



Anti-Social Behaviour and Hate Crime

Policy:	Anti-Social Behaviour and Hate Crime Policy
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Policy Owner:	Director of Customer
Policy Author(s):	Operations Manager, Head of Neighbourhoods
Approved by:	Executive Team
Accountable Executive:	Executive Director of Customer, People and Engagement
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For the full version history of this policy, see the back page	

Please avoid referring to printed versions of this policy.

Printed versions may quickly go out of date – the latest version will be on the Policy Hub or contact the Governance Team. For support and advice regarding the policy, please contact the policy owner.

1.0 Introduction and Scope

- 1.1 This document covers our approach to dealing with Anti-Social Behaviour (ASB), hate crime, malicious complaints and illegal money lending, and how we will meet our responsibilities and duties as a landlord, as well as our commitment to tackling this within our communities.
- 1.2 We are committed to preventing and tackling incidences and perceptions of ASB and hate crime. To do this successfully, we aim to strike a balance between prevention and early intervention, support and enforcement, through a dedicated Neighbourhood and Supports Teams. We will take prompt, appropriate, proportionate and decisive action to deal with ASB and hate crime before it escalates, this may include legal action where appropriate.
- 1.3 Gentoo customers can enjoy living in their homes regardless of ethnicity, religion, sexuality, age, gender or disability. Feeling safe and secure increases the sustainability of neighbourhoods and promotes community cohesion, health and wellbeing and fits with the Groups vision and values. We recognise the impact that ASB and hate crime can have a very disruptive impact on communities and neighbourhoods and does not just affect those who are directly involved in the situation.
- 1.4 The scope of this policy applies to:

General Needs rented properties	X
Supported Housing	X
Sheltered Housing	X
Leasehold/Shared ownership	X
Rent to Buy properties	X
Market rented properties (domestic)	X
Temporary Accommodation	X
Stock owned but not managed by the Group	X
Communal Areas, including those relating to Leasehold/Shared Ownership properties	X
Commercial Property (offices, depots etc.)	X
Stock managed by Gentoo on behalf of a third party	X
Garages and outbuildings	X

2.0 Our Core Purpose, Vision and Priorities

- 2.1 Our core purpose is to provide warm, safe and decent homes for our customers of today and tomorrow.
- 2.2 Our vision is to become the best provider of social homes in the country.

- 2.3 Our values are what we stand for and what we want to be known for. They are what makes us, us.
- We care about people.
 - We take accountability.
 - We shape the future.
 - We bring leadership.
 - We deliver.
- 2.4 We live our values in everything we do from the boardroom to the front room, to deliver our priorities for our customers.
- 2.5 The Group Board and Executive Team have approved Gentoo's Corporate Strategy, centred on the following **priorities**:
- Safety of our customers and colleagues.
 - We know our customers.
 - We provide great homes.
 - We help communities to thrive.
 - We are a great place to work.
 - We spend our money wisely.
 - We are well governed.

2.5 Gentoo's policies support the delivery of the Group's Vision, Values and Priorities.

Consumer Standards

We are guided by the Consumer Standards, which describe ways to improve things for people living in Social Housing.

- The Safety and Quality Standard (<https://www.gov.uk/government/publications/safety-and-quality-standard>)
- The Transparency, Influence and Accountability Standard (<https://www.gov.uk/government/collections/transparency-influence-and-accountability-including-tenant-satisfaction-measures>)
- The Neighbourhood and Community Standard (<https://www.gov.uk/government/publications/neighbourhood-and-community-standard>)
- The Tenancy Standard (<https://www.gov.uk/government/publications/tenancy-standard>)

3.0 Regulation and Legislation and Strategic Alignment

- 3.1 Our Regulator sets out the Neighbourhood and Community Standard which we must meet. Failure to properly discharge these responsibilities could lead to a serious detriment or other judgement from the Regulator if we breach the Standards in place at the time.

4.0 Definitions

- 4.1 **Anti-social** behaviour defined as conduct that is causing or likely to cause harassment, alarm, and distress to any person. Conduct capable of causing nuisance or annoyance to a person in relation to the person's occupation of residential premises. Conduct capable of causing housing related nuisance or annoyance to any person (ASB Crime and Policing Act – 2014).

