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Introduction

Dealing with Anti-Social Behaviour (ASB), hate crime and hate incidents effectively is a key priority for our tenants and residents living within the whole Borough of Gateshead. This policy has been developed with input from residents, employees and partners and from guidance from the Regulator for Social Housing and the Housing Ombudsman.

Gateshead Council understands the negative impact crime and anti-social behaviour has on our neighbourhoods and communities and takes a pro-active and preventative approach in dealing with this.

We want to make Gateshead a place where everyone thrives. Our [Corporate Plan 2023-28](#) outlines the priority areas for the Council. The plan will guide the work of the Gateshead Council and set out our response to what we believe will deliver good outcomes for the people of Gateshead.

Where we need to, we will also work with partners to ensure a single consistent approach is delivered to protect local communities. Gateshead Council is a statutory partner within Gateshead Community Safety Partnership. The [Community Safety Partnership Plan for 2024-2026](#) sets out the priorities for the next 2 years and the intended action to help us to achieve our vision of ensuring Gateshead is a safe place for everyone. Reducing ASB is one of the 5 priorities identified in the Community Safety Partnership Plan.

We will ensure that any incident or crime perpetrated due to prejudice will be captured, recorded and dealt with as a hate crime. The [Hate Crime Strategy 2024-2026](#) outlines Gateshead Council's plan to proactively reduce the harm caused by hate to individuals, families and communities.

There is no place for hate crime in Gateshead. We will carefully consider our actions, with a focus so as not to disadvantage those protected by the Equality Act 2010. An Equality Impact Assessment has been undertaken to help inform the development of this policy.

Aims and objectives

This Policy sets out our commitment to reducing ASB and improving quality of life for all residents. The policy outlines our overall approach as well as the actions that we will take when a report of ASB or hate is made linked to a Gateshead Council tenancy.

Regulatory Standards, Legislation and Approved Codes of Practice

Regulatory Standards – We must ensure we comply with the Regulator of Social Housing's regulatory framework and consumer standards for social housing in England. The new consumer standards were introduced on 01 April 2024 and detail the four consumer standards which landlords are required to comply with, including:

- The Safety and Quality Standard – which requires landlords to provide safe and good quality homes and landlord services to tenants. This includes stock quality; decency;

health and safety; repairs, maintenance, and planned improvements; and adaptations.

- The Transparency, Influence and Accountability Standard – which requires landlords to be open with tenants and treat them with fairness and respect so that tenants can access services, raise complaints, when necessary, influence decision making and hold their landlord to account. This standard incorporates Tenant Satisfaction Measure requirements.
- The Neighbourhood and Community Standard – which requires landlords to engage with other relevant parties so that tenants can live in safe and well-maintained neighbourhoods and feel safe in their homes.
- The Tenancy Standard – which sets requirements for the fair allocation and letting of homes and for how those tenancies are managed and ended by landlords.

Any changes to the Social Housing Regulations Act 2023 may result in future changes to this policy.

Legislation - The principal legislation applicable to this policy is The Anti-social Behaviour, Crime and Policing Act 2014

Approved Codes of Practice - Complaints about service delivery will be addressed using the Housing Ombudsman's Code of Practice which sets out best practice for landlords to effectively handle complaints, including:

- the stages a process should have
- the timescales to provide a response
- what information must be provided in a complaint response

Compliance with the Code is most effective when landlords operate within established dispute resolution principles: **to be fair, puts things right, and learn from outcomes.**

This Code aims to support the earliest resolution of complaints while the matters are still within the landlord's own procedure. This can avoid issues escalating with further detriment to the resident, requiring more time and resource by the landlord to remedy.

The Code also acts as a guide to residents of what to expect if they make a complaint and improve access and awareness of the procedure when they need it.

In developing this policy, we have had regard to spotlight reports provided by the Housing Ombudsman.

Tenant Engagement

A Customer Workshop has taken place linked to the development of this policy where ideas were shared by customers on how this policy should be developed. Customers on active ASB cases were in attendance who shared recent knowledge and experiences.

