

# ASB TOOLKIT

We believe our customers should feel safe and secure in their home and local community without suffering from the anti-social activities of others. RHP deals with reports of anti-social behaviour (ASB) quickly and effectively, applying a victim-centred, problem-solving approach and working with residents, Police and local agencies to tackle and prevent ASB.

RHP defines ASB in line with the Anti-Social Behaviour, Crime and Policing Act 2014 as follows:

*'Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person... conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises...conduct capable of causing housing-related nuisance or annoyance to any person.'*

Here's some information on common types of ASB and what we do to tackle them.



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# Animals and pets

Many households have pets, and, in most circumstances, they don't cause any issues. If you're concerned about the welfare of an animal or have concerns, please contact the RSPCA who will investigate your concerns. If you are concerned that your resident is breaching the terms of their tenancy due to a nuisance being caused by a pet, please get in touch to discuss this further. Nuisance caused by animals and pets can include:

- ▶ Noise
- ▶ Fouling
- ▶ Smell
- ▶ Biting
- ▶ Aggressive behaviour
- ▶ Out of control in public spaces

## What you can do

- ▶ Report concerns of animal welfare to the RSPCA.
- ▶ Speak to the owner about how you are being affected if appropriate (e.g. dog barking).
- ▶ Report nuisance caused by animals to RHP for advice and investigation.

- ▶ Report criminal offences caused by animals to the police (e.g. dangerous dogs/dog biting).
- ▶ Support RHP in acting by providing evidence of the nuisance. For example, use the Noise App for dog barking.
- ▶ Provide a witness statement to help support any enforcement action taken by RHP.

## What we can do

- ▶ Investigate reports of animal nuisance made to us.
- ▶ Speak to the owner about the reports and remind them of tenancy terms.
- ▶ Taken tenancy enforcement action where a breach of tenancy can be evidenced using proportionate action.

## What we can't do

- ▶ Remove pets without justification if they aren't causing a nuisance.
- ▶ Discuss the personal circumstances or reason for someone having a pet (e.g., an assistance dog) in line with data protection regulations.
- ▶ Take enforcement action without evidence.

# Criminal behaviour

Criminal behaviour refers to the unlawful behaviour of an individual. If you believe a crime has been committed you should report this to the police by calling, **999** in an emergency, 101 for non-emergencies. You can also report a non-urgent crime online at <https://www.police.uk/pu/contact-the-police/report-a-crime-incident> or use [www.crimestoppers-uk.org](http://www.crimestoppers-uk.org) if you wish to remain anonymous.

If the criminal offence involves an RHP customer, please report it to us once the police have been informed, so we can work with police to see what action we need to take as a landlord. Criminal behaviour is a breach of the tenancy agreement and if an RHP customer is convicted of a criminal offence we will take the appropriate enforcement action to deal with this.

## What you can do

- ▶ Report criminal activity to the police for investigation.
- ▶ Report to RHP if the alleged perpetrator is an RHP customer.
- ▶ Report to RHP if you're the victim of a crime, so that RHP can see what support and advice we can offer you (this may include a referral to another agency for support).
- ▶ Support action taken by the police and RHP by providing evidence and a witness statement to support action taken.

## What we can do

- ▶ Where appropriate, RHP will work with police and other partners to tackle criminal behaviour. However, the police are the main partner for criminal activity.
- ▶ Take tenancy enforcement action where criminal offences can be evidenced or where someone has been convicted of a criminal offence. In serious cases this could be an ASB injunction or an eviction as a last resort.
- ▶ Support victims of crime and safeguard them from further harm. We can refer them to supporting charities such as Victim Support.
- ▶ Refer vulnerable adults to supporting agencies for help.
- ▶ Use CCTV for the prevention of criminal activity.