Hate Crime defined as 'any hate incident, which constitutes a criminal offence, perceived by the victim or any other person as being motivated by prejudice or hate'. This may relate to any of the protected characteristics under the Equalities Act 2010 which include race, religion or belief, disability, sexual orientation, or gender reassignment.

Harassment defined as 'behaviour intended to cause a person alarm or distress. The behaviour must occur on more than one occasion, but it does not have to be the same kind of behaviour on each occasion.'

Domestic Abuse is dealt within our DA Policy however in some cases when dealing with a perpetrator of DA we may use this policy.

Risk Assessment defined as a tool designed by the social landlords to identify vulnerable victims, witnesses and complainants.

5.0 Policy Statement, Reporting and Key Performance Indicators

- 5.1 The aims of this policy in tackling and preventing ASB and hate crime for both our customers and communities are:
- Associated Toolkits will ensure that tenants are treated as individuals with fairness and respect.
 - Colleagues and customers will be clear in their understanding of how ASB is defined.

- Accessibility to our ASB and hate crime provision for customers will be easy, clear and well published to encourage victims to report incidents of ASB and hate crime.
- We will review good practice, regulator recommendations, revised legislation, awareness of support, early interventions options and legal enforcement actions to ensure that the ASB and hate crime service is effectively managed.
- We will investigate and intervene early where there are incidences of ASB, utilising mediation and other methods where appropriate, which is tailored towards the needs of the customer and their families to prevent matters from escalating. We will also instigate preventative and proactive services where they are needed. We will have in place effective support mechanisms tailored to the affected, the accused and where appropriate seek to take a whole family approach.
- When managing ASB complaints we will not raise expectations that we can take action where we cannot do so or where the primary responsibility and powers lie elsewhere.
- Provide timely updates to complainants to build confidence and manage expectations.
- Prevent and minimise the amount of ASB experienced by our customers and residents.
- Encourage and use reports of ASB to enable us to have a better understanding of issues affecting our neighbourhoods.
- We will cooperate with local partnership arrangements both operationally and strategically, to tackle ASB.

To allow us to monitor and report on the delivery of this policy we will produce and review the following KPI's.

Key Performance Indicator	Owner (job role)
Completion of risk assessment for ASB reported cases	Head of Neighbourhood, Head of Service
Full adherence to ASB procedure	Head of Neighbourhood, Head of Service
Tenant Satisfaction Measure ASB satisfaction score	Director of Customer

6.0 Roles and Responsibilities

Roles	Responsibility
Director of Customer	Is accountable for the effective implementation of this policy and ensuring colleagues involved in its delivery understand their roles and responsibilities
Head of Neighbourhoods/ Head of Service	Will assist with implementing this policy and ensuring all staff involved in the ASB policy are trained in our procedures and adequately skilled to implement those.
Housing, Support and Specialised colleagues	Should have awareness of the policy, act accordingly and help in resolving customer ASB and neighbourhood complaints.
Customer Voice Manager and colleagues	Will provide regular feedback relating to performance.

7.0 Policy Delivery

7.1 This policy outlines our approach to tackling ASB when we receive a report of ASB, however, we will encourage customers to take some responsibility for resolving personal disputes. As outlined in their tenancy agreement our customers are responsible for their behaviour and anyone living with or visiting them.

7.2 What do we consider to be ASB?

The types of behaviour we consider to be ASB include but are not limited to:

- Physical or Verbal abuse
- Harassment, intimidation, or threatening behaviour
- Hate crime (on the grounds of disability, race or ethnicity, religion or belief, sexual orientation, or gender identity)
- Substance misuse, cultivating drugs or drugs dealing
- Repeated, prolonged high level noise nuisance
- Criminal behaviour or activity including sexual offences
- Vandalism and damage to property, including hoarding
- Domestic abuse (perpetrator)
- Nuisance from vehicles e.g., joy riding, excessive vehicle repairs
- Pets and animal nuisance
- Illegal money lending

- Malicious/vexatious complaints
- Running illegal businesses
- Unacceptable behaviour towards staff

7.3 We will deal with Noise complaints via our Noise Complaints Policy.

7.4 Gentoo would encourage customers to take responsibility for minor, personal disputes with neighbours in the first instance and try to resolve these in a reasonable manner.

