use monitoring equipment to assist us.

- We will not disclose your details to the alleged perpetrator(s) without your consent and we will keep you informed of the actions we take.
- We will use a range of preventative measures, early intervention and, where it is necessary and proportionate, we will take legal action to tackle the ASB.

We will contact you before we close a case and give our reasons for doing so.

6.0 What the Council will not investigate

This Policy does not cover:

- Reasonable domestic noise, such as noise from vacuuming, doors closing, washing machines, televisions, footsteps, mowing lawns, DIY/repairs.
- One off incidents of loud music/noise disturbance, including family celebrations, or events.
- Fly Tipping on open spaces (that is not fly tipped on council housing land)
- Noise transference due to poor sound insulation.
- Cooking smells.
- Cats defecating in neighbours' gardens.
- Babies crying
- Parking congestion on the street

Customers who contact Cannock Chase Council to report the above issues will be provided with the appropriate advice at the first point of contact and the enquiry will be logged. This list is not an exhaustive list and the advice given will be based on the circumstance of the issue being reported.

7.0 What we expect from our Customers

We expect residents of Cannock Chase Council not to commit ASB or nuisance or harassment. We expect you to resolve minor disputes or disagreements with your neighbour(s).

Cannock Chase Council tenants are responsible for abiding by the terms of their tenancy agreement. Leaseholders are responsible for abiding by the terms of their lease.

8.0 Examples of ASB

Our starting position when dealing with whether something reported is ASB is the housing related definition of ASB that is found within Part 1 of the ASB, Crime and Policing Act 2014, it defines ASB as:

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

This is a low threshold. There are lots of behaviours that people may consider to be causing nuisance and annoyance to them, which will be inappropriate to class ASB and/or breaches of tenancy. Because of this, we will also consider the behaviour that has been report to us as unreasonable.

To decide whether this has been unreasonable, we adopt a harm-centred approach, considering the circumstances of each individual case. We are likely to consider the following when we are making a decision:

- How often the incidents are happening
- The duration of the incidents
- The times of the day or evening the incidents are occurring
- The impact that the incidents are having on the victim/s
- The intention behind the behaviour

In addition to considering the legal definition and whether the behaviour is unreasonable, the behaviour must also be affecting our housing management function. We may therefore, take action against non-tenants if their behaviour affects our housing management function (such as they are causing problems for our employees or residents). In some cases, there may be another agency who is better placed to manage the case (such as another Registered Provider if the perpetrator is a resident of theirs), The decision about who the lead agency should be made on a case by case basis.

We will always consider the views of the complainant, but we are ultimately responsible for:

- Deciding if a report is ASB
- Deciding how it should be categorised
- Agreeing the most appropriate course of action in a case.

Where we decide that a report is not ASB we will:

- Inform the complainant as soon as possible
- Provide practical advice and guidance, if appropriate
- Consider whether a referral to a support service would assist the complainant in building resilience.

9.0 Neighbour Disputes

We class a neighbour dispute as a situation where there is a disagreement between parties, usually relating to lifestyle choices. Examples include arguments over boundaries, placement of rubbish bins, the parking of cars, shared driveways, or the use of social media etc.

It is inevitable that we are sometimes going to live near to people that we do not get along with. We believe that everyone has a social responsibility to be courteous to those who live and work in our neighbourhoods and local areas. We believe that disagreements about lifestyle differences etc should be something that the parties try and resolve themselves and therefore we are unlikely to categorise this as ASB. Whilst we will work to try and promote tolerance and understanding in our neighbourhoods, to avoid occurrence of these types of problems, we will not take tenancy action or categorise matters as ASB unless matters result into ASB.

For clarity, any actions which can be shown to relate to an individual's personal characteristics as defined in the Equality Act 2010 because of perceived differences (e.g. age, disability, gender reassignment, marriage and civic partnership, race, religion, sexuality etc or beliefs, pregnancy and maternity and sexual orientation), will be categorised as ASB.

10.0 Action

We have a wide range of actions available to address ASB. Our preference is to intervene early and deal with cases using non-legal means. However, we do not adopt an incremental approach and will take the action that is believed to be proportionate and that has a genuine chance of resolving the matter.