Tenants and leaseholders have attended Resident Influence Panels to share opinions linked to ASB and Hate Crime.

As part of learning from complaints, customer feedback has been considered and added to the development of this policy.

Regular information from the ASB satisfaction survey is gathered from customers on ASB cases. Responses are promoted when a case is closed to gather an insight into the customers thoughts following the closure of a case.

Definition of Anti-Social Behaviour (ASB)

The ASB Police and Crime Act 2014 defines anti-social behaviour as;

- (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.

Types of Anti-social Behaviour (ASB) and response times

When a report of ASB, hate crime or incident is made to us we respond by contacting the person who made the report to discuss the issues that they are experiencing and create an action plan on how an investigation will be conducted. The types of ASB we investigate under this policy, linked to a Gateshead Council tenancy, and their initial response times include (this list is not exhaustive);

Types of ASB	Response time
ASB involving the perpetrator of domestic abuse	1 working day
ASB caused by misuse of alcohol or drugs	3 working days
Criminal activity	1/3 working days depending on the activity
Environmental ASB, such as fly-tipping or graffiti	3 working days
Hate crime or hate incident	1 working day
Persistent noise nuisance that occurs regularly and for a period that is unreasonable	3 working days
Repeated abusive behaviour/language	3 working days
Threats to staff	1 working day
Use or threat of violence	3 working days
Youth disorder	3 working days

Environmental Anti-Social Behaviour (ASB)

When you contact us about an environmental anti-social behaviour issue, we will refer to Gateshead Councils Environmental ASB Team. We will ask you whether we can share your details with them, because they may need to speak to you directly to best investigate your report.

What is not Anti-Social Behaviour (ASB)

On occasions the involvement of formal agencies, such as the council or police can cause a dispute to escalate; people may take offence and often matters can be exacerbated, causing a loss of perspective or proportionality. Where there are less serious types of behaviour, we will encourage wherever possible that parties seek to resolve the matter themselves amicably through positive communication.

The following are examples of behaviours that we would not expect to investigate under this policy:

- Actions that are considered as normal everyday activities or household noise e.g. washing machines, vacuum cleaners, use of stairs, occasional dogs barking
- Children playing, ball games or congregating with no associated ASB
- People staring at each other with no other associated behaviour
- People perceived as being unreasonable or unpleasant without significant harm
- Criminal activity, with no links to the area of the tenancy
- Illegal drug use when there is no other associated ASB. Residents will be advised to contact Northumbria Police to report drug related concerns
- Parking, vehicle, fencing or boundary disputes
- Social media comments
- Cooking odours
- One off parties/celebrations
- Property condition or hoarding

Where relevant we will provide advice and signposting to other areas of policy or procedure that may assist in resolving matters.

Please see our Good Neighbourhood Policy for how we deal with issues that may not be covered within this policy.

Hate Crime

The law defines a hate crime as: -

"Any criminal offence which is perceived by the victim or any other person, to have demonstrated or to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity."

The police investigate hate crimes and prosecute offenders. However, not all incidents will result in a crime being investigated as the police can only prosecute an offender when the law is broken.

Therefore, in some situations, we may work alongside the police and agree who is best placed to investigate the issue and provide you with support. We may also take tenancy action if an individual is convicted of a serious criminal offence.

Hate Incident

The Anti-Social Behaviour, Crime and Policing Act 2014 defines a hate incident as any unwanted behaviour, which is demonstrated or motivated by hostility or prejudice or because of a personal characteristic. This could take many forms including:

- Verbal abuse
- Physical abuse
- Threatening behaviour
- Deliberate 'outing' or threat of 'outing'
- Offensive graffiti
- Harassment by phone, text, email or letters
- Cyber Bullying

We have a broad range of tools and powers available to us to tackle those who carry out hate incidents and we will work with you to take swift action, using the most appropriate tool to resolve the issues and support you.

