



## **Anti-Social Behaviour Policy**

## Document Control

<b>Title</b>	Anti-Social Behaviour (ASB) Policy
<b>Responsible Officer</b>	Neighbourhood Manager and ASB Team Leader
<b>Author</b>	Neighbourhood Manager/Tenants First Service Manager/ASB Team Leader
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<b>Information Asset Owner</b>	ASB Team Leader & Neighbourhood Manager
<b>Approved by</b>	Kat Allott-Stevens, Head of Estate Services
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## Consultation and distribution

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<b>Consultation</b>	<i>With customers on 7.3.23 – Tony Griffiths</i>
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## 1. INTRODUCTION

Our vision is “Creating great homes and communities with the people of Barnsley.”

Within our Strategic Plan it highlights our commitment to work with partners to address tensions that Anti-Social Behaviour, crime and nuisance can cause so that tenants can live in their homes without stress and fear. Working with partners to tackle poor estate designs to make neighbourhoods safer.

Our Anti-Social Behaviour Policy supports the statutory requirements, priorities outlined in the Barnsley 2030 Plan, with a vision for developing a Healthy, Growing Learning and Sustainable Barnsley.

Berneslai Homes recognises that Anti-Social Behaviour (ASB) in your community can really affect people’s overall health, wellbeing and overall quality of life. It is unacceptable behaviour that comes in many forms, such as unacceptable levels of noise, abusive behaviour, vandalism, fly tipping and drug dealing.

We will adopt a harm centred approach in our case management, we will work with key partners including Barnsley Council and South Yorkshire Police to address ASB in our Communities.

This policy outlines our approach to tackle incidents of ASB and support our communities and individuals through this process and is in line with the Council’s overall ASB Policy.

The overarching principles of this Policy are to set out how Berneslai Homes:

- Work with relevant organisations to deter and tackle ASB
- Adopts a zero tolerance approach towards Hate Incidents
- Enable customers to report ASB easily and how we keep customers informed on their case
- Provide prompt and appropriate action using the full range of tools and powers available
- Support customers affected by ASB

## 2. DEFINITION OF ASB

Working in accordance with the Council’s ASB framework, the definition of ASB as documented within Section 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 is;

*“Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person or 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.”*

Examples of Anti-Social Behaviour can include, but are not limited to:

- Noisy and/or abusive behaviour

- Vandalism
- Graffiti
- Intimidation
- Public drunkenness
- Fly tipping
- Drug dealing
- Hate Crimes/Incidents
- Damage to property and or communal areas

Some behaviour, even though it may cause nuisance to individuals, may not be regarded as ASB.

For example, this can include, but is not limited to:

- one-off parties and barbecues
- infrequent and occasional noise or disturbances
- children's play
- occasional dog barking
- noise associated with normal living for example noise from domestic appliances (e.g., washing machines, vacuum cleaners)
- minor vehicle repairs
- gossip
- escalated disputes.

When considering whether something is Anti-Social Behaviour or not, we will take into consideration whether the behaviour is targeted, escalating, unreasonable or unacceptable, along with the behaviour itself and the harm it is causing.

The above Act contain both civil and criminal enforcement, both of which require different standards of proof. Civil offences are tried on the balance of probabilities, whereas criminal offences are tried beyond reasonable doubt.

The Berneslai Homes tenancy agreement also gives tenants clear guidance on what Anti-Social Behaviour constitutes to and what must be complied with.

The standard of evidence gathered by us and partners before formal action can be taken will depend on the ASB in question and what is deemed to be the most appropriate course of action.

To assist in our investigation of a complaint, the reporter will be required to provide evidence detailing what they have witnessed and/or experienced and should be willing to do so when making complaints.

## **2.1 Noise**

Noise reports will be assessed to identify whether the noise is Anti-Social Behaviour or other, such as household or general living noise. If the noise is assessed not to be Anti-Social Behaviour, it will not be dealt with using the Anti-Social Behaviour Policy or Procedures. However, it may still be dealt with using a separate Policy and Procedure, acknowledging non statutory noise nuisance can still have an impact on lives. However Berneslai Homes intend to be clear on which noise reports will be dealt with as Anti-Social Behaviour or not.