We expect people to be responsible for their behaviour (including children, lodgers, pets) living and visiting their property. This includes the property itself, on surrounding land, in communal areas and the wider locality. The responsibility remains whether permission was given/the behaviour encouraged or not.

10.1 Preventative Action

Our preference is to prevent ASB from occurring in the first place we endeavour to achieve this through the following means:

Having a robust sign-up process which clearly outline customer responsibilities.

Using introductory tenancies to monitor the conduct of tenants during the infancy of the tenancy, allowing us to take swift action to address any early breaches of tenancy.

Providing information to our residents through our communications, newsletters, social media posts.

10.2 Informal Action

We seek to resolve ASB at the earliest possible stage, using non-legal remedies, where possible. We have a range of non-legal remedies available, including but not limited to:

- Mediation
- Warning Letters
- Meetings
- Acceptable Behaviour Contracts
- Good Neighbourhood Agreements
- Community Protection Warnings

10.3 Legal Action

Where appropriate and proportionate, we will consider the use of a legal remedy to resolve the issues of ASB. The legal actions we may take include:

An Injunction further to Part 1 Anti-Social Behaviour, Crime and Policing Act 2014

Proceedings against the tenancy. This action will depend upon if the tenancy is introductory or a secure tenancy.

We will ensure that the notices are served in the correct manner and where a mandatory route is taken, the tenant has a right to appeal the decision.

In some situations, we may consider that the most effective way to tackle an issue is by liaising with other colleagues within the Council or externally as part of the Community Partnership with a view to securing other Orders, such as a closure order. In these circumstances we will work with the partner agency seeking the order to support them on this action.

11.0 ASB directed at our employees and contractors

Unfortunately, it is sometimes our employees or contractors that are subjected to ASB. We strongly believe that our employees and contractors should be able to conduct their duties without ASB being caused to them and we will not tolerate such action. This includes from the tenant themselves or any of their household members (including any animals) or visitors to their property.

Where ASB has been directed at an employee or contractor, we will consider it in line with this Policy and our ASB procedure and take positive action to support their wellbeing.

Where necessary, the ASB, Crime and Policing Act 2014, and Housing Act 1988, gives us the legal tools that we can use to protect our employees, such as using an injunction or taking tenancy action.

12.0 Risk and Vulnerability

We seek to prioritise reports of ASB that are most serious, to ensure that any risk or harm is managed quickly and appropriately. We use a high-risk Category A that is classed as serious with a response time of 24 hours.

A case may be re-categorised during our case management processes if we determine, for example, that the behaviour and/or risk has become more serious.

We work to identify any victim vulnerability at various stages throughout our case work by:

- Recognising early signs of risk and vulnerability and initial contact.
- The case officer will complete a full risk assessment once complete details have been gained from the complainant. The results will guide the case management response and the steps we take to support the complainant.
- We continue to review the risk assessment through the case and take necessary action if the risk level changes.

13.0 Perpetrator Support

We hold lots of information about our residents and their circumstances. We work to try and identify some of the factors that might contribute towards undesirable

behaviour, such as poor mental health, loneliness, and isolation, allowing us to intervene to prevent ASB from occurring in the first place. We consider the needs of the perpetrator at various stages throughout a case. We will consider whether to offer any further support and or depending on the vulnerability if a referral should be made to a multi-agency group.

When managing cases involving perpetrators with support needs, we adopt a twin approach meaning that enforcement (non- legal or legal) and intervention can be taken at the same time. Our priority is to stop the ASB and harm to complainants/victims. A support need will not stop or delay us from taking the appropriate action. Non-availability of required support and refusal or non-engagement from the perpetrator will also not be allowed to prevent or delay action being taken where necessary.

14.0 Witness Support

Whilst our preference is always to deal with ASB through intervention methods, legal action will sometimes be required. To be able to take legal action we require evidence and often this will come from complainants (which might include our employees and contractors, when they have been witness to, or victims of ASB). We appreciate that this can be daunting, and we aim to make the witness feel supported as possible during the process of giving evidence.

