



## City of London

### Anti-Social Behaviour Policy 2023

Produced by:	Community Safety Team, Department of Community and Childrens Service
Approved by:	Safer City Partnership
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## 1. Introduction

This document sets out the City of London Corporation's ambitions to tackle anti-social behaviour (ASB). It says what we want our services to achieve for people experiencing ASB and details the kind of service level and quality we aim to provide. It also explains the broad approach we have agreed to adopt to support and advance our objectives.

### 1.1 Policy statement

The City of London Corporation will not tolerate ASB directed towards anyone in the city, including our residents, workers, students, or Corporation staff. This policy sets out our pledge to tackle ASB and the approaches we will use to tackle ASB.

We will ensure that three key approaches are used in tackling all cases of ASB:

- Early intervention and prevention to resolve the problem as quickly as possible
- Partnership working with appropriate agencies
- Enforcement using the full range of informal and legal tools available.

### 1.2 Equality and diversity

The City of London Corporation is committed to promoting equality within the delivery of its services to ensure that everyone is treated with respect, dignity, fairness and, above all, that they are not discriminated against.

The Equality Act 2010 provides a framework to ensure that Corporation services are not provided in a discriminatory manner, ensuring that there is a formalised approach in place when considering legal action against an individual who is known or suspected of having a protected characteristic.

This means that, under this policy, the Corporation will:

- Demonstrate that we have considered any vulnerability identified within the Act when deciding to proceed with legal action
- Have concluded that legal action is needed due to the effect of the ASB on either the wellbeing of the victim and/or the perpetrator
- Ensure that the proposed legal action is a proportionate response to the ASB in accordance with the City of London Enforcement Policy.

## **2. Policy summary**

### **2.1 Understanding anti-social behaviour**

The City of London Corporation's anti-social behaviour (ASB) policy sets out the objectives for the Corporation's ASB services and is committed to tackling ASB through early intervention, partnership working and enforcement.

The definition of ASB according to the Anti-Social Behaviour, Crime and Policing Act 2014 is:

- 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, or
- Conduct capable of causing housing-related nuisance or annoyance to any person.

ASB covers a wide range of behaviours. It may include, but it is not limited to, noise, physical violence, intimidation, harassment, verbal or written abuse, threats of violence, vandalism, drug misuse and drug dealing, environmental nuisance and hate crime.

The City of London Police are the Corporation's first responders and are responsible for dealing with ASB reports that fall outside of the remit of the City of London Corporation. This will include public disorder, crime, and nuisance behaviour.

The City of London Corporation has teams within the Housing Service, Public Protection, City Operations, and Community and Children's Services that respond to ASB. The Housing Service, Public Protection and City Operations have public procedures in place for how their officers address ASB.

### **2.2 Principles of addressing anti-social behaviour**

The City of London Corporation's ASB policy is founded on five principles, which were developed by the Home Office Anti-social Behaviour Strategic Board.

- Victims should be encouraged to report ASB and expect to be taken seriously.
- We will have clear and transparent processes to ensure that victims can report ASB concerns.
- We will work in partnership to identify, assess, and tackle ASB and its underlying causes.
- The public's ASB concerns will be considered with strategic needs assessments for community safety and will deliver a holistic approach.
- Adults and children who exhibit ASB should have the opportunity to take responsibility for their behaviour and repair the harm caused by it.

### 3. Definition of anti-social behaviour

The Anti-Social Behaviour, Crime and Policing Act 2014 defines ASB as:

- 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, or
- Conduct capable of causing housing-related nuisance or annoyance to any person.

Although there are many behaviours that can be disruptive and inconvenient, they are not always ASB. The City of London Corporation will therefore assess each case to decide if it is or is not ASB.

#### 3.1 ASB may include (but is not limited to):

- noisy and/or abusive behaviour
- vandalism
- graffiti
- intimidation
- public drunkenness
- littering
- fly-tipping
- illegal drug use
- excessively barking dogs
- hate behaviour directed at a person's:
  - race or nationality
  - gender
  - sexual orientation
  - disability
  - faith.

#### 3.2 What is not ASB

Some behaviour, even though it may cause nuisance to individuals, will usually not be regarded as ASB, but will be assessed on an individual basis. For example, this can include:

- one-off parties and barbecues
- infrequent and occasional noise or disturbances
- children's play
- occasional dog barking
- excessive noise from domestic appliances (e.g. washing machines, vacuum cleaners)
- minor vehicle repairs
- gossip
- escalated disputes.

