



## Corporate Anti-social Behaviour (ASB) Policy

### **Bristol City Council** (Adults and Communities Directorate)

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#### **Version control table**

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Table 1 Version control table

## Policy overview

**Policy title:** Corporate ASB Policy

**Summary for the web team** This is the Corporate Anti-social Behaviour (ASB) Policy setting out how Bristol City Council works to prevent, intervene in and tackle incidents of ASB. The policy applies to all BCC staff, elected members and employees working on behalf of the Council.

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**This policy is for use by:** Bristol City Council Officers and partners

**Any other Bristol City Council teams or partners consulted on development of this policy** Safer Communities; Estate Management; Housing and Landlords; Children's Safeguarding; Children's Early Help; Youth Offending; Children's Policy; Adult Social Care; Libraries; Planning; Equalities; Trading Standards; Parks; Domestic Abuse; and Mayor's Office (all internal) ASB Partnership Group (external).

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## 1. Introduction

Bristol City Council (BCC) recognise that Anti-social Behaviour (ASB) reduces the quality of life for residents and can have a detrimental impact on the lives of both the victim(s) and the wider community. This policy is written in relation to our role to prevent ASB, intervene in issues of ASB and use enforcement procedures to tackle incidents of ASB.

The aim of this policy is to prevent and minimise instances of ASB and to resolve them as early as possible through timely and appropriate interventions. Our ASB policy applies to all its citizens, including homeowners, private tenants, local authority tenants and leaseholders, businesses, visitors and licensees. The same principles apply to all Council staff and employees working on behalf of the Council.

BCC and our partners take a victim centred approach to dealing with ASB and are committed to providing appropriate support to those involved. We also recognise the importance of effective communication with partners and victims, particularly in cases with complex issues. This policy has been developed based on our locally agreed [principles for trauma informed practice](#). We are committed to developing trauma informed ways of working to better understand how experiences of trauma and adversity can, at times, lead to behavioural changes that we can find difficult to understand. Consequently, services are structured, organised and delivered in ways that promote safety and trust, and aim to prevent re-traumatisation.

All professionals working within the Keeping Bristol Safe Partnership (KBSP) have a responsibility to give due regard to ASB issues in the course of their duties as responsible authorities under the [Crime and Disorder Act 1998](#). Those same professionals can also share relevant information across the partnership, in order to prevent crime, disorder and ASB. In addition, Keeping Bristol Safe Partners share a commitment to adhere to the aims and principles outlined in this policy.

This policy sets out a clear process that Officers will follow in instances of ASB. We recognise that effective delivery of the policy relies on the development of good relationships between Officers, citizens, and the wider community.

### 1.1 Definition of ASB

BCC adopts the definitions of ASB as outlined in 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.*

We also use the Community Protection Notice definition: “*Conduct of an individual that is having a detrimental effect (that is persistent or continuing) on the quality of life of those in the locality and that conduct is unreasonable.*”

## **1.2 What is and what is not ASB**

Section 1.1. of this policy sets out the definition of ASB that Bristol City Council adopts. ASB includes (not an exhaustive list):

- Violence and actual assault.
- Verbal abuse, intimidation and threats of violence.
- Hate crime or behaviour (including harassment and stalking).
- ASB because of misuse of drugs or alcohol.
- Noise and other neighbour nuisance including loitering, drug dealing, drunk and rowdy behaviour, organised crime related activity, noise arising from illegal activities and problems caused by animals.
- Local environmental quality issues such as dropping litter, fly-tipping, vandalism, dog fouling, storing rubbish in gardens and graffiti.
- Illegal use of residential premises.
- Aggressive and threatening language and behaviour.

When assessing reports to determine whether they constitute ASB, we will consider the frequency and severity of incidents, their effect on the victim, their effect on the wider community and any other contributory factors.

Noise, annoyance and other nuisance which can be considered reasonable do not classify as ASB and no action can be taken. Examples of certain activities which the Council does not classify as ASB, include:

- Children playing in their home, garden or communal areas at reasonable times of the day
- A baby crying
- Cooking smells
- The use of unallocated parking spaces
- Everyday living noises (eg dogs barking now and again, DIY at a reasonable time of the day)
- Intractable neighbour disputes and clashed of lifestyles including cultural differences

Domestic abuse which should be reported as a separate crime. (Members of the community reporting disturbance by noise associated with domestic abuse would be dealt with by the Council).