Some examples of noise deemed to be Anti-Social are:

- Very loud music played often and for long periods
- Shouting and arguing that can be heard outside of someone's property
- Parties that emanate excessive amounts of noise, inconsiderate of neighbours

Some examples of noise not deemed to be Anti-Social are:

- Use of household appliances
- Sound of footsteps thudding
- Children playing
- Doors banging

Berneslai Homes will make this assessment and decision by using evidence provided, the type of noise being reported, the frequency and length of the noise nuisance and in some instances, the use of sound monitoring equipment provided by the Council.

## **2.2 Domestic Abuse**

Berneslai Homes sets out clearly how it intends to deal with reports of Domestic Abuse and support victims of Domestic Abuse within its Domestic Abuse Policy.

## **2.3 Neighbour Disputes**

Neighbour disputes will not be dealt with under the Anti-Social Behaviour Policy in the first instance. For example, if there is a dispute over a boundary, driveway, fencing etc this will not be treated as Anti-Social Behaviour and will be dealt with under a separate Policy and Procedure. If the dispute escalates and Anti-Social Behaviour becomes present, such as abuse or threats for example, this behaviour will be dealt with under the Anti-Social Behaviour Policy.

# **3. REGULATORY FRAMEWORK**

Berneslai Homes will comply with all relevant legislation and associated regulations, including:

- Anti-Social Behaviour Act 2003
- Environmental Protection Act 1990
- Anti-Social Behaviour, Crime and Policing Act 2014
- Crime and Disorder Act 1998
- Data Protection Act 2003
- General Data Protection Regulation (GDPR) 2016
- Equalities Act 2010
- Housing Acts 1985, 1996 and 2004
- Clean Neighbourhoods & Environment Act 2005
- Refuse Disposal (Amenity) Act 1978
- Mental Health Act 1983 (amended 2007)
- Human Rights Act 1998

- Freedom of Information Act 2000
- Care Act 2014
- Local Government Act 2000
- Serious Crime Act 2015
- Home Office Serious Violence Strategy (2018)
- Social Housing (Regulation) Act 2023
- Regulatory for Social Housing – Consumer Standards

Some of this legislation has the tools and powers available to Social Landlords and Local Authorities to tackle ASB, all of them are to be complied with.

## 4. ACCESS TO SERVICE

In most cases of low- harm Anti-Social behaviour, we encourage customers to speak with their neighbours if it is appropriate to do so. Please see our “good neighbour” guide to help promote positive conversations.

If this is not an option or you have tried this and it has not resolved the behaviour, then customers can report ASB by:

- completing [our online form](#); or
- phoning us on 01226 787878.
- phoning the police on 101 (or 999 in an emergency)

Remember to tell us your name, address, and phone number. We may need to ring you back.

If customers are victim of or affected by a crime, they should contact the police as soon as possible. We will work closely with the Police on many instances and support each other with the best course of action.

To contact the South Yorkshire Police for:

- Non-emergency calls on 101
- An emergency, such as a violent attack on 999.

## 5. OUR PARTNERSHIP

Berneslai Homes is part of the Safer Barnsley Partnership that is the statutory partnership responsible for tackling crime and disorder, protecting vulnerable people, and reducing reoffending. This includes a number of key partners and stakeholders including the Council and its Safer Neighbourhood Service, South Yorkshire Police, and South Yorkshire Fire and Rescue.

Berneslai Homes works with a number of other key partner agencies including (not exhaustive)

- Registered Social Landlords
- Education Services
- Youth Justice Service
- South West Yorkshire Foundation Trust (NHS)
- Registered Charities
- Tenants and Residents Associations (TARAs)
- Community Interest Groups
- Safeguarding Services
- Local Area Councils
- Voluntary Sector
- Public Health
- Neighbourhood Watch
- Other Police Forces

All of the above partners, and others, have a significant role to play and by working together we can ensure we develop a safer and stronger local community. Utilising the skills of all key partners we can resolve issues quickly and more effectively and as part of the collaborative approach. An information sharing protocol has been developed to ensure that appropriate information flows between key organisations to expedite the resolution of issues.

