

Enfield Council Housing Anti-Social Behaviour Policy 2023-2028



www.enfield.gov.uk/asb

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Introduction

Enfield Council Housing want to enable all our residents to live peacefully within their homes without fear, intimidation, threats of harm, nuisance, or unreasonable behaviour from others. We take a victim centred approach to all reports of anti-social behaviour, working closely with our partners to provide ongoing support for victims and witnesses throughout the management, and following resolution of the case where needed.

This Policy sets out how we will prevent and tackle anti-social behaviour (ASB) which is impacting Enfield Council Housing tenants and leaseholders and/or is perpetrated by them. It meets our statutory obligation under section 218A of the Housing Act 1996 which was inserted into the Housing Act by section 12 of the Anti-social Behaviour Act 2003, which requires a landlord to prepare and publish a policy and procedures in relation to anti-social behaviour, and the expectations of the Regulator of Social Housing Consumer Standard (The Neighbourhood and Community Standard). It provides definitions of anti-social behaviour and explains how our council housing teams prevent and respond to incidents, working in partnership with our residents, across council services and with other local organisations and agencies. It explains our service standards and how we measure our performance.

We want to create strong, healthy and safe communities, aiming to improve feelings of safety and tackle crime and anti-social behaviour. We want to reduce incidents of ASB and the impact it has on our residents' lives. We take a coordinated approach to tackling incidents, dealing with them quickly so that people in Enfield can live happy, healthy and safe lives.

What is anti-social behaviour (ASB)?

Enfield Council considers the definition of Anti-Social Behaviour (ASB) as the same as in the Anti-Social Behaviour, Crime and Policing Act 2014:

- 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.¹

Crime and criminal behaviour

In many instances, anti-social behaviour may also constitute a crime. In these cases, the victim and witnesses will be encouraged to report the matter to police in the first instance. In these cases, we will keep the case of anti-social behaviour open and contribute to the resolution in our role as landlord, whilst being clear that the lead agency is the police.

Harassment and hate crime

Harassment is a personalised form of anti-social behaviour aimed at a particular person. It can take a variety of forms and is intended to intimidate, humiliate or offend the victim.

Examples include:

- Violence or threats of violence toward a person or their property
- Abusive or insulting words or behaviour
- Any behaviour aimed at intimidating or humiliating the victim

Some forms of harassment may be considered a hate crime motivated by prejudice, based on the protected characteristics of an individual as defined in the Equality Act 2010.

Examples of hate crime include:

- disability harassment
- faith related harassment
- homophobic behaviour
- racial harassment
- transphobic behaviour

Domestic abuse

The [Domestic Abuse Act 2021](#) makes clear that domestic abuse can include controlling, coercive or threatening behaviour, violence or other abuse between people aged 16 or over who are personally connected to each other, regardless of gender or sexuality.

Physical violence is just one type of abuse – domestic abuse can be any behaviour which is used to harm, punish or frighten, or which makes the individual feel bullied, controlled or intimidated. This includes mental, sexual, financial and emotional abuse.

Some reports of ASB, such as reports of frequent arguments, shouting and banging, may be an indication of domestic abuse.

All cases of domestic abuse or suspected domestic abuse will be investigated and responded to in accordance with our Enfield Council Housing Domestic Abuse Policy.

¹ Section 2, Anti-Social Behaviour, Crime and Policing Act 2014

Behaviour not classified as anti-social behaviour (ASB)

There are some types of behaviour which may feel annoying to neighbours but which Enfield Council does not consider to be ASB requiring any remedial action. Examples include:

- children playing in the street or communal areas – unless they are causing damage to your home
- cooking smells
- everyday living noises such as TV or music at a reasonable volume, noise from appliances such as a washing machine
- DIY during reasonable hours
- minor car repairs
- young people gathering socially – unless they are being inconsiderate and intimidating to individuals

- parking lawfully outside another neighbour's home
- civic disputes between neighbours such as disputes over boundaries or shared driveways.

Where we receive reports of nuisance or annoyance such as these which do not meet the definition of ASB, we will try to provide advice to help residents resolve situations between themselves, however, in some cases, it may not be a dispute the Council can resolve, and tenants can consider seeking their own legal advice. If we continue to receive repeated reports of the behaviour causing annoyance, we will investigate to determine whether further action is required, such as mediation, or in some circumstances, sound insulation of walls or carpet installation.



Our Service Standards

Our Service Standards set out our approach to how we will prevent and tackle ASB impacting our council housing tenants and leaseholders.

