



Anti-social Behaviour and Hate Crime Policy



ACCENTGROUP.ORG

Anti-social Behaviour and Hate Crime Policy



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Version History					
Version No	1.3	Doc ID (if applicable):			
Date Produced: 11 December 2022					
Audience: Customers/colleagues/auditors/homeowners					
Strategic Theme: Personal Customer Experience					
Approval Route: Customer Experience Committee					
Policy Key Controls (These are key controls relevant to this policy that must always be adhered to):					
<ol style="list-style-type: none"> 1. Completion of a risk assessment on all victims. 2. Work in partnership with agencies where appropriate. 3. Treat all allegations of anti-social behaviour and hate crime seriously and fairly. 4. Take legal action where appropriate. 5. Keep regular contact with all victims. 					
VERSION	APPROVED BY	REVISION DATE	NEXT REVIEW DATE	DESCRIPTION OF CHANGE	AUTHOR
1.0	Claire Stone - EDCeX	16/04/2020	16/04/2021	New Policy	Jan Welsh/Kat Wilson
1.1	CEC 27/04/2021	07/04/2021	07/04/2022	Annual review – no changes	Rob Mills/Kat Wilson/Jan Welsh
1.2	CEC June 2022	08/06/2022	08/06/2023	Moved to new template, D&I statement included	Gavin Houghton
1.3	CEC 24/01/2023	11/12/2022	11/12/2023	Change of owner/updated template/Expansion of Hate Crime, clearer inclusion of non-Accent tenants	Gavin Houghton & Jane McKalroy

Purpose: The purpose of the Anti-Social Behaviour and Hate Crime Policy is to set out our commitment to ensuring all reports of Anti-Social Behaviour and Hate Crime are dealt with promptly and effectively in accordance with the Anti-Social Behaviour and Hate Crime Procedure, and to ensure that by working with partner agencies, our customers are supported through the process to reach positive outcomes.

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1. Introduction

Hate crime, harassment and anti-social behaviour can seriously reduce the quality of life of our customers and have a detrimental impact not just on the victim(s) but on the whole community. All can lead to customers feeling isolated, frightened, or unhappy in their homes and result in our homes and estates becoming unpopular and difficult to let.

We believe our customers and all those living on our schemes regardless of tenure have a right to feel safe and happy in their homes, we aim to encourage a stable community and for our customers to have a forever home.

Our customers, their neighbourhoods and their communities are widely varied, diverse and multi-ethnic. We want to embrace this diversity, and make sure our homes and services meet the different needs and aspirations of all.

We take all reports of anti-social behaviour and hate crime seriously, we will do our very best to deliver on our Accent partnership and use all tools available to obtain a positive outcome in each case.

Within this policy 'customers' refer to all tenants, leaseholders, homeowners and shared ownership.

2. Scope

This policy aims to ensure our people:

- have the right skills, training and knowledge to tackle, prevent and overcome anti-social behaviour; and
- Have detailed guidance to enable them to respond effectively to reports of anti-social behaviour and hate crime (Accent and non-Accent residents).

3. References

Our policies and procedures can be found in the [Corporate Library](#). We will follow the relevant legislation, including statutory Housing management guidance issued by the Homes and Communities Agency, and the main acts listed below:

Accent Policies and Procedures:

- Anti-Social Behaviour and Hate Crime Procedure
- Safeguarding Policy
- Safeguarding Procedure
- Allocations and Lettings Policy and Procedure
- Starter Tenancy Policy and Procedure

Legislation:

- Housing Acts (1985, 1988, 1996, 2004)

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- Public Order Act (1986)
- Sex Discrimination Act (1986)
- Children Act (1989)
- Environmental Protection Act (1990)
- Noise and Statutory Nuisance Act (1993)
- Protection from Harassment Act (1997)
- Human Rights Act (1998)
- Crime and Disorder Act (1998)
- Homelessness Act (2002)
- Criminal Justice Act (2003)
- Anti-Social Behaviour Act (2003)
- Anti-Social Behaviour, Crime and Policing Act (2014)
- Gender Recognition Act (2004)
- Racial and Religious Hatred Act (2006)
- Equality Act (2010)
- Modern Slavery Act (2015)