This Policy is part of the process adopted for escalated enforcement. Our tenancy agreement sets out the responsibility of both the tenant and of Berneslai Homes as the managing agent on behalf of the Council.

Berneslai Homes will investigate any instances of nuisance or annoyance caused by and/ or affecting Berneslai Homes tenants and residents in or near the properties they are responsible for, in accordance with this policy. We will continue to work with partners to address tensions that Anti-Social Behaviour, crime and nuisance can cause so that tenants can live in their homes without stress and fear.

When a subject of Anti-Social Behaviour is a tenant of another housing provider and is affecting a Berneslai Homes customer, we will work with the provider and expect them to lead on tackling the behaviour as they hold the tenancy which conditions would be being breached. We may also choose to work alongside the Safer Neighbourhood Service within Barnsley Council in tackling the behaviour.

## 6. DATA PROTECTION

Any information provided to Berneslai Homes in respect of an ASB complaint will be treated in the strictest of confidence and will not be used for any purpose without the express consent of the person who has provided it. However, it will be difficult to progress and resolve cases unless we are able to discuss the issues with the subject.



Anonymous reports will be logged on the case and used where appropriate, for example in evidence when using a legal intervention if we are sure it will not remove the anonymity of the reporter.

Individuals have the right to request access to the information that we hold about them. Berneslai Homes aims to deal with requests as quickly as possible and hope to do this within one month from the date of request. There may be occasions where the process takes longer, if this is the case we'll always tell you as soon as possible and within the one month time frame. All requests should be responded to within twelve weeks of the request.

Individuals do not have the right to see information about other people and as such Berneslai Homes will not disclose personal information to subjects.

There are certain circumstances where consent based sharing of information may not apply, for instance where children are deemed to be at risk of harm which requires immediate referral to Children's Services, or under the Prevent duty.

Any data held by Berneslai Homes will be managed in accordance with the Data Protection Legislation (the GDPR (UK) and Data Protection Act 2018), which covers the collection, storage, processing and distribution of personal data, but is also subject to the terms of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

Berneslai Homes aims to fully fulfil its obligations under the legislation; only processing personal data for the reason it was collected, ensuring you are aware of why it is being processed (with some exceptions due to legislative requirements) and by ensuring we take appropriate measures to protect your information.

## **7. WHAT WILL HAPPEN WHEN ASB HAS BEEN REPORTED AND WHAT ACTION WILL WE TAKE?**

Following an initial report, either a Neighbourhood Officer or ASB Officer (depending on the nature of your report) will contact the reporter in accordance with the priority listed in Section 7.2 i.e., 3, 5 or 10 working days to obtain further details and develop an agreed action plan. An appointment may be made at this point to visit the reporter for an in depth interview.

If there is a report of a racial/hate incident, if there is a risk of violence, or if there is damage to our property, we will contact the reporter within 1 working day.

We will keep the reporter up to date on action being taken. An agreement will be made on the preferred method of communication, whether verbally, in writing either through a letter or by e-mail a minimum of once each calendar month, whilst the case is being investigated.

We will also confirm that we are closing the case down within 5 working days of this decision being made. If you are unhappy with the decision to close the case or are not in agreement with it, we will provide information on how the decision can be reviewed, such as a case review by the ASB Team Leader.

We are unable take action against someone without evidence. We may ask for 'incident diaries' to be filled out and submitted to give an overview of the ASB you see or hear. We may need other evidence, like photographs, video or audio recordings. We will make use of the 'ASB App' where

information and evidence can be collated then sent directly to us. We might have to speak to other people who have witnessed the problem. It could be difficult to take the case any further without these other witnesses.

We will let the harm caused and the evidence we obtain guide our decision making in respect of what action to take. We will remain proportionate in our decision making and justify our decisions where necessary. In some circumstances, where the harm and risk are high, legal intervention may be the first intervention but, in most cases, we will try to use the least restrictive tools and methods to resolve the behaviour.

Where an area is experiencing significant and reoccurring ASB perpetrated by groups as opposed to individuals, a multi-agency action plan will be put in place in partnership with neighbourhood policing teams and the Safer Neighbourhood Service, this could also be referred to as a 'Problem Oriented Policing Plan'. Where there are younger individuals identified as subjects of Anti-Social Behaviour or being criminally exploited, such cases will be referred to appropriate partnership agencies promptly. In some cases, where there is little or no evidence available then we may not take any action, and the case will be closed.

