community gateway

ANTI-SOCIAL BEHAVIOUR AND HATE CRIME POLICY

REVIEW DATE: NOVEMBER 2027

1.0 Policy Statement

1.1 Community Gateway Association (CGA) recognises the value that the provision of a safe place to live has on the quality of our tenants' lives and their health and wellbeing. We are committed to managing our responsibilities as your landlord to deter, tackle and positively resolve anti-social behaviour (ASB) and hate crime efficiently and respectfully to minimise the impact on our tenant's wellbeing and support safer communities.

1.2 Deterring ASB and hate crime is a priority for CGA and we work with other agencies to actively monitor incidents of ASB and crime in our communities. Any emerging trends are reviewed for further action aimed at reducing, deterring or eliminating the unwanted behaviour. This may result in:

- Specific plans of action in particular areas;
- Raising concerns with specific organisations;
- Campaigning on behalf of our tenants on issues that matter to them;
- Working cooperatively with our tenants to increase their personal safety; that of their home or of shared community spaces; or
- Investing in safety features for homes or shared spaces.

1.3 Responsible property allocation is an important aspect in deterring ASB, CGA is committed to completing the appropriate assessment of applications, requesting references and making reasonable adjustments to reduce opportunities for ASB.

1.4 By adopting this Policy, we aim to deliver on these commitments and ensure:

- We work collaboratively with tenants on their areas of priority;
- We meet the high standards expected of us by our tenants;
- We comply with all legal requirements;
- We work collaboratively with local authorities, the police and other agencies in the best interests of our tenants to deter and tackle anti-social behaviour and hate crime.

1.5 We are committed to safeguarding all our customers and children and will take appropriate action when concerns are raised or disclosed. When abuse is disclosed, we will be clear about confidentiality and our safeguarding obligations. This Policy aligns with CGA's Safeguarding Policy for Adults and Children.

1.6 We adopt the UK government definition of domestic abuse (as below) which is managed through the Safeguarding Adults, Young People and Children Policy.

- Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence, or abuse between those aged 16 or over who are, or who have been intimate partners or family members regardless of gender or sexual orientation. The abuse can encompass, but is not limited to psychological, sexual, economic, and emotional forms of abuse.

1.7 This Policy applies to anyone living in a CGA home or to anyone affected by the behaviour of someone living in or visiting a CGA home and applies to victims, witnesses or perpetrators.

1.8 CGA tenants will find their rights and responsibilities in their tenancy agreement. Information can also be found at www.communitygateway.co.uk

2.0 Anti-social behaviour

2.1 CGA consider ASB to be deliberate and intentional acts including the failure to address inconsiderate behaviour that may result in nuisance, harassment, alarm, or distress. Or involves using or threatening to use, housing owned or managed by CGA for an unlawful purpose.

2.2 Examples of ASB include:

- Violence or threats;

- Discrimination or hate crime/incidents (targeting someone due to a characteristic such as race, ethnicity, sexual orientation, or disability);
- Drug misuse/storage or dealing;
- Causing damage to property, graffiti or fly-tipping;
- Noise that interferes significantly with the enjoyment of your home;
- Group or gang disorder;
- Behaviour which causes intimidation or harassment;
- ASB relating to animals such as dangerous dogs.

2.3 As set out in the tenancy agreement, tenants have responsibilities to have reasonable consideration and tolerance for their neighbours, environment and community. The tenancy agreement can be found at www.communitygateway.co.uk and as such CGA would reasonably expect tenants to resolve amicably between themselves matters such as:

- Social media posts;
- One off parties;
- People being unpleasant to each other;
- Normal household activities such as children playing, DIY or cooking smells.

2.4 Tenants have the right to enjoy their homes without unreasonable complaints being made against them. If it is evidenced that a complaint has been made falsely or is vexatious then CGA may take action in line with their Unreasonable Behaviour Policy.

2.5 CGA will not tolerate behaviours driven by Social Housing stigma, opinions about someone's housing, social/economic status, or their background. Complaints driven by any such bias will not be a relevant factor when investigating or resolving ASB.