4. Definition

Anti-social behaviour is defined as:

'Behaviour that unreasonably interferes with other people's rights to the use and enjoyment of their home and community'- Chartered Institute of Housing (1995)

'Engaging in or threatening to engage in conduct causing or likely to cause a nuisance or annoyance to persons engaged in lawful activities' - Housing Act (1996)

Acting in 'a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator' - Crime and Disorder Act (1998)

'Anti-social behaviour is conduct which is capable of causing nuisance or annoyance to any person (even if no complaint has been received) and which directly or indirectly relates to or affects the landlord's management of its housing stock' - Anti-Social Behaviour Act (2003)

Hate Crime is defined as:

'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 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' - Police and Crown Prosecution Service

The Law Commission defines Hate Crimes as 'acts of violence or hostility directed at people because of who they are'. The law currently recognises five protected characteristics:

- race
- religion
- sexual orientation
- disability
- transgender identity

5. Commitments

We will have a proactive approach to tackling anti-social behaviour and hate crime in our local communities.

- We will work in partnership with statutory and voluntary organisations to provide advice and support to victims of Anti-Social Behaviour and Hate Crime, and deal with perpetrators, in line with current legislation and our policies and procedures.
- We will respond positively to any reports of Anti-Social Behaviour and Hate Crime with the level of urgency proportionate to the nature of the complaint, using all the tools available to us.
- We will take reports of anti-social behaviour and hate crime regarding our customers from any member of the public regardless of tenure. Where the perpetrator is not one of our customers we will signpost the complainant to the most appropriate agency.
- We will take prompt and effective action, including legal action where necessary, to deal with reports of Anti-Social Behaviour and Hate Crime, and introduce measures to prevent further incidents.
- We will work in partnership with the police, local authorities and other agencies, and participate in multi-agency arrangements to tackle Anti-Social Behaviour and Hate Crime where appropriate.
- We will carry out thorough investigations of all reports of Anti-Social Behaviour and Hate Crime and support our customers to provide evidence.
- We will seek the support of our Anti-Social Behaviour Consultants and Legal Services Team to ensure appropriate legal action is taken where necessary.
- We will treat all complaints of anti-social behaviour and hate crime fairly and in line with our policies and procedures, regardless of whether they are from an Accent customer.

We will aim to reduce the potential for anti-social behaviour and hate crime in all aspects of our service, including:

How we let our homes

We will consider the sustainability of each letting and the potential impact on the community. We may consider refusing a housing application if there is strong

evidence of anti-social behaviour. Roles and responsibilities in relation to anti-social behaviour are clearly stated in all tenancy agreements.

How we support our customers

All new customers will be issued with an Assured Starter Tenancy, and we will follow our Starter Tenancy Procedure during the first 12 months of a tenancy to ensure our customers are managing their tenancies well.

Where there is a breach of tenancy conditions, we will use the tools available to us to support our customers and to address any tenancy breaches, including, where necessary, extending the starter tenancy.

In some cases, we may consider taking action to end the tenancy where all attempts to address breaches of tenancy conditions have been unsuccessful.

We will use the necessary tools available to tackle anti-social behaviour, and will support victims and perpetrators (where appropriate to do so) to ensure tenancies are sustained and a successful resolution is achieved.

We will contact customers who require customer care checks each year to establish whether there are any concerns and address any issues, including any potential anti-social behaviour.

Customer Safety

Our regular estate inspections will help us to identify possible causes of antisocial behaviour, and deal with any reports effectively.

Designing out Crime

Ensuring Customer Partners are involved at all stages of new development, and that we meet the 'secured by design' standard.

Case Investigation

We will carry out thorough investigations of all reports of anti-social behaviour and hate crime, in line with our Anti-Social Behaviour and Hate Crime Procedure, including assessing the risk of each case and working with complainants to agree an action plan.

Partnership Working

We will work in partnership with the police, local authorities and statutory and voluntary agencies, and will participate in multi-agency meetings to ensure we are contributing to strategic approaches to tackling anti-social behaviour and hate crime.