## What we can't do

- ▶ We're not the police, so we don't have powers to stop criminal activity. We will however work with partnering agencies to tackle this.
- ▶ Take enforcement action without proof or a criminal conviction.
- ▶ Investigate criminal activity, this is a matter for the police.
- ▶ Put our employees in danger, whilst we will visit where appropriate, we may not be able to, however we will work with and visit with the police where necessary.
- ▶ Share personal information about your neighbour or perpetrator or actions we have taken to address your concerns unless you're asked to provide a statement for court.
- ▶ Act without the cooperation of victims/witnesses or evidence. For example, we may not be able to take the case to court without supporting witness evidence in the form of a statement.

# Cuckooing

This is where criminal gangs exploit vulnerable people by taking over someone's home for the use or supply of drugs or criminal activity. Signs that cuckooing may be happening at a property include:

- ▶ A change in behaviour of the residents.
- ▶ An increase in visitors to their property (sometimes at unsociable times).
- ▶ An increase in anti-social behaviour.
- ▶ An increase in cars and bikes outside the property.
- ▶ Damage to the door/window or property in general.
- ▶ Litter and drug paraphernalia.
- ▶ Communal doors being left open/repeatedly damaged.
- ▶ Unknown visitors trying to gain entry to a block.

# Drugs

The use of drugs and related issues can be hugely detrimental to communities and cause a significant nuisance. Any drug-related issues are a criminal matter and should be reported to the police for investigation. We also understand that the smell and use of drugs by others can be detrimental to everyone involved, so we work closely in partnership with the local police to tackle drug issues across our estates. Residents should report drug activity to the police so they can gather intelligence on drug hotspots and take action to combat drug crime.

## What you can do

- ▶ Report drug-related activity or concerns for a resident being cuckooed to the police by calling 101, unless it's an emergency or outside a school, in which case you should call **999**.
- ▶ Contact your local safer neighbourhood policing team.
- ▶ Call Crimestoppers anonymously on 0800 555 111 or report online through the [Metropolitan Police ASB page](#).
- ▶ If you have concerns for a vulnerable neighbour, you can also report this as a safeguarding concern to your local authority via their website or by phone.
- ▶ Report your concerns to RHP giving as much information as you can. We may ask you to complete diary sheets if appropriate to understand the issues better. We'll ask you to provide reference numbers of the reports you've made to the police.
- ▶ Don't put yourself at risk, don't approach any individuals you believe to be participating in criminal activity, report it!
- ▶ Support action taken by the police and RHP by providing evidence and a witness statement to support action taken.

## What we can do

- ▶ Where appropriate, RHP will work with police and other partners to deal with the range of ASB issues related to the misuse of drugs. However, the police are the main partner for drug-related issues.
- ▶ RHP will take tenancy enforcement action where drug-related offences can be evidenced or where someone has been convicted of a criminal offence relating to drugs. In serious cases, this could be an ASB injunction or an eviction as a last resort.
- ▶ RHP will support victims of cuckooing to move them to a place of safety and safeguard them from further harm.
- ▶ Refer vulnerable adults to supporting agencies for help.
- ▶ Secure properties that have been taken over to prevent further access.

## What we can't do

- ▶ We don't have powers to stop people using drugs. We will however work with partnering agencies to tackle this.
- ▶ Take enforcement action without proof of drug use/drug dealing.
- ▶ Investigate drug dealing, this is a matter for the police.
- ▶ Put our employees in danger, whilst we will visit where appropriate, we may not be able to, however we will work with and visit with the police where necessary.
- ▶ Share personal information about your neighbour or actions we have taken with your neighbour to address your concerns unless you're asked to provide a statement for court.
- ▶ Act without the cooperation of victims/witnesses or evidence. For example, we may be able to take the case to court without supporting witness evidence in the form of a statement.

# Domestic abuse

Our tenants and homeowners should not live in fear of violence or abuse. Domestic violence and abuse are serious crimes and we're committed to providing a sensitive and confidential response to anyone approaching us for assistance in cases of domestic abuse. RHP will work in partnership with the appropriate agencies to take reasonable and proportionate steps to support any victim of domestic abuse living within our properties.