Cross Tenure Issues

This refers to complaints made that involve a Gateshead Council tenant and a person who is a private tenant or homeowner. On these occasions, we may need to work in partnership with other services such as the Council's Private Sector Housing Team, other social landlords, Environmental Health services and the Homeowner Ownership Department.

When cross departmental working is required, you will be provided with one single point of contact (SPOC) who will keep you informed of any actions and progress.

Working in partnership enables us to utilise wider tools and powers linked to tackling anti-social behaviour, hate crime and hate incidents to ensure the best outcome is achieved to remedy the issues.

Types of Tenancy

The type of tenancy that a tenant holds, may impact on the type of action that is taken in relation to the outcome from an investigation.

Introductory tenants

All new tenancies begin with an Introductory Tenancy for a 12-month period. If there are no significant concerns during the initial 12 months an introductory tenancy automatically becomes a secure tenancy.

Existing secure tenants who transfer properties or mutual exchange their property with another tenant will retain their secure tenancy.

Secure Tenants

A secure tenant is granted a secure tenancy when the introductory tenancy period has been completed.

Making a report of Anti-Social Behaviour (ASB) or Hate

We encourage any incidents of ASB or hate to be reported as soon as possible. This will allow us to provide appropriate advice and begin an investigation, while offering support at the earliest opportunity.

You can report an incident online, via telephone or email and in person at Gateshead Civic Centre.

A report can be made direct to the Neighbourhood Housing Team via telephone or email.

0191 433 5353 / housingoffice@gateshead.gov.uk

Safe reporting centres are a safe and neutral location within the community where a report can be made in relation to hate. Anyone can use this facility, regardless of whether they are a victim, witness, or someone who holds information that needs to be reported.

To find your nearest reporting centre, please visit our website.

[Hate Crime safe reporting centres](#)

We also encourage you to report a hate crime to Northumbria Police as well as to us.

[Northumbria police - report a hate crime](#)

If you witness any offensive graffiti, this can be reported on our website, and this will be removed as a priority

[Reporting Graffiti](#)

Anonymous Complaints

We encourage customers to provide us with their details so that the appropriate support, updates and feedback can be provided. We look to understand the problems that you are experiencing and feel that direct communication helps us with this. Information that you provide will not be disclosed to any other person without discussing this with you first.

We will respect any requests to remain anonymous and a complaint received anonymously will not be ignored. However, this may limit the investigation or actions that we can take.

It is difficult to take action against a tenancy solely on an anonymous complaint. All anonymous reports will be recorded when they are received. We will make reasonable

attempts to substantiate the report, for example by carrying out letter drops and speaking to local policing teams where appropriate.

Commitment to the customer

Throughout our investigation we will keep in regular contact with the customer providing updates and managing expectations from the outset. We will ensure that they understand the process and potential outcomes as well as offering the relevant support throughout our investigations. We will provide a named investigating officer and contact details.

There may be occasions where we can't share information with the customer if this relates to another person's tenancy or personal circumstances, however we will always explain the reason why.

There may be occasions where we feel that the situation would benefit from a multi-agency approach to dealing with the incident(s) reported. We will keep all data safe and secure. Information will only be shared with other agencies with the customer's consent, unless there is a risk to the person.

All information that we do receive and discuss with the customer will be treated with a sensitive approach.

Support for the customer

When you report an ASB or hate related incident we will listen to you and take you seriously. We will also ask you some questions as part of our Customer Assessment Tool (CAT), to help us understand what has happened and what impact the situation may be having on you, to ensure we offer you advice and support that meets your needs and keeps you safe.

If you ask us to, we will talk and listen to any friends or family members who are supporting you, who might be able to help us gather evidence.

In addition, we will consider any information you share with us from any medical professionals or other professional agencies you are working with as well as any information you share with us about your physical or mental health, which may make you more vulnerable or more affected by the issues you are experiencing. We will also provide information to medical professionals in relation to what you're experiencing if you wish us to do so.