2.6 As a responsible landlord we may suspend applicants from obtaining CGA accommodation if they or a member of their household have been responsible for acts of anti-social behaviour.

2.7 CGA will ensure any threats of violence and or aggression towards our colleagues and contractors are met with zero tolerance. We will not tolerate any threats, abuse, aggression, discriminatory behaviour, or violence towards our colleagues and contractors. If a person behaves in this way towards those working for or on behalf of CGA, we will take immediate action, which may also include a legal remedy. Perpetrators may be:

- Reported to the police;
- Limited to specific channels for communicating with us;
- Banned from attending CGA premises, or
- Have services temporarily withdrawn while we put measures in place to protect colleagues and contractors.

2.8 Information received regarding individuals who CGA consider pose a risk to the safety of its employees or contractors will be recorded in accordance with our Data Protection obligations and may result in adjustments to how we deliver our services to you, for example you may be appointed a single point of contact or be allocated specific times for visits to take place.

2.9 CGA will take appropriate action when required as a Registered Housing Provider in relation to all parties involved, including working jointly with other agencies.

3.0 Noise Management

3.1 Noise complaints are a common issue that residents face in their daily lives. A noise complaint is a grievance about excessive, disturbing or unreasonable noise coming from a neighbouring property. It is a disturbance that interferes with your right to enjoy your home. Noise complaints can affect people's quality of life, causing physical and emotional stress.

3.2 There is no specific decibel level that automatically defines a noise as a nuisance in the UK. Instead, the determination of whether noise constitutes a nuisance is based on a case-by-case assessment, considering factors such as the type of noise, its frequency, duration, time of day and the reaction of a reasonable person.

3.3 All reports of noise will be considered seriously, sensitively and proportionately to understand if the complaint is to be managed as anti-social behaviour or in line with the principals of good neighbourhood management. The time that the noise occurs will have a bearing on this decision. The decision will be clearly communicated to the complainant as will following investigation, cases that do not require any further action.

3.4 Empty homes will be reviewed for practical measures that can be taken to help reduce noise issues for incoming tenants, such as leaving carpets, removing hard floor coverings or providing vibration mats.

3.5 All applications for housing are assessed for the impact on the existing community and where possible properties allocated to support minimising noise disturbance.

3.6 New tenants will receive a good neighbourhood agreement when undertaking a tenancy, the agreement sets out the expectations of treating neighbours and the local area/community with respect.

3.7 Where appropriate to do so CGA will work with, signpost and refer residents to partner agencies for support.

3.8 On receipt of a report of noise CGA will assess the complaint to distinguish if it is a noise complaint or a complaint about anti-social behaviour. An officer (TMO) will be assigned to work with the resident and further investigate.

3.9 Your report will be acknowledged within 24 hours, and an assigned case officer will contact you within 3 working days.

3.10 CGA will support reporters of noise to gather evidence or examples of the noise they are being disturbed by. This may include submitting recordings through the NoiseApp®, completing diary sheets which include reporting the times, frequency and the impact of the noise and or facilitating visits to your home.

3.11 Once evidence is collated the TMO will reassess the case and record whether the noise report is ASB, a noise nuisance complaint or reasonable living noise. The resident will then be updated. Reports that constitute ASB will follow the ASB policy and procedure.

3.12 Examples of noise ASB are persistent loud noise and music, persistent loud and rowdy behaviour, persistent loud noise from pets or DIY carried out at unreasonable times.

3.13 If the noise is a result of an indeliberate act, a noise complaint, the TMO will investigate and identify opportunities to reduce the noise or mitigate the effects of the noise. Examples of action that may be taken are discussion with a neighbour who may be unaware of the impact of the noise, supplying soft door closings, cabinet dampers or washing machine ant-vibration mats.

3.14 Mediation maybe offered in the initial stages to support early resolution between parties or introduced later in the process. In most cases the mediation will be facilitated by the CGA Mediation Officer, mediation is voluntary and can only go ahead with the agreement of both parties.