We recognise the significant impact that domestic violence and abuse can have on an individual's life and will not accept any form of domestic violence and abuse within our properties. We recognise that some victims may be vulnerable and consequently RHP employees will report any allegation or suspicion of abuse in accordance with current safeguarding regulations. Victims of abuse have the right to be treated fairly in a way that respects their human rights, independence, and choice.

## What you can do

- ▶ If you're a victim of Domestic Abuse and need our help please get in touch with us so we can support you.
- ▶ Report to other agencies able to provide support such as the police the relevant local authorities Independent Domestic Violence Advocate.
- ▶ If it's an emergency, call **999**.
- ▶ Contact [nationaldahelpline.org.uk](https://nationaldahelpline.org.uk) - **0808 2000 247** for 24-hour help and advice.

- ▶ If you're concerned that someone is the victim on domestic abuse, use the information provided above to report your concerns as appropriate.

## What we can do

- ▶ Listen. We will treat all reports confidentially wherever possible and protect the anonymity of both victims and witnesses. Exceptions to this may be where we believe someone is at a serious risk of harm, or we have concerns for the welfare of a child.
- ▶ We will refer to and work with supporting agencies to provide support to victims of domestic abuse and ensure they are safe.
- ▶ Follow any recommendations of the local authorities Multi Agency Risk Assessment Conference (MARAC), we will follow any recommendations or action plans that may arise from them.
- ▶ We will assess the risks posed by perpetrators of domestic violence in a way which is necessary, proportionate, and safe.
- ▶ We take a victim-centred approach in responding to reports of domestic abuse. We recognise that evidence of domestic abuse may not be easily available, and we will work with the victim to ensure they are safe.
- ▶ Evidence will be required where legal action is to be taken, and some verification may be needed where certain solutions, such as management transfers, are being considered.



- ▶ Where appropriate we will offer extra security to victims and their homes.
- ▶ Where it is evidenced that a victim and/or their family are at high risk of direct harm we will consider temporary accommodation and / or a referral to the Management Transfer Panel to consider a permanent move if appropriate.
- ▶ We will support victims to rebuild their lives by working with them and other support agencies. We will ensure that where children and young people are affected by domestic abuse, they too have access to services as early as possible. RHP will signpost families to Achieving for Children where appropriate.
- ▶ Where victims are unable to engage, and where the behaviour is having an impact on neighbours, we may consider addressing the behaviour under our Anti-social Behaviour Policy or Tenancy Agreement if appropriate.
- ▶ We may take legal action against perpetrators of domestic abuse where necessary with the co-operation of victims, witnesses and police.
- ▶ We recognise that incidents of domestic abuse are extremely sensitive, we may however share relevant information with local agencies such as the police, to deal with cases more effectively by either gathering extra evidence to carry out enforcement measures against the perpetrator or sharing information in the interests of the victim and/or their dependants to provide better or more effective support.

## What we can't do

- ▶ Victims and support agencies are expected to engage and work with us. If a victim or agency doesn't want to work with us, we may not be able to help.
- ▶ Provide temporary accommodation for Homeowners, however we will signpost to supporting agencies.
- ▶ Take legal action without evidence or the support of victims, witnesses and the police.

# Fly tipping

Fly tipping is the illegal dumping of rubbish. Not only is it damaging to the environment, it's costly for residents and a serious criminal offence which can lead to large fines or in serious cases imprisonment.

## What you can do

- ▶ Report it. If you see someone fly tipping on RHP land, please report it to us via our customer services team. It is important that you provide as much detail as possible about the time, date, and location so that we can act swiftly to remove the Fly tip.
- ▶ Support RHP and the local authority in taking enforcement action against anyone who fly tips on our land by providing a witness statement supporting legal action.

## What we can do

- ▶ Remove it. We will arrange for our bulk van to collect a fly tip once reported to us.
- ▶ If we can identify and evidence who has fly tipped, we will take appropriate tenancy enforcement action.
- ▶ We will report anyone we can evidence has fly tipped on our land to the relevant local authority and support criminal prosecution.
- ▶ Use CCTV in popular fly tipping areas to deter and evidence Fly tipping.