We will regularly review and update your CAT with you to ensure the support we provide, meets your needs. We will treat any information you share with us sensitively.

If you feel you are unsafe in your home, we may be able offer security measures to you. We will look at the type of property you live in and what appropriate measures we have available to us.

We will refer you to support agencies and share information with them if you wish us to do so. An example of the support services we refer to are as follows.

- Northumbria Victim & Witness Service
- Health related services
- Advocacy Services
- Peer Support
- Oasis
- MIND
- Age UK

Case Action Plan

As part of the initial investigation, we will create a shared action plan for both the investigating officer and the customer on the case.

We will agree the actions that we will take to investigate and resolve your complaint with you. We will keep you updated on the investigation and contact you every 10 working days, unless agreed otherwise with you.

We will tell you if there are any actions that we need you to take and for how long explaining the reason behind this.

We will also agree with you, which other agencies or services we will work with to help us investigate the issues and support you. We will not share any of your personal information without your consent, unless we have a legal duty to do so.

We will regularly review the case with you, to ensure you are kept up to date with progress, changes and actions, amending action plans throughout the process if needed.

What we expect from you

Your co-operation with our investigation once you have made a complaint in relation to ASB, hate crime or a hate incident.

This may require you to help us gather evidence, an example being to keep incident diaries or using the noise app.

Report relevant incidents to appropriate agencies, such as the police.

Provide us with feedback once your case is resolved through a satisfaction survey.

Anti-Social Behaviour (ASB) and Children

Children who perpetrate or are victims of ASB may have many complex support needs. The council will seek to address any support needs identified in children, whatever their role within the ASB may be through available and appropriate partnership support. There will be a focus on intervention, behaviour change and protection of the child.

People with vulnerabilities

A person may be vulnerable for a variety of reasons, for example, mental or physical ill health, learning disability, drug or alcohol dependency or being subject to trauma. A vulnerable person can be the victim or perpetrator. If a person is deemed vulnerable, interventions are made as soon as possible to prevent further problems occurring. Every effort is made with vulnerable people to try and resolve issues. Actions taken by the council will be proportionate to their behaviour and we will consider the circumstances and attitudes surrounding the individual throughout the investigation.

Safeguarding

Safeguarding is everyone's responsibility, and we all have a duty to prevent abuse or neglect in both children and adults, reporting any concerns.

As part of our investigations we will consider if a person has care and support needs, is experiencing or is at risk of experiencing abuse or neglect, or is unable to protect themselves from the risk, or the experience of the abuse and neglect.

If we feel that a child or adult requires Safeguarding, we will raise a concern and take a multi-agency approach to address the concerns.

The Investigation

Interviewing the alleged perpetrator

In all circumstances, whereby a complaint of ASB has been received, contact will be made with the alleged perpetrator at the earliest opportunity (except in cases where a without notice injunction is being considered or where the complaint is believed to be vexatious).

During the interview (which can take place either in an office, at the home, or a neutral venue), the alleged perpetrator will be given an impartial and fair opportunity to respond to the allegations/complaints. The investigating officer will be responsible for explaining the consequences of the behaviour, and next steps in the investigation, including the tools available to evidence the nuisance and possible further actions.

The investigating officer will always document the interview on the ASB case and follow the interview up in writing with the perpetrator. The alleged perpetrator will be spoken to whenever a new complaint is received.

Regular contact will be made or attempted with the alleged perpetrator throughout the investigation. It is our aim to identify why a person is behaving in a certain way in order to resolve the situation in the most effective and efficient way, supporting behaviour change.

Supporting perpetrators to change behaviour

We recognise that some perpetrators may have support needs and that this may be the reason behind the anti-social behaviour. We will actively seek to establish if a perpetrator has support needs at the start of the investigation and seek their consent to make referrals to the appropriate services where appropriate. If a perpetrator is already involved with a support service, we will discuss us sharing information with them.