Rough sleepers should be referred to [StreetLink](#).

## 4. Objectives

The Corporation's ASB policy is founded on the following five objectives:

### 4.1 **Victims should be encouraged to report ASB and expect to be taken seriously.**

Our policy is to:

- Make people aware of what ASB is
- Publicise and promote our various services to combat ASB
- Seek to respond to each reported case of ASB as quickly as possible
- Support victims of ASB throughout the case
- Encourage and support victims to report criminal behaviour to the police.

### 4.2 **We will have clear and transparent processes to ensure that victims can report ASB concerns.**

Our policy is to:

- Treat all reports as confidential, sharing information only within data protection laws and information-sharing agreements
- Ensure that all ASB incidents reported that involve criminal behaviour is reported to the police
- Quickly refer cases between the different departments of the Corporation, the police, and other agencies as necessary
- If any person is dissatisfied with an ASB investigation, signpost to the Corporation's complaints process and the ASB Case Review (formally known as the Community Trigger).

### 4.3 **We will work in partnership to identify, assess, and tackle ASB and its underlying causes.**

Our policy is to:

- Take any necessary early intervention to protect people and property
- Take it into account (and adjust our approach as necessary) when a victim or a perpetrator is a vulnerable person
- Not necessarily intervene in low-level disputes between households concerning lifestyle differences, for example, noise made by younger children playing in their home, garden or in communal areas, or parking disputes involving non-allocated spaces.

### 4.4 **The public's ASB concerns will be considered with strategic needs assessments for community safety and will deliver a holistic approach.**

Our policy is to:

- Participate in relevant strategic or preventative initiatives
- Participate in permanent or ad-hoc multi-agency workgroups dealing with specific ASB issues
- Work with housing providers, businesses, and other agencies by providing professional advice and support, to assist with their ASB investigations.

#### **4.5 Adults and children who exhibit ASB should have the opportunity to take responsibility for their behaviour and repair the harm caused by it.**

Our policy is to:

- Use any of the tools and powers available to us under the law and Corporation policy, including those tools and powers that do not require Court action
- Support the police in the use of Community Resolution, for incidents of ASB at the lower level of harm or risk
- Facilitate an apology from the perpetrator to the victim, in a manner that the victim supports
- Ensure any restitution is forthcoming in a timely fashion.

## **5. Responding to reports of anti-social behaviour**

### **5.1 Teams within the Square Mile who respond to reports of ASB**

The City of London Corporation has teams within the Housing Service, Public Protection, City Operations, and Community Safety that respond to ASB. The City of London Police are responsible for dealing with ASB reports that fall outside of the remit of the City of London Corporation. This will include public disorder, crime, and nuisance behaviour.

The City of London Corporation has a separate [ASB policy for tenants in Housing stock](#): where ASB occurs in or around the City's Housing Estates, or wherever Housing Service staff are working, the Housing Service ASB policy will take precedence over this policy.

#### **5.1.1 The Housing Service will investigate and respond to:<sup>1</sup>**

- ASB incidents (including environmental ASB) that occur in the Corporation's Housing Revenue Account (HRA) housing estates, the City of London and Gresham Alms houses, and commercial properties managed as part of HRA estates
- ASB that affects residents and their households or visitors, commercial tenants, City of London Corporation staff, agents, and contractors
- Disputes between the Corporation's Housing tenants.

#### **5.1.2 Port Health and Public Protection respond to:<sup>2</sup>**

- Protecting consumers and working with businesses to bring them into compliance with licensing legislation

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<sup>1</sup> Department of Community and Children's Services, Housing Service, Anti-social Behaviour Policy

<sup>2</sup> Port Health and Public Protection Policy Statement on Enforcement

- Enforcing all noise and nuisance legislation (there is a service level agreement with the Street Environment Team to provide an out-of-hours noise response)
- Ensuring that all licensed premises comply with legislative provisions and promote the licensing objectives for the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm
- The enforcement of illegal street trading and buskers.

#### **5.1.3 City Operations will respond to:**

- The enforcement of littering, fly tipping, graffiti, flyposting, and other types of environmental ASB
- Cleansing of ASB sites
- Parking enforcement
- Highway licensing.

#### **5.1.4 The Community Safety Team (CST) will respond to:**

- The CST receive referrals from another Corporation teams or an external agency working in the City. The CST do not receive referrals directly from the public.
- The CST will investigate and lead on ASB multi-agency cases, where responsibility for investigation does not sit within another organisation or City of London Corporation team, for example, City of London Police, Port Health and Public Protection and Housing Services
- Cases requiring a multi-agency response.

