

<b>Policy Title</b>	Anti-Social Behaviour and Hate Crime Policy
<b>Policy Lead</b>	Gareth Ellis, Safer Neighbourhoods Manager
<b>Policy Owner</b>	Andrew Brown, Director of Housing and Specialist Living
<b>Policy Aim</b>	To outline Onward's commitment to tackling ASB and Hate Crime, including training for colleagues and dealing with complaints.
<b>Summary of Key Points</b>	<ul style="list-style-type: none"> <li>• Onward is committed to tackling ASB and hate crime as it can have a devastating impact on customers and communities.</li> <li>• The policy covers a range of behaviours from low-level nuisance to serious harassment.</li> <li>• ASB is activity that can impact others in a negative way, and the key to categorising behaviour as anti-social is its impact on others.</li> <li>• Onward provides training and support to colleagues to identify and investigate incidents and reports of ASB.</li> <li>• Action will be taken against anyone found to have made a malicious complaint.</li> </ul>
<b>Further Information Available at</b>	<a href="#">Antisocial Behaviour (ASB) - Onward</a> <a href="#">ASB-Toolkit-Draft-2022.pdf (onward.co.uk)</a>

## **Anti-Social Behaviour and Hate Crime Policy**

### **1. Aim**

- 1.1 Onward is committed to tackling anti-social behaviour (ASB), including hate crime, as we know that it can have a devastating impact on the lives of customers in our communities.
- 1.2 ASB covers the range of behaviours from low-level nuisance to serious harassment, which can damage the quality of life and interfere with the ability of customers to use and enjoy their home and/or community.
- 1.3 Onward will not tolerate ASB or hate crime directed towards our customers (including tenants, leaseholders and shared owners) their visitors or any others engaged in a lawful activity in the locality of our homes, including our colleagues, contractors and others acting on our behalf.
- 1.4 This policy sets out our commitment to tackling anti-social behaviour including hate crime.
- 1.5 Onward will publish a separate procedural document which sets out:
  - a. Details of our overall approach in relation to both anti-social behaviour including hate crime
  - b. The methods we will use to tackle anti-social behaviour
  - c. What Onward does not treat as Anti-Social Behaviour
  - d. How we support victims of ASB including hate crime

### **2. Scope**

- 2.1 This policy relates to ASB which directly affects the housing management function of Onward and is defined by Point 1 section 2 of the Anti-Social Behaviour, Crime and Policing Act 2014:
  - a. Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person
  - b. Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
  - c. Conduct capable of causing housing-related nuisance or annoyance to any person.
- 2.2 ASB is activity that can impact on other people, their homes and/or their communities, in a negative way, and the key to categorising behaviour as antisocial must be consideration of its impact on others. This can be subjective. Different people may be distressed or alarmed by different types of behaviour and activity. We have produced an ASB Guidance Statement and Toolkit to support this policy, which sets out in more detail how we tackle ASB and examples of issues and activities that we do not treat as ASB.
- 2.3 Hate Crime - A Hate Crime is any criminal offence that is motivated by hostility and prejudice towards a person's identity or perceived identity. The following are the five nationally monitored strands:
  - a. Disability
  - b. Race
  - c. Religion / Faith

- d. Sexual Orientation
  - e. Transgender Identity
- 2.4 Onward accepts the ‘Macpherson’ Report’s definition of a racist incident as ‘any incident which is perceived to be racist by the victim or any other person’.
- 2.5 Onward will adhere to all relevant legislation, statutory guidance and regulatory standards.
- 2.6 Onward has a duty of care to victims of crime and ASB and is required to meet regulatory and legislative guidance as follows:
- a. Anti-social Behaviour, Crime and Policing Act 2014
  - b. Equality Act 2010

### **3. Training and Support for Colleagues**

- 3.1 We will provide support to colleagues who feel threatened or at risk from any alleged perpetrator. This may include risk assessments, advice, counselling, and action being taken against alleged perpetrators. We will ensure that colleagues are confident in their ability to identify and investigate incidents and reports of ASB by providing appropriate induction training, annual refreshers and updates on relevant legislation as well as any relevant external training. We will also ensure that all relevant colleagues are aware of this policy and procedure.

### **4. Dealing with Malicious, Vexatious or Unreasonable Complaints**

- 4.1 All complainants have a responsibility not to make malicious or unreasonable complaints about their neighbours, visitors or anyone engaged in lawful activity around their property. We will take action against anyone found to have made a malicious complaint in line with our process.

### **5. Complaints and the ASB review**

- 5.1 Victims and perpetrators of ASB including hate crime can make a complaint to Onward if they are unhappy with the way in which their case was handled. Onward will also advise complainants of their right to make contact with the Housing Ombudsman once our complaints process has been exhausted.
- 5.2 Onward will share information requested and be an active partner in the ASB review mechanism with local authorities and partner agencies. As Onward operates in many local authorities, this process will be agreed with individual local authorities as appropriate and may include outcomes around community remedy.

### **6. Data Protection and Information Sharing**

- 6.1 Onward treats all information received in confidence, consistent with our legal responsibilities as a Data Controller to comply with the General Data Protection Regulation (GDPR), and ensure compliance with Onward’s Data Protection Policy & Standards.
- 6.2 In certain circumstances Onward may be required to share personal data with other statutory agencies. Where practical, consent from the Data Subject will be obtained prior to the information being shared, however there will be instances where Onward have a

statutory duty to share information without the individuals consent e.g. if there is any reason to suspect children are at risk or for the prevention and detection of crime.

- 6.3 An assessment will be made in each case to decide which information is necessary to be shared, referring to the Data Protection Specialist for further guidance as required.

## 7. Responsibility and monitoring

- 7.1 Onward's Regional Director (Greater Manchester) is responsible for overall adherence to this policy and Onward's Safer Neighbourhoods manager is responsible for its implementation. Onward's Senior Leadership Team will receive regular reports on performance in relation ASB including hate crime.

Linked documents:	Onward Hate Crime Procedure ASB Guidance Minimum Standards
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Date implemented:	January 2023
Policy lead:	Gareth Ellis, Safer Neighbourhoods Manager
Approved by:	Executive Team
Approved on:	24 January 2023
Next review date:	January 2026

Reference number:	ASB02
Version:	2.0
Document replaces:	Anti-Social Behaviour and Hate Crime Policy March 2018