In some priority cases where urgent legal action is taken, the invite to discuss support needs may take place with the perpetrator after the action has been taken.

The support will be available throughout the investigation. Supporting perpetrators can often have a positive impact on both the individual and the wider community and helps to prevent displacement of the anti-social behaviour and encourage behaviour change.

Counter Allegations

We will remain impartial in all investigations. We will proportionately investigate any counter allegations received. Feedback will be provided to the person who made the complaint, and an action plan agreed, if relevant.

Gathering Evidence

As part of any investigation and progressing both informal and formal actions we require evidence to support the complaint. We ask our customers to assist in us gathering this evidence as we understand that they are the people who are impacted most.

If legal action is to be considered, we are required to satisfy the Courts that the grounds for the particular application, such as Injunction Application or Possession Proceedings are proven to the required standard of proof. This is on the balance of probabilities.

The emphasis should be on the detail and quality of the evidence provided. This should include exact dates, times, details of the incident and the impact that this has had. Exact speech, body language and movements are required when describing behaviours of a person. This is needed when the evidence is put in a statement form to present to the Courts.

Hearsay evidence is information received from other people that wish to remain anonymous in the investigation or information that has been passed by another party. This evidence can be considered, however there are limitations with this and the Judge being unaware of who is providing the evidence can make it difficult for them to evaluate the evidence.

If a customer fails to work with us in gathering the evidence, if there are no further routes of investigation, the case will be closed.

We will discuss with you the best way for us to gather the evidence required as it can be gathered in different forms detailed below.

- **Diary of events** - This can be shared with the officer by email, paper incident diaries, telephone or any other way that the customer and investigating officer agree.
- **CCTV/Video doorbell footage** - Customers can provide footage of incidents from footage that they control and manage. This can be in the form of CCTV or video doorbells. This can be used as evidence with the customers consent, shared with the court or the investigating officer can detail what they have viewed if required. It is important to note that the customer must also have witnessed and been impacted by this behaviour. CCTV footage cannot be used if the behaviour it has recorded did not impact anyone directly.
- **Noise Recordings** - The Noise App can be issued to customers which will allow short recordings. Investigating officers also have access to Noise Equipment which can be installed to capture ASB linked to noise if required.
- **Professional Witnesses** - Investigating officers can provide evidence as a professional witness. This could include witnessing the ASB themselves when carrying out tenancy visits, planned sit-ins or noise comparisons. This may also include interviews and conversations had with both the customer and the perpetrator of the ASB. These actions would be detailed in a statement provided by the officer to support the relevant action. Statements from partner agencies may also be used as evidence.

Prevention action

Preventative methods are an essential part of our approach in reducing incidents of ASB in our communities. Investigating officers are encouraged to bring about positive change using various interventions and a holistic approach, without having to instigate legal action where possible. With this, our aim is to create sustainable tenancies due to the reduction in anti-social behaviour and hate crime/incidents.

Ways in which we try to prevent anti-social behaviour, hate crime or hate incidents occurring are as follows.

- **Vetting Prospective Tenants** – housing applicants may be excluded from the housing register if previous criminal convictions and/or behaviours are identified that, if they had been a tenant the time of the incident, would have resulted in grounds for outright possession of the property. Decisions are made on a case-by-case basis.
- **Sensitive Let** – if there has been a particular concern linked to a property, we can carry out additional checks for prospective tenants in certain circumstances
- **Offer Checks** – additional checks may be carried out on prospective tenants and the surrounding properties where it has been identified that there may be risks to the prospective tenant or the community.
- **Multi-agency working** – information is shared between partner agencies where needed
- **Tenancy Support** – support put in place to enable tenants are able to manage all aspects of their tenancy
- **Target Hardening** – aimed to design out ASB from a location such as lighting schemes. This is subject to available funding.

Further information linked to some of these actions can be found in Gateshead Council's Allocations Policy - [Gateshead Council - Allocations Policy](#)

Informal Action

Gateshead Council's aim is to intervene at the earliest opportunity to prevent cases escalating and to sustain tenancies. We look for the cause of the issue to prevent further incidents as well as look at the appropriate options informally to deal with the situation that arises.