We will:



Meet the needs of our diverse communities through a fair and consistent approach



Work with residents, partner services and agencies



Take enforcement action where necessary



Make it easy to report ASB



Use mediation to stop cases escalating, where mediation is considered appropriate



Review cases where residents request this



Respond to cases within the agreed timeframe



Support victims and keep in touch throughout the case



Support and develop our workforce



Keep accurate records



Sustain tenancies where this is considered appropriate



Monitor our performance

Meeting the needs of our diverse communities

We want to create neighbourhoods which are welcoming and safe places for all communities. We are committed to tackling the barriers and discrimination that many people face and recognise that people may be targeted, or disproportionately affected, by crime and ASB because of one or more of their protected characteristics. This can include their race, gender, gender reassignment, disability, sexual orientation, religion or belief or age.

When we gather information from a resident reporting ASB, we will record any information they provide us with which could suggest they are being targeted or disproportionately impacted by the ASB as a result of one or more of their protected characteristics. We will not share information without permission, in line with the Data Protection Act 2018.

We will consider and respond appropriately to the specific needs of victims and witnesses. This includes meeting any communication or support requirements such as arranging for translators; or arranging for meetings or telephone discussions to take place with a support worker or advocate present.

We will carry out a risk assessment for cases involving vulnerable residents or where there is a risk of harm. Our assessment will acknowledge that the risk of the ASB may change over time or when further information is made available.

If a vulnerable adult or a child is involved in the case, we will follow the relevant Safeguarding Adults and Safeguarding Children procedures and we will make appropriate referrals if concerns are identified.

We will also tailor our communication and our interventions in response to the individual needs of perpetrators/ suspected perpetrators.

We will ask all residents reporting ASB to provide us with monitoring information on their protected characteristics and will also seek to gather this information from perpetrators or suspected perpetrators, in order for us to carry out analysis of those impacted so that we can identify and respond to any disproportionate impact on any groups.

Making it easy to report ASB

Enfield Council Housing tenants and leaseholders can report ASB in the following ways:



over the phone by talking to our Customer Services Team on
020 8379 1000



online, by completing our ASB reporting form at
www.enfield.gov.uk/services/community-safety/antisocial-behaviour



via email at
asbu@enfield.gov.uk



by reporting an incident direct to any Enfield Council Housing staff member or to the Council's Anti-social Behaviour Team. If a report is made to a repairs or maintenance operative, they will make the report to the relevant colleague in the Council Housing Place Management Team.

Where instances of ASB are reported to Enfield Council Housing but the nature of these reports are non-housing related and fall outside of our housing duty as a social landlord, the Council Housing Place Management Team will work with other relevant council services, such as Youth Services, Environmental Services and Community Safety Teams, or with partners such as the Police, the Fire Service or the Probation Service, to support a successful resolution. This may include, for example, inconsiderate/dangerous parking or littering. There is more information on this in the section on working together, below.



Responding to cases within the agreed timeframe

Our timeframes for responding to reports of ASB will depend on the type of ASB reported.

Priority 1	Priority 2
Where there is an immediate risk to the health, safety and wellbeing of residents as a result of the ASB, we will respond according to our timeframes below for a priority 1 case.	Where the ASB is of a low level for intervention, we will classify the case as a 'priority 2' case and respond according to the agreed timeframes for these types of cases.

Action	Priority 1 cases	Priority 2 cases
Make initial contact with the complainant to acknowledge receipt of the report and let the complainant know how their case has been categorised and when they will next hear from us.	48 hours	48 hours
Interview the complainant and agree an initial action plan	5 working days	10 working days
Complete vulnerability assessment	5 working days	10 working days
Contact the alleged perpetrator if appropriate to do so (as in cases of domestic abuse this may put the victim in danger)	5 working days	10 working days
Update complainant	Every 28 days as a minimum until case closure	Every 28 days as a minimum until case closure
Management reviews the case	28 days after the initial report	28 days after the initial report. Cases can only be closed with management agreement.