We will provide and facilitate support to residents who are being subjected to Anti- Social Behaviour as defined in Section 2 and this will be tailored to their individual needs. We have also introduced the 'ASB Respectline' whereby residents can be called out of hours to give appropriate welfare support, this service is a 24/7 service and an opportunity for victims of Anti-Social Behaviour to speak to someone whilst the nuisance is ongoing.

Where Subjects in an Anti-Social Behaviour Case are willing to cooperate to address their behaviour and willing to engage, Berneslai Homes will always offer support, or referrals for support, should any needs be identified.

## **7.1 MANAGING CASES AND ASSESSING RISK**

Effective case management underpins the successful resolution of ASB. This starts from when a report is received until the matter is resolved. The welfare, safety and well-being of victim/s, whose reports form the basis of any action, are the main consideration at every stage of the process.

Assessing the risk of harm and effectively safeguarding the victim is also an important part of case management. It is important to identify the impact ASB is having on the victim, particularly if repeated incidents are having a cumulative effect on their well-being. A continuous and detailed investigation helps to identify cases that are causing, or could result in serious harm to the victim, either as a one-off incident or as part of a targeted and persistent campaign of ASB against the victim. Where appropriate, we will utilise the Councils SNS Victim and Witness Support Officers to engage with the victim and/or those with fear relating to ASB or the relevant processes. The Officer dealing with the case will also complete a Risk Assessment at the point of opening a case and complete further risk assessments if there are any changes of circumstance.

The Investigating officer will create an action plan for responding to each reported case of ASB. It will also:

- Support victims of ASB throughout the case working alongside partners to ensure that any support needs are met via a victim centred approach.
- Treat all reports as confidential unless considered that information should be shared for safeguarding purposes, or to prevent crime and disorder.

- Share information only with other relevant organisations that can help with the problem

## 7.2. OUR APPROACH

An initial assessment of each case is made to establish the circumstances that have led to the complaint and if the complaint has any vulnerability that we need to take into consideration during the investigation.

Priority	Examples of ASB	Response time to customer	Possible Action
<p><b>HIGH</b></p> <p>These are the most serious cases of ASB, requiring a timely and proportionate response. The harm caused in these cases is usually high.</p>	<p>Examples of such issues at this level may include the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Acts of violence</li> <li><input type="checkbox"/> Serious intimidation/threats of violence</li> <li><input type="checkbox"/> Criminal behaviour affecting the local community (where it is deemed that a civil power is the most appropriate solution e.g., Injunction)</li> <li><input type="checkbox"/> Damage to property or communal areas</li> <li><input type="checkbox"/> Hate Crime</li> </ul>	3 working days	In many of these cases action may be taken by Berneslai Homes pursuing enforcement action working in partnership with other agencies, namely the Safer Neighbourhood Service, who have access to additional enforcement opportunities. Some Examples of interventions for the most serious cases are Injunction Orders, Closure Orders, Possession Proceedings. Informal approaches may also be utilised prior to enforcement if it is proportionate and appropriate to the case in hand, dependant on risk.
<p><b>Medium</b></p> <p>This includes the persistent cases of less serious allegations of ASB which do not require an urgent response. The harm caused in these cases is usually medium.</p>	<p>Examples of issues that could fall within this category generally relate to being unreasonable enough to cause prolonged disturbances. Some examples of such issues may include the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Excessive noise, especially late at night from loud music or DIY.</li> <li><input type="checkbox"/> Rowdy or aggressive behaviour</li> <li><input type="checkbox"/> Intimidation, harassment or verbal abuse</li> <li><input type="checkbox"/> ASB from visitors to premises.</li> <li><input type="checkbox"/> Regular and persistent ASB from known offenders.</li> </ul>	5 working days	In many of these cases action may be taken by Berneslai Homes pursuing early interventions, support and tools such as Acceptable Behaviour Contracts. However, if the behaviour continues or escalated, or if the harm increases, then it may result in formal action being pursued.
<p><b>Low</b></p> <p>This includes those cases where there is a low amount of harm and often involves an intolerance of lifestyle.</p>	<p>This would include complaints where there are not witnesses or lines of investigation, examples of incidents could be:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Nuisance caused by ball games</li> <li><input type="checkbox"/> Isolated incidents</li> <li><input type="checkbox"/> Neighbour Disputes</li> </ul>	10 working days	For these types of reports, we will investigate and assess whether it is or isn't ASB, if it is decided that the behaviour isn't ASB, there will not be an ASB case opened, and it will not be placed on the ASB Process. The Neighbourhood Team may assess whether they are able to assist in any way other than the ASB process.