8.0 What do we not consider to be ASB?

The types of behaviour we do not consider to be ASB include but are not limited to:

Disagreements between neighbours where there is no breach of tenancy will generally not be considered as ASB cases, however we may offer mediation and other support to help tenants deal with these issues themselves.

Examples of the types of behaviour which may not be considered as ASB include:

- Noise from children playing or babies crying
- Personal disputes such as a falling out with neighbours/friends
- Actions which amount to people being unpleasant (e.g. staring at or ignoring people)
- Normal day to day living noises such as closing doors, going up and down stairs or people talking
- Smells from someone cooking
- Noise from a vacuum cleaner, washing machine or reasonable DIY
- Clashes of lifestyle
- Parking issues
- Ball games
- One off party, barbecue or celebration

It is important to be tolerant of reasonable noise and of other neighbours and residents who may lead a different lifestyle to yours. However, if something is targeted, persistent, deliberate and has a harmful impact we will investigate as ASB.

8.2 We will work with partner organisations to support those affected by ASB and aim to strike a balance between prevention and early intervention. We want to raise awareness, build the confidence of those affected and encourage reporting.

9.0 Managing ASB Incidents and Complaints

- 9.1 Support/Vulnerability: All residents or customers who wish to report an incident of ASB will be assessed for their risk and vulnerability to ensure the appropriate level of support can be provided and any safeguarding issues are identified.
- 9.2 We will keep those affected informed of the progress of their case, advise them of any new developments and explain the procedures to them when necessary. We will also agree contact frequency, agreed preferred method of contact and who is their main point of contact at Gentoo. We will agree an action plan with those affected and keep them informed of the actions we take.
- 9.3 We provide support specifically tailored to our vulnerable customers who are perpetrators of ASB. This aims to prevent the customer or household member from re-offending and promotes the overall aim of our community safety approach, so that everybody in communities feels safe and secure.
- 9.4 Gentoo has access to a vast support network of specialist support services provided by partner agencies. We will always seek to ensure the customer agrees to any referrals that are deemed necessary to support them wherever possible.
- 9.5 Partnership Working: Gentoo recognise that dealing with ASB is not the sole responsibility of one agency. Multi agency working is an important tool in taking a holistic approach to tackling ASB in our communities. Where possible we will work with other agencies to combine resources and take a partnership approach to find a suitable resolution to ASB issues.
- 9.6 Cross Tenure Issues: Where the case warrants it, we will work in partnership with relevant agencies to act against people who do not reside in one of our properties where it is in our interests to protect our customers from anti-social behaviour.
- We may act, in certain instances, to protect owner occupiers or private rented properties from further anti-social behaviour from our customers. This will be done primarily in partnership with Northumbria Police and the City Council since we expect those bodies to use their available powers in an effective and efficient manner in the interests of the surrounding community.
- 9.7 All reports of ASB will be recorded and monitored through our ASB IT Case Management System.
- 9.8 Closing Cases: We will contact those affected when we are ready to close a case, discussing our reasons for doing so. This will be following a period of monitoring to ensure all issues have been resolved or we are satisfied that we have taken all the action possible in the circumstances. This period of monitoring will also have been discussed with those affected. Before the case

is closed fully, a manager will review and authorise closure of all cases where an affected person(s) has been identified. An ASB case may be closed with no further action where those affected are unwilling to work with Gentoo.

- 9.9 When a customer takes a tenancy, we will make them aware of the conditions of their tenancy that relate to ASB and criminal activity in our properties.
- 9.10 Where managing agents manage homes on our behalf, and the obligation is written into the managing agent's agreement they will be required to meet the requirements of this policy.
- 9.11 Incidents of unacceptable abusive, threatening or intimidating behaviour, towards Gentoo staff or our contractors will not be tolerated and is a serious breach of tenancy which will be managed in line with this policy.