Examples of cases that the CST will oversee are:

- ASB incidents that pose a risk to individuals or the community
- ASB that is taking place in any public place or place to which the public have access that poses a risk to individuals or the community.

The CST will also provide advice and guidance to other Corporation teams or external agencies.

When ASB is reported to a department within the Corporation and it does not fall within the department's remit, they will refer the incident to the CST by completing an ASB referral form.

#### **5.1.5 The City of London Police will respond to:**

ASB involving criminal behaviour should be reported to the Police [online](#) or by calling 101 for non-emergencies, or 999 in an emergency. The 999 number should only be used when:

- it is an emergency
- a crime is in progress
- someone suspected of a crime is nearby
- there is danger to life
- violence is being used or threatened.

ASB can also be reported to Crimestoppers on 0800 555 111. Those making reports can choose to remain anonymous. This will be taken into consideration by officers when undertaking an investigation.

Contact details for all services can be found at Appendix A.



## 6. Categorising and prioritising reports of anti-social behaviour

### 6.1 Severity of ASB and risk assessments

- Reports of personal ASB can be classified as low, medium or high risk. Corporation officers will contact the complainant to ask a series of questions to assess the potential risk of harm caused by the ASB.
- If the ASB involves the use or threat of violence or there is a significant risk of harm (for example, a hate crime/incident), an officer will aim to contact the complainant within one working day. For all other reports of ASB, an officer will aim to contact the complainant within five working days. For reports of noise pollution, the Public Protection Team has its own attendance standards which can be found on the City of London website: [Disturbed by noise in the Square Mile? - City of London](#)
- If a victim's risk assessment score is high, then the Corporation officer will consider whether a referral should be made to an appropriate agency.

### 6.2 Factors indicating risk

While risk can be a subjective judgement, Corporation officers will look for key indicators to help them understand the potential severity of risk:

- How serious the incident is – officers will consider whether the behaviour consists of threats of violence, actual violence, or if there is a genuine risk of harm.
- Is the behaviour directed at the complainant – in some cases, the complainant may be experiencing ASB which is not directed at them specifically (for example, someone playing music and disturbing a neighbour). If the behaviour is targeted at the complainant (for example, physical abuse), then this is a higher risk. This risk is further escalated if the incident is motivated by hate for a protected characteristic.
- How often the incidents are happening – if they are more frequent, then the harm caused is likely to be higher.
- The proximity of the perpetrator – if the perpetrator is in close, regular proximity to the complainant, then the opportunity to encounter each other is high and therefore so is the risk of further incident and harm. This may cause psychological harm to the victim.
- Whether the victim has mental or physical ill-health – this may affect how resilient the victim is to the problem and the impact the ASB has on them.
- Whether the victim has previously been a victim of ASB or crime – that is, repeat victims.
- Whether they have friends or family around them – if the victim does not have a support network, or feels isolated, the risk of harm is likely to be higher.

## 7. Enforcement

The Anti-Social Behaviour, Crime and Policing Act 2014 was introduced to streamline different articles of legislation and provides the Corporation and the police tools and powers to address ASB.

Enforcement action should follow a stepped approach, exhausting non-legal remedies before deciding on legal action. However, there may be occasions that the behaviour is so serious that it precludes non-legal action and warrants immediate legal sanction.

The process for case management and decision making is dealt with in the Standard Operating Procedure document.

## **7.1 Informal action**

If the behaviour is assessed as being at a low or medium level and the victim risk assessment concurs, non-legal enforcement may be appropriate.

Warning letters – a formal letter from the Corporation outlining the complaint and a record of which will be held on file, should the behaviour reoccur.

Community remedy – when a criminal offence or ASB incident has been admitted, the police can instruct the perpetrator to undertake an act to compensate the victim, in lieu of court proceedings.

Acceptable Behaviour Contracts (ABCs) – a voluntary written agreements between persons who have been involved with ASB.

## **7.2 Legal enforcement**

Community Protection Notice – to stop a person aged 16 or over, a business or organisation committing ASB that spoils the community's quality of life.

Civil Injunction – to quickly stop or prevent individuals engaging in ASB, nipping problems in the bud before they escalate.

Without notice (ex-parte) Injunctions – as above, but the perpetrator is not made aware of the application. Without notice, injunctions are likely to be used where violence has been used or threatened or is likely to happen.

Criminal Behaviour Order – issued by a criminal court against a person who has been convicted of an offence, designed to tackle the most persistently anti-social individuals who are also engaged in criminal activity.