Category of ASB	Examples
Priority 1	<ul style="list-style-type: none"> • Illegal use of premises/use of the premises by people committing crime/s • Arson • Hate related crime or incident • Serious harassment/bullying (repeated in nature), whether by text message, through online platforms, or via other electronic or mobile communications, or face to face • Domestic abuse • Physical violence/serious threat of violence/threat to life • Serious criminal damage • Prostitution/brothels • Suspected drug dealing/manufacture/drug dens • Serious gang activity on housing estates • Serious youth disorder on housing estates • Serious Youth Violence • Cases involving sexual or violent offenders being managed under the local Multi-Agency Public Protection Arrangements (MAPPA) • Vulnerable adult crime • Properties where the lawful tenant or occupant is being exploited by other people • Child Sexual and Criminal Exploitation • Hoax repeat callers (i.e., emergency services)
Priority 2	<ul style="list-style-type: none"> • One-off aggressive behaviour • Illegal drug/alcohol related reports – personal use • Misuse of housing communal areas • Verbal abuse/threatening behaviour • Noise nuisance • Neighbour disputes • Minor harassment (single or isolated incident) • Damage to property • Filthy and verminous premises • Pets and animal nuisance • Vehicle nuisance e.g., repairing/abandoned vehicle • Dumping of household rubbish/fly-tipping/littering

Keeping accurate records

Accurate record keeping is vital for the effective risk management of ASB cases. It helps us identify, assess and prioritise risks so that we can use our resources appropriately to minimise, monitor and control the impact of ASB.

We will keep accurate and up to date records of all our discussions, agreed actions, investigations and interventions on our case management system.

Our records enable us to provide a consistent approach to support victims and witnesses and to manage the case through to a successful resolution.

Working together with residents, partner services and agencies

We can prevent and stop ASB by listening to our residents' experiences and ideas for change. We will actively listen and respond to residents' views as part of our case management reported ASB. We will also engage with residents in our residents' forum, Customer Voice, and through estate-based events and forums.

This ongoing engagement and dialogue helps us to identify priority areas where significant amounts of ASB are occurring – sometimes referred to as 'ASB hotspots' – and target actions to tackle it.

We cannot prevent and tackle ASB without also working closely with all relevant partner services and agencies. Council housing teams work with many other Council services to ensure a joint approach. This means that officers in the Council Housing Place Management Team will refer cases to other services as necessary, while retaining the role of case management in our capacity as a landlord.

This will include working with the following teams/services:

- **ASB Team**

To assist in the delivery of interventions, such as Community Protection Warnings (CPW) and/ or Community Protection Notices (CPN), Closure Orders or injunctions, for example.

- **Environmental Health**

To use their powers to tackle environmental offences, such fly tipping, graffiti, noise nuisance.

- **Youth Services and Education Department**

To assist with preventing and tackling ASB caused by, or affecting, children and young people.

- **Community Safety Unit**

To share information and intelligence within the provisions of the Data Protection Act in order to help develop strategies to make our neighbourhoods safer, such as through the installation of CCTV.

Enfield Council Housing Place Management Team, as an attendee of the Safer and Stronger Communities Board (SSCB), will also take part in preventative intervention work with other agencies, including the police, fire service, probation service and health agencies.

Using mediation to stop the escalation of anti-social behaviour

We seek to limit the escalation of all anti-social behaviour. In some cases, where appropriate, we may encourage the parties involved to discuss the matter between themselves, using a mediation approach where possible.

A mediator is used to help parties listen to each other, clear up misunderstandings and agree practical steps to move on from their disagreements.

Mediators can be used to address issues between neighbours including:

- Noise and behaviour annoyances
- Boundary disputes
- Disputes around fences, trees or hedges
- Shared access and parking disagreements
- Disputes about communal spaces

The aim of mediation is to repair and preserve relationships, avoid escalation and costly court fees and maintain tenancies.



Supporting victims and keeping in touch

When we receive a report of ASB, a designated officer will contact the complainant within three working days to obtain further information and agree a plan of action. If we need to gather further evidence before taking action we may:

- ask the resident to keep a diary record of incidents
- identify and speak to any witnesses and ask them to also keep diary records of incidents, if appropriate
- visit the area where the alleged incidents are taking place
- try to identify the alleged perpetrator if not already known
- speak to the perpetrator with the victim's consent
- involve other agencies (such as Social Services, Environmental Health or Youth Services)

We will keep in regular contact throughout the investigation process, providing updates and progress reports until the point when the matter is resolved, and the case is closed. We will treat all cases with sensitivity and in confidence. We will only share personal data with the permission of the data subject, or otherwise in line with the Data Protection Act 2018. We will close cases of ASB in consultation with the victim where it has been determined that the ASB has been resolved, or no further incidents have occurred, or are unlikely to occur.

