

**Tai Calon Policy on Dealing with  
Anti Social Behaviour**

**December 2022**

**Purpose and Scope:**

This is a statement of policy and key principles that will help to ensure that Tai Calon is effective in tackling Anti-social Behaviour (ASB).

We are committed to working to prevent, and where possible to resolve cases of ASB. We want our customers and colleagues to enjoy a safe and peaceful environment. This applies to all our properties and communities whether rented, leased or any other agreement they may have with us.

The Anti-Social Behaviour Act 2003 requires Tai Calon to publish a statement of policy relating to anti-social behaviour (ASB).


Regulation 25 of The Renting Homes (Supplementary Provisions) (Wales) Act 2016 requires the landlord to provide appropriate advice to a contract-holder following their report of prohibited conduct as defined under Section 55 the Renting Homes (Wales) Act 2016 (anti-social behaviour and other prohibited conduct) by anyone living in any property owned by the landlord.

This policy seeks to explain how Tai Calon will advise and deal with reports of anti-social behaviour and outlines how Tai Calon will work with other organisations, contract holders and residents to tackle it.

**Responsibility (Manager/Team):**

Director of Housing and Communities

**Chief Executive/Director Approval:**

	
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**Board Approval Date:**

**Review Date:**

	<p><b><u>December 2025</u></b></p>
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**1. Key principles**

- 1.1 Tai Calon will deal firmly but fairly with ASB, encouraging contract-holders, staff, and others to come forward and report ASB and, where appropriate, assist people in changing their behaviour.
- 1.2 Every report of ASB will be taken seriously.
- 1.3 Any response by Tai Calon to ASB will be proportionate.
- 1.4 Tai Calon will seek to work with other agencies to develop a joined up, common sense approach to problems. We will keep individuals informed about any developments relating to their complaint.

**2. Definition of Anti-Social Behaviour**

2.1 There are two sources of legislation that define ASB for the purpose of this policy namely:

- a) the Anti-Social Behaviour Crime & Policing Act 2014  
and
- b) The Renting Homes (Wales) Act 2016

2.2 In the Anti-Social Behaviour Crime & Policing Act 2014, ASB is defined as:

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

- 2.3 Section 55 of The Renting Homes (Wales) Act 2016 defines ASB and other ‘prohibited conduct’: and this appears in Section 5 of Tai Calon occupation contracts with some minor editorial changes -

### *Anti-social behaviour and other prohibited conduct*

- 5.1 *You must not engage or threaten to engage in conduct capable of causing nuisance or annoyance to a person with a right (of whatever description):*
- a. to live in the dwelling subject to the occupation contract, or*
  - b. to live in a dwelling or other accommodation in the locality of the dwelling subject to the occupation contract.*
- 5.2 *You must not engage or threaten to engage in conduct capable of causing nuisance or annoyance to a person engaged in lawful activity:*
- a. in the dwelling subject to this occupation contract, or*
  - b. in the locality of the dwelling.*
- 5.3 *You must not engage in or threaten to engage in conduct:*
- a. capable of causing nuisance or annoyance to:*
    - i. the landlord, or*
    - ii. a person (whether or not employed by the landlord) acting in connection with the exercise of the landlord’s housing management functions, and*
  - b. that is directly or indirectly related to or affects the landlord’s housing management functions.*
- 5.4 *You may not use or threaten to use the dwelling subject to this occupation contract, including any common parts and any other part of a building comprising the dwelling, for criminal purposes.*

- 5.5 *You must not, by any act or omission:*
- a. allow, incite or encourage any person who is living in or visiting the dwelling to act as mentioned in terms 5.1 to 5.3 (inclusive) above, or*
  - b. allow, incite or encourage any person to act as mentioned in term 5.4 above.*

2.3 ASB can include, amongst other things:

- Noise nuisance.
- Fly tipping.
- Aggressive/intimidating behaviour.
- Damage to property.

2.4 More serious ASB can include:

- Threats of, or actual violence, against people.
- The supply and/or use of illegal drugs in and around our properties.
- Any ASB or crime based on actual or perceived of race, sexual orientation, religious belief, disability and transgender identity
- Criminal activity in or around a Tai Calon property.