In many of these cases action may be taken by Berneslai Homes pursuing enforcement action in partnership with other agencies, who have access to additional enforcement tools and powers.

Informal approaches may also be utilised prior to enforcement if it is proportionate and appropriate to the case in hand, dependant on risk.

### **7.3 INVESTIGATION**

A triage process is in place at Berneslai Homes to establish the ASB category type, impact and risk. New ASB cases will be picked up by either a Neighbourhood Officer or ASB Officer within Berneslai Homes or by a Case Management Officer within the Safer Neighbourhood Service at Barnsley Council. In most cases, cases will be triaged by the Anti-Social Behaviour Team Leader or an Anti-Social Behaviour Officer.

When a new report is received, the Neighbourhood Officer or ASB Officer will make reasonable attempts to contact the reporter at least 3 times by visiting, and by telephone. If these attempts are unsuccessful, a letter will be sent to encourage contact. If the reporter does not contact the Neighbourhood Officer or ASB Officer within 10 working days of that letter being sent, the case will be closed.

Berneslai Homes, working with the Council uses discretion and professional judgement in deciding whether reports should be investigated and in prioritising cases. During an investigation, evidence is gathered objectively in a thorough and fair manner ensuring that it is unbiased and accurate. Any allegations and anonymous information are substantiated to the required legal standard before any legal action is considered.

All evidence is recorded and used in considering the most appropriate course or type of action to take. In doing so several factors will be considered:

- The seriousness of the alleged offence or situation
- The previous history of the individual or company
- The consequences of non-compliance
- The confidence in a resolution without legal action
- The public interest
- The harm that is being caused
- Adequate justification to use a particular tool

There are several ways in which Berneslai Homes working with the Council and the Safer Neighbourhood Service will gather evidence to support a complaint, some examples are given below:

- Interviewing reporters
- Incident diaries
- Overt Surveillance for example CCTV
- Obtaining information from other agencies
- The utilisation of professional witnesses.
- Interviewing subjects, this could be under caution
- The reviewing of sound monitoring equipment.
- Using the ASB app for incident diaries, videos and audio recordings

If investigations continue, regular contact minimum of four weeks with the reporter will be maintained by the Neighbourhood Team or ASB Team to ensure updates are provided regarding progress and actions.

Berneslai Homes will confirm in writing to the reporter an agreed preference method of contact during the investigation and timescales.

Berneslai Homes will always respect requests for anonymity, investigations and actions can still be done with anonymous information however, in some instances, this will restrict which tools can be used and may slow any progression that would otherwise be made.

#### **7.4 ACTION BERNESLAI HOMES MAY TAKE – For further information regarding each intervention, both early and formal/legal, please see [Appendix 1](#)**

##### **7.4.1 The provision of information to residents to help them deal with issues themselves**

There's a wide range of options available for early intervention and this may include: In some cases, information will be provided to residents to help them deal with the issues themselves. Information is available both on the Berneslai Homes and the Council's website and in other formats and will include:

- Noise nuisance
- Neighbour disputes
- Football and ball games

##### **7.4.2 Early Intervention**

Dealing with ASB can be complex. Information, support and low risk interventions to tackle the causes of ASB at an early stage are as important as effective case management and timely enforcement action.

Most complaints can be resolved through early intervention and these methods are considered with the reporter during the initial contact investigation with the emphasis on stopping unacceptable behaviour before it escalates. Legal action will usually be approved where all relevant and proportionate early interventions have failed or the ASB is serious enough to warrant such action and it is proportionate to take further action.