Closure Power – to allow the Police or the Corporation to close premises quickly which are being used, or likely to be used, to commit nuisance or disorder.

Public Spaces Protection Order – designed to stop individuals or groups from committing ASB in a public space.

### **7.3 Surveillance – the Regulation of Investigatory Powers Act policy and procedure**

The Regulation of Investigatory Powers Act 2000 (RIPA) regulates surveillance carried out by public authorities in the conduct of their business, specifically: the monitoring, recording and interception of communications; the requisition, provision, and handling of communications data; and the use of directed covert surveillance.

Before undertaking surveillance under RIPA, an authority must be satisfied that it is undertaken in connection with a core function and is necessary, proportionate, and lawful. It is essential that all Corporation officers read and refer to the City of London Corporation's RIPA Policy and Procedure documents before submitting an operation application form.

## **8. Multi-agency working**

Dealing with ASB cases sometimes requires involvement from statutory and non-statutory partnership agencies. As well as working closely with enforcement agencies such as the Police, registered social landlords will have access to more appropriate enforcement actions within tenancy breaches. We acknowledge that sometimes both complainants and alleged perpetrators may be vulnerable and may benefit from a referral to an appropriate support service.

Reports of ASB may be discussed at a multi-agency forum to ensure that a coordinated response is taken, involving the relevant partners to resolve the ASB problem. Such forums may include the:

- Homelessness and Rough Sleeping Task and Action Group
- City of London Corporation City Community Multi-Agency Risk Assessment Conference
- ASB in the Night-Time Economy (NTE)
- ASB Case Review (formerly the Community Trigger)

### **8.1 Homelessness and Rough Sleeping Task and Action Group**

The Homelessness and Rough Sleeping Task and Action Group is a multi-agency meeting led by the Homelessness and Rough Sleeping team to support the most vulnerable long-term rough sleepers in the City of London. The aim of the group is for professionals to support the work undertaken by the City of London commissioned Outreach team in sourcing collaborative, innovative and integrated solutions to individual rough sleepers who present with complex and difficult needs.

Through effective partnership working, the group aims to resolve areas of support that compound the individual's current homelessness. The group has an agreed terms of reference in place.

### **8.2 City Community Multi-Agency Risk Assessment Conference**

The City of London Corporation Community Multi-Agency Risk Assessment Conference (CCM) is a multi-agency meeting where representatives from the statutory and voluntary sectors share information on vulnerable ASB victims, ASB perpetrators and ASB hotspot locations.

After sharing all relevant information about a victim, perpetrator or location, the representatives discuss options for increasing the safety of the victim, perpetrator, or location and turn these into a co-ordinated action plan.

The aim is to identify the highest risk, most complex cases and solve the issues of concern. Victims also include those experiencing hate crime.

The focus of the CCM is on managing the risk to the vulnerable victim and/or perpetrator and providing options for increased safety. The CCM also considers other people affected and manages the behaviour of any perpetrator. The panel will decide on the best approach to managing the overall risk to the victim, perpetrator, or community and on effective safety planning strategies.

Information shared at the CCM is confidential and is only used for the purpose of reducing the risk of harm and safeguarding those at risk.

### **8.3 ASB in the Night-Time Economy (NTE)**

ASB in the Night-Time Economy is discussed within the Licencing Leasing Partnership (LLP) and meets weekly to discuss any issue surrounding the NTE. This includes crime relating to licensed premises or by perpetrators who have visited licensed premises, ASB, noise issues and any other emerging trends. As the remit of the meeting is broad, representatives attend from the Police, CoLP Licensing Team, CoLC Licensing Team, Port Health & Public Protection and the Community Safety Team.

### **8.4 ASB Case Review (formerly the Community Trigger)**

The Anti-Social Behaviour, Crime and Policing Act 2014 introduced specific measures designed to give victims and communities a say in the way that ASB complaints are dealt with. This includes the Anti-Social Behaviour Case Review, (formerly known as the Community Trigger), which gives victims of persistent ASB reported to any of the main responsible agencies (such as the local authority, police, and housing providers) the right to request a multi-agency case review where a local threshold is met.

The City of London Corporation has a duty to carry out an Anti-Social Behaviour Case Review on request when a case meets the threshold. The threshold is met when:

- At least three separate qualifying complaints of ASB or hate incidents must have been made within the past six months
- No action has been taken
- The case has been closed and the original problem persists.