## What we can't do

- ▶ Act against an individual without evidence of fly tipping.
- ▶ Check CCTV without specific dates and times or the identity of the person.

If you would like further information about RHP's approach to tackling ASB, our ASB policy can be found at [www.rhp.org.uk](http://www.rhp.org.uk).

If you're not happy with advice or actions being taken in the handling of your ASB case, you can contact your local authority and request an independent ASB Case Review which RHP will fully participate in. We welcome a multi-agency approach in providing help and support.

You'll find helpful information at [asbhelp.co.uk](http://asbhelp.co.uk) or by contacting [Victim Support](#) or [Citizens Advice](#).

If you need further help from RHP, get in touch at [www.rhp.org.uk](http://www.rhp.org.uk) or by calling **0800 032 2433**.

# Harassment and stalking

Harassment and stalking are criminal offences and should be reported to the police. Harassment can take many different forms and it's important to explain to the police and agencies how the harassment is affecting you.

Harassment is defined as:

*'The act of systematic and/or continued, unwanted and annoying actions of one party or a group, including threats and demands.'*

Examples of harassment are below. If you feel you are being harassed, please report to the police and RHP so that we can provide you with the correct advice and support:

- ▶ Hate incidents where the abuse involves your race, religion, gender, sexual orientation, age or disability.
- ▶ Intimidating behaviour.
- ▶ Violence or the threat of violence to another person.
- ▶ Abusive language.
- ▶ Malicious phone calls, text messages and emails.
- ▶ Stalking.
- ▶ Begging.
- ▶ Hoax calls.
- ▶ Animals not properly restrained in public places.
- ▶ Targeted noise nuisance.

## What you can do

- ▶ Report any incidents of harassment and stalking to the police for investigation.
- ▶ Report the incident to RHP so that we can liaise with the police and provide you with advice on how we support you.
- ▶ Keep diary sheets for two weeks and send this to [customer.services@rhp.org.uk](mailto:customer.services@rhp.org.uk) for us to review. Detail how you're being affected and what the behaviour is.
- ▶ Use the Noise App to record sounds you can hear if appropriate.
- ▶ If you feel threatened or unsafe at any time, or you believe a criminal offence has been committed, you should report this to the police immediately
- ▶ Provide RHP with any police report references made
- ▶ Give us your permission to speak to your neighbour about the reports you've made. (Unless you feel unsafe. We will work with you to make sure you always feel safe)
- ▶ Assist us by providing information and being a witness in court if legal action is necessary.
- ▶ Contact the [National Stalking Helpline](#) for advice and support.

## What we can do

- ▶ Investigate the reports made and contact the police to see what action they are taking in relation the reports made.
- ▶ Advise you on actions that we may be able to take and give advice on support services available where appropriate.
- ▶ With your permission, speak to your neighbour regarding the reports you've made.
- ▶ Work with the police to resolve the situation.
- ▶ Work with other professional agencies who may be supporting you or the alleged perpetrator.
- ▶ In serious cases we may issue warning letters, issue an Acceptable Behaviour Contract, or enforce the Tenancy Agreement by taking legal action.

## What we can't do

- ▶ Take enforcement action without proof of harassment/stalking
- ▶ Put our employees in danger, whilst we will visit where appropriate, we may not be able to, however we will work with and visit with the police where necessary.
- ▶ Share personal information about your neighbour or actions we have taken with your neighbour to address you concerns unless you're asked to provide a statement for court (in line with data protection).
- ▶ Act without the cooperation of victims/witnesses or evidence. For example, we may be able to take the case to court without supporting witness evidence in the form of a statement.

# Hate crime

RHP takes a zero-tolerance approach all forms of hate incidents and/or hate crimes that target people based on their age, disability, ethnicity, religion, sex, sexual orientation or any other protected characteristic outlined in the Equality Act 2010.