Some examples of early intervention tools are as follows (list not exhaustive):

- Diversionsary Activity***
- Community Resolutions***
- Home or Office Interviews***
- Target Hardening***
- Tenancy Support***
- Mediation***
- Overt Surveillance***
- Informal Action***
- Verbal Warnings/Written Warnings***
- Acceptable Behaviour Contract/Parenting Contract***
- Community Protection Notice Warnings***

### **7.4.3 Examples of Formal and Legal Action\* which may be considered include [Appendix 1](#):**

- Civil Injunctions**
- Criminal Behaviour Orders**
- Community Protection Notices (CPN)**
- Public Spaces Protection Orders**
- Closure Orders**
- Possession Order**
- Demotion Order**

\*the decision in respect of any formal / legal action is made by the Council, and considers the views of Berneslai Homes and other key partners

### **7.4.4 Case resolution and closure**

A case will be closed when:

- An investigation has been undertaken and it has been deemed not to be ASB
- An investigation has been undertaken and there is no corroborating evidence
- It has been successfully resolved through early intervention attempts or formal action, this will be agreed with the reporter.
- The reporter has not been in contact for 4 weeks or more despite reasonable efforts from the Officer to contact them.

Before closing a case, the reporter(s) will be contacted giving the reasons for the decision. The subject(s) will also be informed of the decision and reasons underpinning that decision and should the conduct recur in the future the case may be reopened. This will be within 5 working days of this decision being taken.

### **7.5 Recovery of costs**

Where any enforcement action is taken by Berneslai Homes/Barnsley Council in relation to ASB then we will seek to recover all associated costs.

### **7.6 ASB Case Review**

The Anti-Social Behaviour, Crime and Policing Act 2014 includes a measure which is designed to give victims and communities a say in the way Anti-Social Behaviour is dealt with; The 'Community Trigger' or ASB Case Review gives victims the ability to require action, starting with a review of their case, where the locally defined threshold is met.

If there have been 3 separate incidents recorded from the same reporter within a six-month period of Anti-Social Behaviour and the reporter does not feel that they have been dealt satisfactorily they can apply for an ASB Case Review where the case will be reviewed.

In terms of the behaviour itself, what is seen as 'Anti-Social ' will vary from victim to victim, and community to community. This is one reason why the way in which incidents of Anti-Social Behaviour are reported has changed; no longer solely focusing on the behaviour, but an emphasis on the impact it has on the victim.

Berneslai Homes including the council, police, local health teams and registered providers of social housing have a duty to undertake a case review when someone requests one and the case meets the above criteria.

## **7.7 Vulnerable People**

A person may be vulnerable for a variety of reasons, e.g., mental illness, learning disability, drug or alcohol dependence, physical disability, sensory impairment, ethnicity, or due to being subjected to trauma. If a person is deemed to be vulnerable, interventions are made as soon as possible to prevent further problems occurring. Every effort is made to work with vulnerable people to try to resolve the issues. However, any enforcement action taken by the Council will be proportionate to the risks posed and the seriousness of their behaviour. As far as the law allows, the Council will consider the circumstances and attitude of the individual when considering what action to take.

Berneslai Homes complies with the Public Sector Equality Duty (PSED) and promotes equality and equity both within its communities and across its services. An Equality and PSED consideration form will be completed when the Subject in an ASB case is considered to have a disability or be deemed vulnerable.

We will assess all the tools we have available to us in supporting Vulnerable customers, particularly those who are reporting ASB. An example of this is the use of the “Respect Line”, a 24/7 channel of contact for our customer who can phone the Respect line themselves to report instances of ASB and to call upon support from the trained call handlers. This service can also be a scheduled outbound service where time and frequency of contact from the Respect line is agreed with the customer, making it easier for customers to both report incidents and to offer an extra layer of support.

## **7.8 Hate Incidents**

Berneslai Homes defines hate as:

“Any act committed against a person or property that, the victim or anyone else thinks, was motivated by hostility towards someone based on their race, religion or belief, gender identity, disability, sexual orientation or alternative sub-culture”

Berneslai Homes intend to create sustainable and thriving communities whereby people from all backgrounds can co-exist side by side peacefully and respectfully. Berneslai Homes adopts a zero-tolerance approach towards hate incidents. When hate incidents occur and are evidenced, Berneslai Homes in partnership with the Safer Neighbourhood Service and South Yorkshire Police will aim to take immediate and appropriate action.