Informal action that we consider.

- **Advice and educate linked to behaviours** – on occasions a discussion and guidance linked to certain incidents may resolve a situation. We always look to ensure the perpetrator understands the impact that their behaviour is having on others.
- **Formal warnings** – as part of this warning, the consequences of future incidents will be explained and support offered to the perpetrator. There is no specific number of warnings that can be issued and no specific time frame for warnings to be reissued. This will be decided on a case-by-case basis and discussed with customers at each stage of an investigation.
- **Joint visits** – we work closely with partner agencies, such as police, adults/children's social services. As part of informal action, we may involve these agencies and carry out a joint visit to discuss the incidents we are investigating.
- **Mediation** - a process where parties meet with a neutral person who assists them to negotiate on their differences
- **Referral to partner agencies** – it may be more to refer the perpetrator to other agencies, such as drug and alcohol support services, mental health support service to prevent a situation escalating.
- **Acceptable Behaviour Agreements** – a signed agreement a person makes in relation to their behaviour

Enforcement – the Tools and Powers we can use

There are a range of tools and powers available to us that we use to tackle anti-social behaviour, hate crime and hate incidents when informal remedies have failed, or the case is so serious that informal action of any form would be ineffective, and we believe that legal action is appropriate immediately.

The process of taking legal action against a tenancy or person, can be a lengthy process. When applying to the courts, we must demonstrate that all other reasonable courses of action have been tried before bringing the matter to court.

Choosing the right course of action must reflect the urgency and severity of the behaviour, the needs of the victim and the circumstances of the individual perpetrator.

Some of these actions may be taken in partnership with other agencies.

We work closely with legal services and consult with them at the earliest opportunity when formal legal action is required.

All legal action taken, must be proportionate to the incident(s) that have occurred and justified in the reason that the action is being pursued.

Legal actions that are considered.

- **Community Protection Notice** – used for ongoing ASB that has a negative impact on the community's quality of life. A Community Protection Warning must be issued initially in writing and clearly outline the behaviour that is unacceptable and what is expected of the perpetrator.
- **Extension of an introductory tenancy** – a notice to delay a tenancy turning to a secure tenancy, setting out the reasons why this is being sought.
- **Abatement Notice** – to protect residents from Statutory Nuisance.
- **Notice of Termination** – proceedings for Gateshead Council to gain possession of a property which has an introductory tenancy.
- **Notice of Seeking Possession** – the process of Gateshead Council attempting to gain back possession of their property. This can be a lengthy process and can be in the form of a Mandatory or Discretionary notice.
- **Anti-social Behaviour Injunction (including power of arrest)** - An order that can be granted against an individual that is designed to stop or prevent them acting in an anti-social manner.
- **Partial or Full Closure Order** – an order that can be granted to prevent or restrict access to a property, which is being used to commit nuisance or disorder.

Multi-Agency and Partnership working

Gateshead Council acknowledge that tackling and preventing ASB and hate often cannot be done by one agency alone. We therefore work closely with other agencies who can support our tenants, including all parties involved, and assist in the investigation. These can be agencies within the council or external agencies.

If another agency highlights an ongoing issue involving a Gateshead Council tenant, we will approach the tenant to offer support and carry out an investigation.

We work with both internal within Gateshead Council and external partners including but are not limited to.

- Adult Services
- Children's Services
- Neighbourhood Policing Teams
- Drug and alcohol support services
- Tenancy support services
- Victim support services
- Private Sector Housing Team
- Tyne and Wear Fire Service
- Probation service

- Health Services

Case Closure and Resolution

Investigating officers will close cases in a timely manner so that cases are not open longer than necessary. We will discuss case closure, timescales and reasons for this with you, so you understand the reason for our actions. Any case closure will also be confirmed in writing.

A case will be closed when.