We encourage customers to report all forms of hate incidents and/or hate crimes to RHP and the police. We work in partnership with the police and other agencies to investigate and resolve reported incidents. We will take a victim- centred approach to dealing with reported incidents.

We have adopted the definition of “hate incident” used by the Home Office and the Association of Chief Police Officers (“ACPO”):

***‘Any incident which constitutes a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hate’.***

We have adopted the definition of “hate crime” used by the Crown Prosecution Service and ACPO:

***‘Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person’s race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.’***

## What you can do

- ▶ Report any hate crime to the police for investigation.
- ▶ You can also report hate crimes at [www.report-it.org.uk](http://www.report-it.org.uk).
- ▶ Report to RHP if the alleged perpetrator is an RHP customer.
- ▶ Report to RHP if you are the victim of a hate crime, so that RHP can see what support and advice we can offer you (this may include a referral to another agency for support).
- ▶ Support action taken by the police and RHP by providing evidence and a witness statement to support action taken.

## What we can do

- ▶ RHP will work with the police and other partners to investigate reported hate crimes. However, the police are the main partner for investigating hate crimes as it is a criminal offence.
- ▶ RHP will take proportionate tenancy enforcement action where criminal offences can be evidenced or where someone has been convicted of a criminal offence. In serious cases this could be an ASB injunction or an eviction as a last resort.
- ▶ RHP will support victims of crime and safeguard them from further harm. We can refer them to supporting charities such as Victim Support.
- ▶ RHP will refer vulnerable adults to supporting agencies for help.
- ▶ Use CCTV for the prevention of criminal activity.

## What we can't do

- ▶ RHP aren't the police, so we don't have powers to stop criminal activity. We will however work with partnering agencies to tackle this.
- ▶ Take enforcement action without proof or a criminal conviction.
- ▶ Investigate criminal activity, this is a matter for the police.
- ▶ Put our employees in danger, whilst we will visit where appropriate, we may not be able to, however we will work with and visit with the police where necessary.
- ▶ Share personal information about the alleged perpetrator or actions we have taken to address your concerns unless you are required to provide a statement for court (in line with data protection).
- ▶ Act without the cooperation of victims/witnesses or evidence. For example, we may not be able to take the case to court without supporting witness evidence in the form of a statement.

# Neighbour disputes

At RHP we want all customers to enjoy living in their homes. We understand that from time to time, neighbours may disagree about something, which in some cases can lead to a dispute. Common reasons for a neighbour dispute are differing views on gardens, hedges, trees, parking and noise. These are common problems and not considered to be anti-social behaviour, unless you feel that you these issues are being used as harassment or intimidation (see separate section for help and advice on noise).

If you feel your neighbour is causing a nuisance to you, we would encourage you to speak with your neighbour to let them know what the issue is and how you're being affected, as your neighbour may not realise that they are causing a nuisance to you. We find that this will usually resolve the situation for you.

If you have approached your neighbour and this hasn't worked, or you feel unable to speak with them directly, please feel free to get in touch so we can find out what's been happening and if it's appropriate for RHP to be involved how we can help you. In the meantime, here is some helpful advice on how to resolve a neighbour dispute.

## What you can do

- ▶ Use the noise app to record sounds you can hear
- ▶ Keep diary sheets for no more than two weeks and send this to [customer.services@rhp.org.uk](mailto:customer.services@rhp.org.uk) for us to review.
- ▶ If you feel threatened or unsafe at any time, or you believe a criminal offence as been committed, you should report this to the police immediately
- ▶ Provide RHP with any police report references made
- ▶ Give us your permission to speak to your neighbour about the reports you've made.
- ▶ Participate in mediation if offered.
- ▶ Assist us by providing information and being a witness in court if legal action is necessary

## What we can do

- ▶ Review the information you've given to us.
- ▶ Advise on actions that we may be able to take.
- ▶ With your permission, speak to your neighbour regarding the reports you've made.
- ▶ Offer mediation between you and your neighbour if appropriate.
- ▶ Work with the police if reports have been made to them.
- ▶ Work with other professional agencies who may be supporting you or your neighbour.
- ▶ In serious cases we may issue warning letters, issue an Acceptable Behaviour Contract or enforce the Tenancy Agreement by taking legal action.