## 2. Objectives and principles

This policy sets out Bristol City Council's approach to tackling ASB impacts upon all citizens of Bristol, and the responsibilities of professionals working for BCC to give due regard to ASB. Our objectives are:

1. All residents of Bristol live in homes and have access to public spaces that feel safe and are free of nuisance, annoyance, alarm, harassment and distress.
2. BCC staff and partners are aware of their roles and responsibilities in prevention and intervening in incidents of ASB and implement a victim-centred, evidence based and trauma informed response, whilst feeling safe at work and able to fulfil their duties.
3. People living in Bristol understand what is and is not ASB, how to report incidents and the actions that can be taken to tackle ASB.

These principles underpin our approach to ASB:

- We do not tolerate ASB.
- We recognise that ASB is a serious problem that has a detrimental impact on the quality of life of individuals, families and communities. We encourage and empower communities to resolve issues themselves and work with residents to address the issues identified by them in their neighbourhood.
- We consider each case on its own merits and take swift, proportionate and effective action to protect victims and cease ASB.
- We keep victims and witnesses informed and seek to do so in a way they feel most comfortable.
- We treat people fairly by ensuring that any action taken is proportionate and reasonable to the circumstances, using the least restrictive intervention possible but escalating if not adhered to (*see s8.3 intervention approaches*).
- We use ASB tools and powers to prevent ASB from continuing, as opposed to punishing people for behaving in an anti-social way.
- We invest in long term solutions to tackling the causes of ASB. We want to prevent ASB occurring in the first instance.
- We support our staff to feel safe at work and do their jobs without encountering ASB.
- We work collaboratively with multi-agency partners through joined up practices to utilise collective resources to tackle ASB

## 3. Legal and regulatory requirements

***Bristol City Council as a [landlord](#):***

Alongside our role as a Responsible Authority of the KBSP as defined by the [Crime and Disorder Act 1998](#) to ensure local arrangements are in place to keep communities safe from crime and ASB, we are also a landlord.

Bristol City Council manages 28,000 homes for tenants and leaseholders. As a landlord, we have a duty to respond to ASB affecting the tenants in properties that we manage. Our landlord duties and powers complement those that we utilise to address ASB by non-BCC tenants. This means we can use the same powers for both groups (except seeking possession of a tenancy, which we can only do in the case of BCC tenants).

The [Anti-social Behaviour, Crime and Policing Act 2014](#) provides a range of powers we can, and will, utilise in order to prevent people causing, or continuing to cause, ASB. BCC has comprehensive Conditions of Tenancy with detailed nuisance clauses. The lease sets out lease conditions (covenants and regulations), obligations and responsibilities. All new tenants are given an “introductory tenancy” which lasts for the first year. Introductory tenancy becomes a secure tenancy after 12 months unless we have started legal action to gain possession or have extended the introductory period for a further six months.

The [Anti-social Behaviour, Crime and Policing Act 2014](#) also introduced a new duty on social landlords to publish their ASB policies so that tenants and members of the public are informed about the measures that social landlords will use to address ASB in their housing stock. In November 2022, BCC published the separate [ASB Policy \(Housing Management and Estates\)](#).

The policy sets out our approach to tackling ASB that impacts on our tenants and leaseholders (residents) and/or is perpetrated by them. The ASB Policy (Housing Management and Estates) responds to the [Anti-social Behaviour Act 2003](#), which requires all landlords to respond to ASB affecting our residents and the surrounding communities. For full details of managing ASB in our role as a landlord you can visit our [ASB Policy \(Housing Management and Estates\)](#).

***Bristol City Council’s role to protect and manage the external environment:***

As an environmental protection champion, the Council has a range of legal powers to deal with environmental ASB such as noise, graffiti, litter, fly-tipping and abandoned vehicles. These responsibilities come from a number of legal instruments and local byelaws, but in particular from the [Environmental Protection Act 1990](#), [Clean Neighbourhoods and Environment Act 2005](#) and [Anti-social Behaviour, Crime and Policing Act 2014](#).