- A successful resolution has been achieved
- The case has been assessed, and the relevant information has been shared or signposted to appropriate services.
- There have been no incidents linked to ASB or hate for a period of time, and appropriate action has been taken whether this be formal or informal action
- If all routes of investigation have been exhausted and there is insufficient evidence to prove that the incidents occurred to the required standard of proof, or the incidents have been deemed not to be ASB or hate related
- Non engagement from the customer after numerous attempts have been made to encourage engagement.

ASB Case Reviews

An ASB Case Review allows a victim experiencing anti-social behaviour, to request a formal review of their case and bring agencies together to take a joined up, problem solving approach to find a solution for the victim.

The ASB Case Review threshold is met when.

- An application for an ASB Case Review is made, and
- At least three qualifying complaints have been made about anti-social behaviour.

The complaints could be made to the same or different organisations, the complaint is made within 1 month of the alleged incident occurring and the ASB Case Review is activated within 6 months from the date of the complaint.

Requests for an ASB Case Review to be activated are co-ordinated by the Northumbria Office of the Police and Crime Commissioner (OPCC). Further information on this can be found via the following link.

[ASB Case Review](#)

The Neighbourhood Relations Team Manager attends these reviews in relation to Gateshead Council tenancies.

Quality Assurance, Monitoring, Performance and Customer Satisfaction

We will monitor our performance through the following measures:

ASB Key Performance Indicators reported through the Council's internal governance arrangements and to the Regulator for Social Housing:

- Number of ASB cases opened per 1,000 homes
- Number of ASB cases that involve hate incidents opened per 1,000 homes
- How satisfied or dissatisfied are you with your landlord's approach to handling of ASB? (annual perception survey)
- % of residents satisfied with how their ASB case is handled (transactional survey on ASB cases)

We will also use wider management information and learning from complaints and feedback to monitor the effectiveness of this policy including:

- Quarterly monitoring of ASB and hate cases by number and type reported
- Number of formal and legal actions taken
- Number of cases where investigations have begun on time (1 day or 3 days)
- Reasons for case closure
- Annual summary report to Housing Portfolio
- Analysis on complaints and compliments
- Analysis of ASB case reviews

Service Standards

Our service standards have been developed and informed by customers ensuring that these focus on the areas that are important to them. The service standards are referred to throughout this policy.

We believe that everyone has a right to enjoy their home and feel safe where they live. We are committed to working with residents and other agencies to tackle anti-social behaviour and hate incidents.

What you can expect from us;
We will respond to all reports of ASB and hate incidents in the appropriate timescale detailed in the policy and provide you with a named investigating officer
We will offer you an appointment to discuss your concerns, either in person or by telephone
We will investigate and take appropriate action to resolve ASB in line with our ASB and Hate incident Policy

We may work with other agencies to resolve cases, for example with the police, social care, health and community safety partners
We may offer mediation if this is an appropriate way to resolve the issue
We will undertake a Customer Assessment tool with the complainant; this will be used to help identify any risks and to ensure that victims receive appropriate support and intervention tailored to their circumstances; this could be provided directly from us or through referrals to other agencies
We will agree an action plan with you, this will set out the actions that we will aim to complete and what actions we expect the complainant to complete
We may ask you to use incident diaries, noise recording systems or other personal observations of incidents. We will explain to you how this is done and for what period of time
We will keep you updated throughout the case investigation every 10 working days unless agreed otherwise
We will use the lowest appropriate level of sanction in all cases; where informal sanctions have failed and there is evidence of further nuisance we will use appropriate legal sanctions, such as injunctions or possession orders
When we close a case, we will discuss this with you and send you a letter confirming the outcome and explaining how you can complete a satisfaction survey detailing how you thought the case was dealt with and to provide any feedback that you may wish to make
We will keep your personal data safe and secure and not share it with other organisations without your consent, unless required to do so by law

What we expect from you;
Your cooperation with our investigation process once you have made a complaint of ASB
Help us gather evidence, for instance by keeping diary sheets or using a noise app
Report relevant incidents to appropriate agencies, such as the police
Tell us if you feel you need additional support
Provide us with your feedback once your case is resolved through a satisfaction survey

Implementation and Training

Following the approval of this policy we will review and update ASB and hate related procedures and staff guidance. We will also need to undertake a review of the ASB case management system within NEC. The implementation work will include the roll out of refresher training of the policy including a focus on customer service and service standards.