## What we can't do

- ▶ Take action without factual evidence.
- ▶ Share personal information about your neighbour or actions we have taken with your neighbour to address your concerns, unless you are required to provide a statement for court. (In line with current GDPR)
- ▶ Take action without the cooperation of victims/witnesses or evidence. For example, we may be able to take the case to court without supporting witness evidence in the form of a statement.



# Noise nuisance

Noise nuisance is by far the most common anti-social behaviour reported to the police, local authorities and housing associations.

Any noise can affect people in different ways, whilst some people may not hear things or be affected by noises, other may be sensitive to all or some noises. It's important to recognise this when dealing with reports of noise nuisance.

Statutory noise nuisance is any noise issue that is deemed to be unreasonable and is affecting someone's life. If not dealt with, noise nuisance can escalate quickly so early interventions are key.

Noise nuisance is classed as:

- ▶ Loud noise before 7am and after 11pm.
- ▶ Loud music and other household noise at an inappropriate volume at any time.

## Examples of noise nuisance

- ▶ Any domestic activities that are excessively noisy or being done at unreasonable times.
- ▶ Loud music.
- ▶ Shouting, swearing and arguing.
- ▶ Loud banging/door slamming.
- ▶ Parties.
- ▶ Targeted noise which can be demonstrated in a pattern.

## What isn't noise nuisance

- ▶ Domestic household noise within reasonable hours.
- ▶ Babies crying.
- ▶ Children playing.
- ▶ A one-off party that is considered reasonable (e.g. birthday/New Year).

If you are experiencing noise nuisance from a neighbour, we would encourage you to speak with your neighbour to let them know what the noise is and how you're being affected, as your neighbour may not realise that they are causing a nuisance to you. We find that this will usually resolve the situation. If you have approached your neighbour and this hasn't worked, or you feel unable to speak with them directly, please feel free to get in touch so we can find out what's been happening and, if it's appropriate for RHP to be involved, how we can help you.

## What you can do

- ▶ If you have tried speaking to your neighbour and the situation hasn't improved, contact us for help and advice.
- ▶ Use the Noise App to record the noise you are experiencing and send it to RHP for review and investigation.
- ▶ Complete diary sheets for no more than two weeks and send this to [customer.services@rhp.org.uk](mailto:customer.services@rhp.org.uk) for us to review. Include as much detail as possible about what the noise is/frequency/duration and how the noise is affecting you.
- ▶ Give us permission to speak to your neighbour about the reports you've made.
- ▶ If the noise is out of hours, contact the local authority's noise team.
- ▶ If appropriate participation in mediation to resolve the noise issue with your neighbour.
- ▶ If the noise is related to anti-social behaviour or criminal activity, report this to the police and provide RHP with any police reference numbers to investigate.
- ▶ Assist us by providing information and being a witness in court if legal action is necessary

## What we can do

- ▶ Investigate the information you've given to us and assess whether it is statutory noise.
- ▶ Give advice on actions that we may be able to take, based on the reports.
- ▶ With your permission, speak to your neighbour regarding the reports you've made.
- ▶ Offer mediation between you and your neighbour if appropriate.
- ▶ Work with the police if reports have been made to them.
- ▶ Work with other professional agencies who may be supporting you or your neighbour.
- ▶ If persistent statutory noise is proven we may be able to issue warning letters, an Acceptable Behaviour Contract or enforce the Tenancy Agreement by taking legal action.

## What we can't do

- ▶ Take action without factual evidence.
- ▶ Share personal information about your neighbour or actions we have taken with your neighbour to address your concerns, unless you are required to provide a statement for court (in line with data protection regulations).
- ▶ Take action without the cooperation of victims/witnesses or evidence. For example, we may not be able to take the case to court without supporting witness evidence in the form of a statement.