We will arrange to either have a telephone conversation, or meet face to face, with residents who have reported ASB. These discussions are for us to listen to their experiences, to hear what resolution they are hoping for and to agree

an action plan together based on this. This discussion will also enable us to complete a vulnerability assessment, to determine the level of risk and the mitigating action we need to take; and to identify and respond to the support needs of victims and witnesses. We will be clear at all times about what action we can and cannot take.

Where a crime has been committed, we will encourage victims and witnesses to make a report to the police.

Where we identify a victim has support needs, we will make referrals to the relevant support agencies, ensuring we protect their immediate safety and ongoing welfare. Where necessary for a resident's safety, we will consider arranging for them to move to another property. We will also consider other safety measures at the resident's home, if appropriate.

In our first discussion with a victim, we will also agree their preferred method of keeping in contact (e.g., telephone, SMS/text messaging or email) and when they can expect to be updated by us. This information will be recorded on our case management system and we will keep to our agreed methods of contact throughout our handling of the case.

During the course of an investigation, we may identify children, young people or vulnerable adults whose welfare may be at risk. In these instances, we will record our concerns on our case management system and will follow Enfield's safeguarding procedures. This will be the case whether or not the person in question is directly linked to the ASB case we are investigating.

In cases which may result in court action being taken, we will support victims through this process, which may include applying for special measures, such as a screen, live TV link or private evidence taking so victims feel safe to give evidence.

Sustaining tenancies wherever appropriate

Whilst ensuring that the victims of ASB are at the centre of our approach, we always aim to end the ASB without needing to take action to terminate the tenancies of perpetrators. We seek to sustain tenancies through informal supportive actions to influence and change behaviour.

Where support needs are identified, we will act quickly to refer or signpost the perpetrator(s)/ suspected perpetrator(s) to relevant support services, such as drug and alcohol support services or mental health services. Where a perpetrator is already receiving support from other agencies, we will liaise with them throughout our management of the case.

We may use mediation, which is a process where someone independent of the perpetrator and the affected person comes to listen to both parties and seeks to resolve the problem.

We may use an Acceptable Behaviour Agreement (also known as an Acceptable Behaviour Contract) which is a voluntary written agreement, which should be signed by the perpetrator of the ASB. In signing the agreement, the individual is agreeing to abide by the terms set out in it. This may be used later in legal proceedings if the behaviour does not improve.

Not all anti-social behaviour is suitable for mediation or Acceptable Behaviour Agreements/ Contracts due to its seriousness, so the Council will not pursue these options where we do not consider them appropriate.

If the ASB continues, we will use the tools available to the Council under the Anti-social Behaviour, Crime and Policing Act 2014, such as Community Protection Warnings (CPW) and Community Protection Notices (CPN).

A Community Protection Notice can be issued where the individual's behaviour is:

- having a detrimental effect on the quality of life of those in the locality
- of a persistent or continuing nature
- unreasonable

A Community Protection Notice can only be issued if the Council has given a written warning – Community Protection Warning – before the Notice is served.

Where these interventions still do not stop the behaviour, as a last resort, we will take enforcement action where necessary.

Taking enforcement action where necessary

Where we have evidence that there is a significant risk of harm because of ASB, and where the ASB has not been stopped through other measures (if other measures were considered appropriate) such as mediation, Acceptable Behaviour Agreements (ABAs), Community Protection Warnings (CPWs) and/ or Community Protection Notices (CPNs), we will use further interventions that are available to us in the wider toolkit to protect our residents. This may include using our court powers including injunctions, property closures and as a last resort, possession proceedings.

We take a zero-tolerance approach to aggressive, threatening or violent behaviour to any of our residents, staff or contractors. We also take a zero-tolerance approach to knife crime and organised crime throughout our communities and will use all enforcement powers available to us to tackle these issues and prevent escalation or recurrence.

We will share information with our residents on successful enforcement action taken to tackle ASB, including through news articles on our website and in our resident newsletters. By doing this, we aim to demonstrate that we can work together to stop ASB and to deter residents from committing ASB in future.

A further option that the Council can consider is a Public Spaces Protection Order (PSPO). A PSPO is an order that identifies a public place (a restricted area) and prohibits specified things being done in this restricted area, or makes other rules to be followed by people in that area (or both). The Council may create a PSPO if satisfied on reasonable grounds that:

- 1) activities carried on in a public place within the Council's area have had a detrimental effect on the quality of life of those in the locality (or are likely to do so), and that
- 2) the effect, or likely effect, of the activities is (or is likely to be) of a persistent or continuing nature, makes the activities unreasonable, and justifies the restrictions imposed.