10 Reviewing Cases:

- 10.1 If a customer is unhappy with how their case is being managed, they can request a review at any time during the case investigation. This will be undertaken by a Head of Service/Neighbourhood who has not been involved with the case previously.

10.2 ASB Case Review

- 10.3 The Anti-Social Behaviour, Crime and Policing Act 2014 introduced specific measures designed to give victims and communities a say in the way that complaints of ASB are dealt with.
- 10.4 An Antisocial Behaviour Case Review is a process customers can use if they have reported ASB and feel that no action has been taken. If an affected person is unsatisfied with the response they have received from the relevant agencies, and they meet the threshold, an ASB Case Review can be activated.
- 10.5 In Sunderland and the wider Northumbria area, the threshold to activate an ASB Case Review is:
 - An application for an ASB Case Review is received, and;
 - At least three qualifying complaints have been made about anti-social behaviour in the past 6 months

11.0 Tools & Powers

- 11.1 We will use a range of measures to tackle ASB including the full range of tools and powers available to us as outlined in the ASB, Policing and Crime Act 2014. The methods used will be proportionate to the seriousness, impact and frequency of the behaviour, the level of risk that it poses to those affected,

and the evidence available to support the case. Appendix 1 provides a list of both current legislation and internal toolkits, policies that are available for us to use.

- 11.2 We will support other agencies and partners in legal enforcement action that they can take.

12.0 Confidentiality

- 12.1 We will treat all information received in a private and confidential manner.
- 12.2 We will only disclose information to the accused, legal representatives, or other third parties once we have the consent of the complainant to do so.
- 12.3 We may, however, have a legal obligation to pass information on, for example to the Police or other relevant agencies.
- 12.4 This policy fully complies with the Group's Data Protection Policy.

13.0 Monitoring and Review

- 13.1 We will monitor and learn from the feedback we receive about how we manage and respond to cases of ASB to ensure a high standard of services
- 13.2 Key performance information to enable an overview on this policies preformation will be provided on a timely basis to the Board. This information will be used to help shape our service delivery of ASB and Community Safety.
- 13.3 The Policy will be fundamentally reviewed in 3 years' time by a Head of Service or in line with business need. The Executive Director of People, Customer and Engagement is accountable for ensuring implementation of the Policy effectively.
- 13.4 Any proposed changes or recommended amendments to this Policy will be reported to the Executive Director of People, Customer and Engagement for comments and final approval by the Executive Team prior to implementation.

Version Control

Version	Reason	Issuer	Date
1.0	Approved	Michelle Meldrum	13/02/2019
2.0	Updated & reviewed	Julie Lister	29/04/2022
2.1	ST & JW Comments incorporated	Julie Lister	04/05/2022
2.2	Ombudsman recommendations checked & incorporated	Julie Lister	25/05/2022

2.3	Updated core purpose and vision and priorities	Catherine Loftus	31/08/2023
2.4	Updated and reviewed	Steven Gordon, Julie Lister	01/04/2025
3.0	Approved by the Executive Team.	Chloe Appleby	30/06/2025
3.1	Minor amends to wording i.e. tenant to customer; victim to affected; perpetrator to accused	Julie Walker	20/08/2025

Appendix 1

- Community Safety Toolkit
- Hate Crime/Incidents Toolkit
- Domestic Abuse Policy & Toolkit
- Vulnerability Policy & Toolkit
- Safeguarding (Children & Adults at Risk) Policies & Toolkits
- Anti-social Behaviour, Crime and policing Act 2014
- Anti-Social Behaviour Act 2003
- Hate Crime: The Crime and Disorder Act 1998
- Protection from Harassment Act 1997
- The Crime and Disorder Act 1998
- Policing and Crime Act 2009
- Police Reform and Social Responsibility Act 2011
- Criminal Justice Act 2003
- Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- The Equality Act 2006 & 2010
- The Human Rights Act 1998
- The Housing Act 1985, 1988, 1996 & 2004
- Data Protection Act 1998/2018
- Domestic Abuse Act 2021
- Protection from Harassment Act 1997
- Racial and Religious Act 2006
- Anti-terrorism Crime and Security Act 2001