BCC also has many other legal duties and powers that, whilst not directly utilised to tackle ASB, can impact on how we tackle ASB. Examples of this include: the [Equality Act \(2010\)](#), the [Serious Crime Act 2015](#), the [Care Act 2014](#), the [Children’s Act 1989](#),

the [Human Rights Act 1998](#), the [Domestic Abuse Act 2021](#) the [Town and Country Planning Act 1990](#), the [Housing Act 1998](#) and [Housing Act 1996](#). The list is by no means exhaustive and is intended only to give an indication of the range of legislation governing the way that the Council carries out its duties.

Various teams within BCC deliver these interlinking roles and therefore it is essential for the Council to work cross-departmentally and externally with our partners to meet these duties and succeed in keeping Bristol safe and free from ASB, harassment and abuse.

## 4. Roles and responsibilities

This policy will be managed by the BCC's Safer Communities team. The Safer Communities team will work with services across the Council to ensure that the policy is maintained and adhered to. Although the Safer Communities team manage this policy, it is assumed that all BCC Officers will feed into the policy for the purposes of future reviews and improvements. The team will coordinate with partners, including One City and the KBSP, to ensure the policy is applied equally across the city.

BCC's Corporate Leadership Board (CLB) will have overarching responsibility for the implementation of this policy. CLB will be responsible for reviewing the policy on an annual basis and providing oversight and monitoring.

## 5. Scope

The Corporate ASB Policy applies to all staff and elected members of BCC. The policy is also written for citizens of Bristol to understand the role BCC and its partners play in preventing ASB and the types of intervention and enforcement that can be taken to stop ASB from occurring.

## 6. Approach to ASB

### 6.1 Partnership Approach

We work collaboratively with other members of the KBSP to tackle ASB and support those involved. From the earliest opportunity we identify and collaborate with key partners and work together with them to utilise collective resources to resolve issues. This often involves significant multi-agency joined-up practices.

#### ***6.1.1 One City approach: Power in partnership***

As part of our '[One City Plan](#)' we believe everybody should feel safe and secure and should not suffer from ASB. Our 'One City Approach' means we see ourselves as one

partner among many, bringing together a range of public, private, voluntary and third sector partners with the shared aim to make the city a fair, healthy and sustainable place.

We will continue to work with our partner agencies to ensure we tackle ASB, harassment, hate crime, and discrimination and promote people's wellbeing. Our One City principles include:

- Developing people and places to improve outcomes, empower communities and reduce the need for council services
- Contributing to safer communities, by taking a zero-tolerance stance to abuse and/or crime based on all protected characteristics
- Focusing on planned long-term outcomes rather than short-term fixes by prioritising early intervention and prevention and restorative justice

By 2028, The One City Plan aims for less than half of people living in the most deprived areas of Bristol to feel that ASB is a problem locally. We want this to further decline to less than a third by 2039, and less than a tenth by 2047.

### **6.1.2 Keeping Bristol Safe Partnership (KBSP)**

The [KBSP](#) is the statutory crime and disorder partnership set up to tackle crime, fear of crime, ASB and substance misuse. The Partnership consists of:

- [Avon and Somerset Constabulary](#)
- [Avon and Somerset Police and Crime Commissioner](#)
- [Avon Fire and Rescue Service](#)
- [Bristol City Council](#)
- [NHS Bristol, North Somerset and South Gloucestershire Clinical Commissioning Group](#)
- [Voscur](#)
- [Probation Service](#)

Taking a partnership approach with the KBSP means for each case we identify partner agencies and work together on collaborative interventions. We work together with partners to help create safer, cohesive communities. Alongside members of the voluntary sector we work to support victims of crime, and we will work with several partners on youth offending services.

The Tackling ASB Partnership Board specifically focuses on the collective response to ASB. The Tackling ASB Partnership Board sits underneath the Keeping Communities Safe Delivery Group, within the KBSP Executive. The full governance structure can be found on the [Bristol Safeguarding Organogram](#).

### **6.2 Prevention, Intervention and Enforcement**

Many factors may lead to ASB. These include, but are not limited to; experience of trauma, abuse, drug dependency, family breakdown, mental health issues, involvement in the criminal justice system, learning difficulties or lack of activities for young people.