2.5 Tai Calon will consider legal action as a proportionate response to serious ASB and may do so without any prior intervention. It will also consider legal action for non-serious ASB, if appropriate.

2.6 Not all complaints received constitute ASB and in these cases Tai Calon may decide it is not appropriate to intervene. Tai Calon will provide a clear explanation to the person making the complaint of the reasons why a complaint cannot be acted upon or progressed any further.

2.7 Examples of behaviour that would not normally be considered anti-social include:

- Children's play.
- Children arguing.
- Occasional parties/disturbance.
- Normal domestic activities - which could be the noise of someone walking on floorboards or the sound of a washing machine.
- Inconsiderate or unlawful parking.

This list is not intended to be comprehensive, merely to act as a guide.

### **3. Investigating Anti-Social Behaviour**

3.1 Where one of our contract-holders reports ASB and other prohibited conduct on the part of someone living in one of our properties we will provide them with appropriate advice e.g. to keep notes and report incidents to any relevant agency.

3.2 Every report of ASB will be taken seriously. Any response to ASB will be proportionate. Tai Calon's intention is to deal firmly but fairly with ASB to deter such behaviour and to encourage others to come forward as witnesses.

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3.4 In gathering evidence of ASB, enquiries will seek to identify unmet support needs of parties involved, including alleged perpetrators.

3.3 Investigations will, in most cases, seek to identify and interview all interested parties including the alleged perpetrator. Tai Calon intervention will usually be targeted at resolving the problem and changing behaviour that causes nuisance and/or annoyance.

### 3.4 Tai Calon will support complainants and witnesses by:

- Keeping them informed about any developments relating to their complaint.
- Referring to support services where appropriate.
- Provide language/interpretation services where necessary.
- Supporting witnesses through any court processes.
- To undertake action that is reasonable and proportionate
- To be clear with customers on range of interventions and solutions available

3.5 When assessing complaints to determine whether they constitute ASB, Tai Calon will consider the frequency and severity of incidents, the effect on the victim, and other contributory factors such as buildings and estate design.

3.6 Not all complaints will require an urgent response and contact will be made with the complainant to agree a method of contact and timescale in order to make a full assessment.

3.7 Despite the interventions taken by Tai Calon, it is not always possible to fully resolve complaints of anti-social behaviour due to a range of factors. These factors can include that the complainant does not want any further involvement in the complaint or that the level of evidence is insufficient, or it is not proportionate to take the matter any further. In such cases, the complainant will be advised and Tai Calon will close the case.

### 3.8 Customer Responsibilities

We expect our residents to show consideration to their neighbours and communities. In addition to the contractual responsibilities set out in their occupation contract or lease, we will encourage customers to:

- Report all crimes, including threats or acts of violence to the police
- Reports all incidents of ASB to Tai Calon and the relevant statutory agency

- Take responsibility for minor personal disputes with their neighbours and to try to resolve such problems themselves in a reasonable manner
- Respect others' rights to their chosen lifestyle and everyday reasonable level of disturbance
- Work with us to resolve issues and disputes by, for example reports incidents to us and or the relevant agency, and if required, providing witness statements, and attending court etc.

#### **4. Multi Agency Partnership**

- 4.1 Anti-social and nuisance behaviour cannot always be tackled in isolation by a single agency.
- 4.2 Tai Calon will work with other agencies such as the police and the local authority and voluntary agencies where appropriate.

This may take the form of:

- Individual Case conferences
- Community safety partnership meetings
- Statutory meetings such as “Adult at risk” and Child Protection conferences

#### **5. Data protection, confidentiality and privacy**

Tai Calon will maintain confidentiality throughout the progress of any case. Tai Calon may receive, process, and share information about reported anti-social behaviour to protect the interests of the person or other people or children affected by the behaviour or to prevent further crime and disorder. This may or may not be with consent. It will however be processed on a ‘need to know’ basis and held securely by Tai Calon and other agencies who work in partnership to tackle anti-social behaviour. Please refer to our Privacy Policy for further information [www.taicalon.org/privacy-policy-2/](http://www.taicalon.org/privacy-policy-2/)