Depending on the needs, appropriateness, and availability, we may offer the following support to our witnesses:

- Practical advice on court hearings and giving evidence
- Pre Court visits
- Logistical support relating to travel and attendance
- Following hearings, explaining court outcomes and next steps

15.0 Partnership Working

Cannock Chase Council supports and contributes to partnership initiatives to reduce crime and ASB. Partnership working is essential to achieving success in dealing with ASB. We work in partnership with a variety of agencies across the District where we manage our homes including but not limited to: Staffordshire Police, Fire & Rescue Service, NHS Medical/Mental Health Teams, Social Care (adult/Children) Services, Youth Offending Team/Probation, Third or Voluntary Sector Service Providers.

Where necessary, we request, arrange, and attend partnership meetings where a multi-agency approach is required to resolve specific issues of ASB; these may include referral of cases to the Community Safety Hub, and including the Council's Environmental Health Team.

In many instances to pursue a course of action, joint working will be an important approach taken. Other partners may be able to provide evidence and additional information.

We have a Tenancy Sustainment Team who support vulnerable people, they provide tailored support to those at significant risk of ASB and tenancy failure.

16.0 Safeguarding

We recognise that employees dealing with ASB are likely to come into contact with children and/or adults for who there are concerns about safeguarding issues.

We will actively participate in multi-agency arrangements for safeguarding children, young people and adults, where they are relevant to our work and residents.

Awareness of, and sensitivity to information sharing protocols and data protection is crucial however, safeguarding concerns override the need for confidentiality in respect of relevant statutory authorities if all actively is properly recorded, within the timescales outlined within the Corporate Safeguarding Policy.

All our employees have a duty to act in relation to safeguarding concerns and will always comply with the requirement of the Policy in relation to safeguarding.

17.0 Monitoring and Review

We will monitor and review this Policy in response to any changes in the legislation, regulation or best practice. The policy will be reviewed every 3 years and will be revised in accordance with any future legislative changes as and when they occur.

We will engage openly and proactively with the Regulator of Social Housing and other stakeholders.

We will closely monitor the quality of the service that we provide in relation to ASB. We will do this by:

- Ensuring service standards are being met
- Completing customer surveys (where possible)
- Ensuring vulnerability matrixes are completed and all actions are accurately recorded
- Conducting regular reviews of ongoing cases, to assess progress and identify any barriers
- Setting a range of key performance indicators, which helps us monitor the effectiveness and development of the service
- We also believe that it is important to strive to continue to develop our ASB service. Feedback from customers will be used to achieve this.

18.0 How we handle your information

We will store your information securely in line with our Privacy Policy. We may share your personal information with other agencies, but we will only share information where we have information sharing protocols in place and or confidentiality agreements in place.

We will also give information to other agencies where we have a legal obligation to do so or where there are safeguarding concerns.

19.0 Employee Training

We are committed to providing employees with the necessary training required to effectively deal with ASB and related issues. This training will be regularly refreshed and updated to ensure employees are kept abreast of changes in legislation or policy.

20.0 Equality Impact Assessment

We will ensure that the service is delivered in a fair and accessible way to our customers, and in doing so will pay due regard to any protected characteristics and the Council's equality duties under the Equality Act 2010.

21.0 Complaints and Compliments

The Council is committed to handling complaints of ASB in a professional manner. We welcome any feedback from our customers and partners, both positive and constructive. If anyone is not happy with the way we have managed their case, we would welcome feedback so that we can review and improve our service.

Information of the Complaints and Compliments Procedure can be found on the Council website - <https://www.cannockchasedc.gov.uk/council/about-us/customer-feedback-help-us-get-it-right>.

22.0 Associated Policies and Documents

Community Safety Delivery Plan

Corporate Anti-Social Behaviour Policy

Corporate Safeguarding Policy

Housing Services Vulnerability Policy

Housing Services Allocations Policy

Housing Services Dealing with Domestic Abuse document

23.0 Contact

To find out more about this policy please contact:

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Cannock Chase Council
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