A zero-tolerance approach means firstly adopting the harm centred approach, understanding the harm caused by the incident and acting accordingly to that and not the incident itself, then using the legislative framework available to ensure the incidents and harm stops, this could be in the form of an Injunction Order for example.

Berneslai Homes will make attempts to ensure victims of hate incidents are supported, should consent be given.

## 8. HOW WILL WE MEASURE SUCCESS?

As outlined in our Strategic Plan, Neighbourhood Safety is a key priority, and our aim is that at least 90% of our tenants are satisfied with their neighbourhood as a place to live.

Satisfaction data will be collected through a variety of ways including: -

- Annual Tenant Satisfaction Survey;
- Satisfaction Surveys on ASB Cases when closed; We carry out a 100% postal sample size for cases where there is an identified reporter.
- Rates of ASB per 1,000 properties;
- ASB Cases that involve Hate incidents

The results of the above will be published on our website and shared with customers through our engagement framework.

Tenants / households who submit dissatisfied reviews from the satisfaction survey will be contacted by the Anti-Social Behaviour Team Leader and improvements will be noted and put in place.

Internal case reviews will be carried out by the Anti-Social Behaviour Team Leader.

Training will be delivered to employees of Berneslai Homes who are involved in dealing with ASB cases, this might be internal training or delivered by an external provider and renewed when deemed necessary.

## 9. Appeals, Reviews, and Complaints

### Appeals

Customers have the right to appeal any decision Barnsley Council make to use any grounds for mandatory possession

### Reviews

Customers may request their case to be reviewed if they are dissatisfied with the way in which it is being handled, or the outcome of the case. This review will be done by someone other than the officer that has been dealing with the case. Customers would then be encouraged to make use of the Community Trigger/ASB Case review if this review has concluded, and the customer remains dissatisfied.

### Complaints

Customers can raise a formal complaint if they believe that the case has not been dealt with in line with this Policy.



Should you feel that your enquiry is not being investigated in line with our ASB Policy please contact us through our Customer Services Team and register a stage 1 formal complaint by:

- Completing our [online form](#)
- E-mail us at [customerservices@berneslaihomes.co.uk](mailto:customerservices@berneslaihomes.co.uk)
- Ringing us on 01226 787878

For more information about how we deal with complaints visit our website [here](#).

If you would like a copy of our 'Your Comments Count' Policy, please contact the Customer Services Team on 01226 787878

### **Persistent and unreasonable complaints**

Where a customer persistently raises complaints that aren't upheld, or complaints that are deemed to be unreasonable, Berneslai Homes will take appropriate action to stop this. If complaints are being raised with multiple people within Berneslai Homes, the customer will be asked to stick to one point of contact and one method of contact. Where persistent and unreasonable complaints continue, if they are deemed to be malicious or for purposes of personal gain and are impacting heavily on Berneslai Homes' ability to carry out it's housing management functions, Berneslai Homes might consider enforcement action. Berneslai Homes' will ensure any decision made around persistent and unreasonable complaints are justified and in writing to the customer.

## **10. FOR FURTHER INFORMATION**

For further information on how we respond to Anti-Social Behaviour please see the following website links:

- Barnsley Council: [www.barnsley.gov.uk](http://www.barnsley.gov.uk)
- South Yorkshire Police: [www.southyorks.police.uk](http://www.southyorks.police.uk)
- Berneslai Homes: [www.berneslaihomes.co.uk](http://www.berneslaihomes.co.uk)

## **11. RELATED DOCUMENTS**



ASB Equality Analysis  
October 2022.docx

<https://www.berneslaihomes.co.uk/information-and-privacy/>  
<https://www.berneslaihomes.co.uk/accessibility-statement/>

Appendix 1 ASB INTERVENTIONS - [DRAFT ASB Appendix 1 .docx](#)



2023\_Update\_ASB\_Stationary\_Guidance\_-\_FIN



Anti-social\_Behaviour\_Action\_Plan\_March\_2023



Help\_for\_social\_housing\_tenants\_when\_facing\_problems