Policy Review Statement

This policy will be reviewed every 2 years, or earlier, in line with Government Guidance, best practice and legislative changes. As part of the review, we will consult with stakeholders on the contents and effectiveness of the policy.

Approval

Strategic Lead: **Strategic Director** _____
Name: _____
Signed: _____
Date Approved: _____

Strategic Lead: **Service Director** _____
Name: _____
Signed: _____
Date Approved: _____

Glossary

This glossary defines key terms used throughout this policy:

Term	Definition
Anonymous	a person not identified by name or of unknown name
Alleged	said, without proof, to have taken place or to have a specified illegal or <u>undesirable</u> quality.
ASB	Anti-Social Behaviour
Annoyance	the feeling or state of being <u>annoyed</u> ; irritation
Conduct	the manner in which a person <u>behaves</u> , especially in a particular place or situation.
Counter Allegations	both parties involved in a situation make claims that the other person has done something wrong, often in a response to a previous accusation.
Evidence	the available body of facts or information indicating whether a belief or <u>proposition</u> is true or valid
Hate	Hate crime or hate incident
Hearsay	information received from other people which cannot be <u>substantiated</u> ; rumour.
Nuisance	a person or thing causing inconvenience or annoyance.
Perpetrator	a person who carries out a harmful, illegal, or <u>immoral</u> act.
Persistent	continuing firmly or obstinately in an opinion or course of action in <u>spite</u> of difficulty or opposition
Possession Proceedings	legal steps a landlord takes to regain possession of a property
Prospective tenant	an individual who is considering renting a property but hasn't yet signed a lease agreement
Proportionate	corresponding in size or amount to something else
Vetting	the process of performing a background check
Vulnerabilities	the quality or state of being exposed to the possibility of being attacked or <u>harmed</u> , either physically or <u>emotionally</u> .

Supporting Information

Supporting Information	Link
Making Gateshead Thrive Corporate Plan	https://www.gateshead.gov.uk/article/25748/Corporate-Plan-2023-28
Safer Gateshead Partnership Plan	https://www.gateshead.gov.uk/media/43470/Safer-Gateshead-Partnership-Plan-Sept-2024/pdf/6161-PS-Safer Gateshead Partnership Plan Sept 2024.pdf?m=1729518592587
Hate Crime Strategy	https://www.gateshead.gov.uk/media/41958/Hate-Crime-Strategy-2024-26/pdf/6339-PS-Hate Crime Strategy July 2024 002.pdf?m=1720795021217

Good neighbourhood Policy	Link to be added
Hate Crime Reporting Centres	https://www.gateshead.gov.uk/article/16983/Hate-Crime-safe-reporting-centres
Northumbria Police – reporting a hate crime	https://www.northumbria.police.uk/ro/report/hate-crime/triage/v1/report-hate-crime/
ASB Case review	https://northumbria-pcc.gov.uk/commissioning-victims-support/asb-community-trigger/
Gateshead Council Allocations Policy	https://www.gateshead.gov.uk/article/22131/Allocations-Policy#App1
Data Protection	Data Protection - Gateshead Council

Additional Legislation

Additional Legislation	
Anti-social Behaviour, Crime and Policing Act 2014	https://www.legislation.gov.uk/ukpga/2014/12/content_s
Environmental protection Act 1990	Environmental Protection Act 1990
Crime and Disorder Act 1998	Crime and Disorder Act 1998
Housing Act 2004	Housing Act 2004
Domestic Abuse Act 2021	Domestic Abuse Act 2021