4 Hate Crime

4.1 CGA believes all people should be treated with respect and we will look to take action against those who knowingly act against these principals.

4.2 CGA promotes fair and equal treatment of everyone and has a zero-tolerance approach to all forms of hate related behaviour.

4.3 Hate crime describes a range of potentially criminal behaviour including verbal abuse, intimidation, threats, harassment, bullying, assault and damage to property.

4.4 Hate crime is any criminal offence which is perceived, by the victim or any other person or community, to be motivated by hostility or prejudice towards someone based on personal characteristics or, an attack on a person's social identity.

4.5 This Policy aims to provide victims with the confidence and appropriate platform to report hate related behaviour.

5.0 Reporting Anti-social behaviour and Hate Crime

5.1 Reports can be made in person, by visiting Harbour House, Port Way Preston, PR2 2DW, and asking for a member of the Tenancy Management Team, by calling on 0800 953 0213 (option 5) by reporting directly to a CGA staff member or by visiting the CGA website www.communitygateway.co.uk

5.2 In the case of emergency or if a crime has been committed tenants should contact the relevant emergency service in the first instance.

5.3 Criminal ASB or hate crime reported to CGA will be reported quickly to the relevant authorities.

5.4 Reports of ASB and hate crime will be directed to the Tenancy Management Team and those reporting it will either be provided with advice and/or signposted to a relevant agency for support, or a case will be opened for CGA to investigate the allegation.

5.5 CGA understands that there will be times that reporters, witnesses, or victims of ASB or hate crime would prefer to stay anonymous; CGA will be clear and upfront where it is considered that this may not be possible or where it may have an impact on the management of the anti-social behaviour report.

6.0 When an ASB or Hate Crime case is opened:

6.1 When a case is opened, we will:

- Assign a named officer to the victim;
- Make contact with the victim to better understand the circumstances within 3 working days, in serious cases within 24 working hours;
- Review the risk, agree an action plan and communicate this to the victim.

6.2 CGA will give clear advice and provide realistic outcomes of the case from the outset. CGA will remain impartial, and all parties will be treated fairly and equally by taking an evidence-based approach.

6.3 CGA will regularly keep all parties informed as to the progress of the case.

6.4 CGA will consider the support needs of anyone affected by ASB and hate crime at the earliest stage possible. We will provide support and/or signpost to other organisations who can offer assistance and support.

6.5 CGA will treat information received confidentially but will adhere to information sharing requirements with other agencies under the Crime and Disorder Act 1998 and Safeguarding Framework.

7.0 Case Management

7.1 The resolution methods and actions CGA take will be proportionate and reasonable in the circumstances of the case. CGA will use a range of methods and aim to resolve cases as early as possible to prevent escalation and ongoing impact on the victims.

7.2 Where appropriate, tenants will be offered and encouraged to take part in mediation to resolve matters.

7.3 CGA will utilise the full range of legal tools and powers available when tackling serious issues, always ensuring however, that any action is proportionate.

7.4 CGA will work with other agencies where appropriate to ensure all circumstances and information is fully considered.

7.5 Acts of criminality will require the Police to take action, collate the evidence and obtain a conviction before CGA can take further action. CGA will work proactively to support this action.

7.6 You may be asked to keep records and/or a diary of events so that we can evidence what is happening and how often.

7.7 In relation to noise nuisance, we may ask you to make recordings or allow Environmental Health to obtain recordings on your behalf.

7.8 CGA is not able to take tenancy action against a tenant without following legal processes and presenting evidence in a court of law. We will work with tenants and victims to prepare this information and support them through the process.

8.0 Support

8.1 We will take concerns raised seriously and hear them without prejudice.

8.2 Personal circumstances and individual needs will be taken into consideration; we will provide support throughout the process making reasonable adjustments to how we deliver our services should this be needed.