Reviewing cases when requested: Anti-Social Behaviour Case Review (previously referred to as Community Trigger)

We will support victims of ASB who wish to raise a formal case review via our ASB Case review process. This is a formal case review process, introduced by the Anti-social Behaviour, Crime and Policing Act 2014 as a special measure intended to give victims and communities the right to request a review of their case and bring agencies together to take a joined up, problem-solving approach to find a solution.

To activate the ASB Case Review, the following threshold must be met:

- At least three separate complaints of ASB incidents have been reported to the Council relating to the same ASB issue
- Each complaint must be submitted within one month of the ASB incident taking place
- The application for the case review must be made within six months of the date on which the complaint is made
- What is not suitable for ASB Case Review
- Any anonymous reports
- Any complainant already being reviewed/ considered under the Council's vexatious complainant policy
- Any case where the issue is not considered as Anti-Social Behaviour
- If the reports were not "qualifying complaints".

Residents are asked to contact the Council at asbu@enfield.gov.uk with the subject 'ASB Case Review.' Residents are asked to provide details of their name, address and contact details, details of the problem(s), dates of each time they have made a report, what happened, and the person the report was made to for each incident including the name(s) of any officers or teams, organisation and any reference number provided.

A lead officer will be assigned the case to review, working with partner agencies. A review will be completed to assess any previous action taken, further action or intervention required and will provide the victim with the outcome of the case review including agreed action plan and timelines.

The lead officer should consider whether:

- the reported problems have been acknowledged – whether anyone has contacted the victim to advise what action would be taken
- the reported problems have been appropriately investigated
- the victim's vulnerability and/or the potential for harm has been considered and this has affected potential service delivery
- appropriate action has not been taken because information has not been shared between partners and this has affected potential service delivery.

The ASB Case Review does not replace the Council's complaints procedure.

We will use any learning for service improvement.

Supporting and developing our workforce

We will provide regular training for all staff responsible for the management of ASB cases so that they can deal with cases confidently and effectively. Senior managers in the Council Housing Place Management Team will complete case reviews to inform ongoing support and training for officers and enable constant service improvement.

Monitoring our performance

We will monitor, reflect and learn from regular ASB case reviews. We will report on the findings of these reviews at the Council Housing monthly performance monitoring meeting.

Alongside this, we will monitor and report on the number of active and closed cases managed by council housing each month, and on our performance in handling cases, using the following performance indicators. These will be reported to the council housing monthly monitoring meeting and to Housing SMT and the Housing, Regeneration and Development Directorate Management Team:

- Total number of nuisance complaints received in month
- Total number of priority 1 cases acknowledged within 3 days
- CH112 – Anti-Social Behaviour Cases Relative to the Size of the Landlord
- CH080 Number of complaints relating to anti-social behaviour, relative to the size of the landlord
- CH081 – Tenant satisfaction with landlord’s handling of anti-social behaviour (annual survey)
- CH129 – Total number of active ASB cases (P1 and P2)
- CH129a – Total number of active P1 ASB cases
- CH129b – Total number of active P2 ASB cases
- CH130 – Number of ASB cases opened in month
- CH131 – Number of ASB cases closed in month
- CH132 – Percentage of residents satisfied with how ASB was handled (survey used on case closure)
- CH133 – Percentage of residents satisfied with the outcome of their ASB case (survey used on case closure)
- CH134 – Percentage of cases we have kept in contact with as agreed with the victim (survey used on case closure)

Relevant legislation

We follow and works in accordance with government policy and guidance. These can be found at: www.gov.uk/government/publications/anti-social-behaviour-principles/anti-socialbehaviour-principles

The following summarises the legislation that informs the management of ASB and neighbour nuisance:

- The Housing Act 1985
 - The Housing Act 1988
 - The Environmental Protection Act 1990
 - The Housing Act 1996
 - The Crime and Disorder Act 1998
 - The Anti-Social Behaviour Act 2003
 - The Equality Act 2010
 - The Localism Act 2011
 - The Anti-Social Behaviour, Crime and Policing Act 2014
 - The Care Act 2014
 - The Homelessness Reduction Act 2017
 - The Data Protection Act 2018
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Relevant Enfield Strategies and Policies

- Enfield Council Housing Domestic Abuse Policy
- [Fairer Enfield](#), the Council's Equality and Diversity Policy
- [Enfield Safer and Stronger Communities Plan](#)
- Enfield Anti-Social Behaviour Strategy
- Enfield Housing and Good Growth Strategy
- [Enfield Council Plan](#)