Applications for an Anti-Social Behaviour Case Review may either come directly from the victims of ASB or from a third party (with the victim's written consent), such as a family member, friend, or local elected representative (a councillor or MP). The victim may be an individual, a business or a community group.

## **9. Publicity and data control**

The City of London Corporation Communications Team will, wherever appropriate, liaise with Police press offices to publicise its work, to promote positive case outcomes and reassure residents of its ability to tackle and prevent ASB.

### **9.1 Information sharing and confidentiality**

Information sharing should not be seen as a barrier to successful action. In cases where informed consent is not given (i.e., a request for information is made without the subject's knowledge or consent), for the prevention of crime and disorder or to protect vulnerable people, lack of consent should not be seen as a barrier to action.

The City of London Corporation will treat all information received with the strictest of confidence. At times it is imperative to understand that, in certain circumstances, we may have a legal obligation to share relevant information with other statutory agencies, especially where there is a need for the prevention and detection of crime or safeguarding concerns.

We have a duty to share information with partnership agencies as defined in the Crime and Disorder Act 1998 and in accordance with the Data Protection Act 1998 and data-sharing protocols.

### **9.2 Crime and Disorder Act 1998**

Section 115 of the Crime and Disorder Act 1998 allows for the exchange of information where the disclosure is necessary or expedient for the purposes of any provision of the Crime and Disorder Act 1998, or amendments to that legislation.

The information, whether from a private individual or a member of a public body, can be disclosed to a relevant authority or a person acting on behalf of such an authority.

Under the Act, the City of London has the Community Safety Partnership information-sharing protocol.

### **9.3 Data Protection Act 2018**

The non-disclosure provision of the Data Protection Act 2018 does not apply where a disclosure is for the purposes of (section 29):

- the prevention and detection of crime, or
- the apprehension or prosecution of offenders,
- where failure to disclose would be likely to prejudice those objectives in a particular case.

To satisfy these terms, any request for personal information, where the purpose is the prevention or detection of crime, should specify as clearly as possible how failure to disclose would prejudice this objective.

For example, if a social landlord wanted information from the police to assist them in civil proceedings, their request should make it clear why the proceedings are necessary and how a successful action could prevent crime.

### **9.4 Human Rights Act 1998**

Article 8(1) of the Human Rights Act 1998 states that everyone has the right to respect for his private and family life, his home, and his correspondence. This right is not absolute – interference can be justified in the interests of the prevention of disorder or crime.

## **10. Monitoring the service**

### **10.1 Case supervision**

Each team within the Corporation that has a responsibility to investigate ASB has its own service standards and procedures. However, the manager or nominated officer will conduct reviews of cases and will consider that:

- Service standards have been/are being adhered to
- All actions arising during the case investigation are accurately recorded
- All avenues of investigation have been explored, with all witnesses contacted and any problem-solving opportunities considered
- All documents, letters, statements, and evidence have been scanned and attached to the case, and all hard copy documents retained for the potential of future legal action
- All guidance and direction previously provided to the investigating officer has been actioned and cases are progressing in accordance with any planned timescales.

### **10.2 Complaints**

The City of London Corporation is committed to always providing the best possible service, but sometimes mistakes are made. If this happens, we want customers to contact us and let us know.

Where complaints cannot be resolved by local managers and exhaust the Corporation's complaints procedure, complainants will be referred to either the Local Government Ombudsman, depending on the case issues and the complainant's tenure.

If an individual or organisation has a complaint, compliment, or comment about the City of London Corporation, they can talk to the member of staff concerned or the relevant team manager. Contact details will be provided for all teams.

### **10.3 Performance monitoring**

The performance of this policy will be monitored by the ASB Strategic Delivery Group.

The group will ensure that all collated performance data is purposeful and adds value to the work of the organisation insofar as it ensures that senior managers and key partners are fully informed of ASB performance and can be used to influence procedural improvements.

Data relating to enquiries and cases logged within the City of London Corporation Community Safety Team's case management systems will be extracted through tailored reports for performance measurement, management purposes and corporate monitoring.

### **10.4 ASB policy review**

This document will be reviewed on an annual basis, as a minimum, to ensure that it remains relevant and up to date.



## 11. Appendix

Service contact details:

### **City of London Police**

Emergency – 999

Non-emergency – 101

Online [Home | City of London Police](#)

### **City of London Corporation**

Switchboard – 020 7606 3030

Online Service Enquiry form [Online Service Enquiry Form - Online Enquiry - My City \(cityoflondon.gov.uk\)](#)

Direct services contact – [Contact the City Corporation - City of London](#)