8.3 We will provide support by:

- Liaising with internal teams to provide financial, welfare benefit, tenancy and moving home advice should it be needed.
- Signpost to other agencies where it is appropriate to do so for advice and support.
- Keep in regular contact and provide updates on progress.
- Referring to other agencies, if appropriate, for support, with your permission.
- Referring to other agencies without your permission if a situation is serious and we believe a person's wellbeing is in danger.
- Undertake works such as the removal of graffiti, repairing broken windows and fences to minimise the likelihood and impact of associated anti-social behaviour.
- Offer safety planning advice; and
- Where appropriate provide additional property safety features such as door locks and security lighting.
- Investing in staff training to ensure all relevant staff are confident in their ability to identify and investigate reports of ASB and Hate Crime.

9.0 Closing a Case

9.1 When an ASB or hate crime case has been resolved, the live case will be closed. Some cases will be closed if it is considered that the ASB or hate crime reported

does not require any further action or intervention, sufficient evidence is not available, or parties have not engaged with reporting/evidence requirements.

9.2 Where possible all parties linked to an ASB or hate crime case will be notified of closure of cases and the reason why.

9.3 All relevant parties will be asked to provide feedback on the service provided by CGA to enable opportunities for learning and continued improvements to service.

9.4 CGA accept that not all reporters of ASB or hate crime will be satisfied when a case is closed.

9.5 CGA will continue to provide support and advice about any future changes to the circumstances.

10.0 Partnership working

10.1 CGA is committed to partnering with agencies such as the Police, Local Authorities, Environmental Health and Social Services when working to deter and tackle ASB and hate incidents.

10.2 Where CGA are not the lead agency in a case, we will clearly communicate this to the victims. In certain circumstances other agencies are required to take action before CGA can take tenancy action.

10.3 To ensure we are working cooperatively and in a proactive way that supports other agencies to meet their strategic objectives to our communities' benefit we will:

- Attend multi agency meetings and strategic steering groups;
- Complete joint visits;
- Attend joint workshops and training sessions;

- Host other agencies at head office and at other CGA owned buildings;
- Agree plans of action to meet our tenants' priorities;
- Lead where appropriate and support other partners to lead;
- Influence and encourage other agencies to take appropriate action.

11.0 Complaints

11.1 We recognise that sometimes our standards fall below those we, and our tenants expect and when this happens CGA welcomes complaints as an opportunity to continually improve our services.

11.2 If a tenant wishes to make a complaint about how their case has been dealt with, they are encouraged do so by using CGA's complaints process. Complaints can be made via telephone on 0800 953 0213 (option 5), via email at complaints@communitygateway.co.uk, in writing or in person to our Head Office or by completing the online form on our website.

11.3 A copy of our Complaints Policy can be found on our website or can be provided upon request.

12.0 Community Trigger

12.1 A community trigger is a formal process also known as an ASB case review, it allows victims of persistent ASB to request a review of how their case has been handled by the relevant agencies such as the landlord, police or council. The community trigger is not a complaints procedure but is a mechanism to ensure a satisfactory response to the ASB problem. A community trigger can be requested through Preston City Council when you have complained to the council, police or your landlord three times about separate incidents in the last six months and you are not satisfied with the action being taken. Or if it relates to a hate incident if one complaint has been made in six months and you

consider no action has been taken. See here for further information Community trigger - Preston City Council

12.0 Responsibilities

12.1 Responsibility for this Policy is as follows:

- Head of Housing Services - Responsible for the service implementation of this Policy
- Tenancy Services Manager- Responsible for the operational implementation of this Policy.

13.0 Data Protection

13.1 The tenancy provides the legal basis for processing of information aligned to this Policy. The retention of information will be the length of the tenancy plus six years.

14.0 Monitor and Review

14.1 This Policy will be reviewed on a regular basis, with a full review taking place every 2 years, to ensure accuracy and that CGA complies with relevant legislation.

14.2 Internal oversight will be delivered through the monitoring of the Gateway Promises, by Gateway Central Committee, tenant satisfaction surveys and routine internal audits will take place as part of our internal controls.

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