Our policy is designed to provide a balanced and co-ordinated approach to the prevention, identification and rectification of ASB throughout the city of Bristol. For more information on our approach to prevention and early intervention visit section 8 of this policy.

### **6.3 Victim centred approach**

A victim centred approach means we focus on ensuring the safety, rights, wellbeing and expressed needs and choices of reporters when responding to ASB, with significant regard given to both the victim and perpetrators rights under the Public Sector Equality Duty of the [Equality Act 2010](#) and the [European Convention on Human Rights](#). Aside from criminal situations or those involving safeguarding concerns, we will not act unless the victim wants us to do so. We will also take the victims views into consideration when deciding what action to take.

### **6.4 Child centred approach**

A child centred approach means we will keep the child in focus when making decisions about their lives, working in partnership with them and their families. We recognise that a child centred approach is fundamental to safeguarding and promoting the welfare of children who are victims or perpetrators of ASB, particularly where we hold a corporate parenting responsibility for that child or young person.

Involvement in ASB can be an indicator of abuse or harm including exploitation, cuckooing and hate crime. As part of our commitment to safeguarding children and vulnerable adults, we will deal with ASB through a child centred approach by focusing on understanding and addressing the underlying needs, motivations, and challenges of the child involved and recognising that ASB may be a consequence of unmet needs or emotional distress.

### **6.5 Evidence based approach**

Taking an evidence based approach means we must be able to evidence that ASB is occurring before we can begin to deal with it. Where we are unable to evidence that ASB is occurring we will take a curious and balanced approach to work with victims to enable and empower them to build evidence whilst ensuring they are supported with the impact that any ASB may be having on them.

### **6.6 Trauma informed approach**

Trauma is not relevant to all aspects of ASB that this policy identifies but can be a significant factor in the presentation of tenants and how resilient they are to influences that may put their tenancies at risk.

“Trauma” can be an experience that has not been processed emotionally and is not always outwardly visible. This can make it difficult to identify, or, in some instances, it can be misdiagnosed as ‘behavioural difficulties’ - with a lack of understanding as to what is underneath that behaviour. Trauma is a felt experience, it lives within our nervous systems. It has been described as not what happens to a person, but what happens within them because of traumatic experiences.

Trauma can be caused by either a single event or issues which persist over time and are difficult to escape from. The impact of trauma or an ‘adverse childhood experience’ is clearly linked to socio-economic deprivation, drug and alcohol abuse in later life and ASB. However, such experiences are correlated only to a higher risk of experiencing certain problems in later life. Access to support can go some way in mitigating these risks. For more information on trauma and trauma informed principles please visit the [Keeping Bristol Safe Partnership website](#).

Trauma Informed Practice is about recognising and understanding the impact that trauma and adversity can have on adults and children and considering ways to respond that promotes positive relational experiences when certain emotions or behaviours are displayed.

A trauma informed approach to ASB ensures we recognise the impacts of trauma on both victims and perpetrators of ASB and provide support to people who have experienced trauma in a way that ensures a positive, supportive, and safe environment exists. Building trust through consistent decisions and approaches and actively seeking to recognise and address inequalities is critical to a trauma informed approach.

The Bristol, North Somerset, and South Gloucestershire Integrated Care Board (BNSSG ICG) have developed trauma informed principles, which can be found here: [Trauma-Informed System \(bristolsafeguarding.org\)](#)

Additional information about our local approach to trauma informed practice is available here: [Welcome to the Keeping Bristol Safe Partnership website. \(bristolsafeguarding.org\)](#)

## **7. Policy context**

### **7.1 BCC Corporate Strategy**

[Bristol City Council's Corporate Strategy \(2022 to 2027\)](#) sets out our key priorities for the council, the principles that inform everything we do, and the things we must do by law. The policy confirms our commitment to work with the police and partners on all

elements of crime and community safety, including addressing ASB and neighbourhood crimes.

Our Corporate Strategy also sets out how we will continue to focus on engagement, education, and early intervention to help prevent crime and divert people from this path as early in their lives as possible. Our early intervention approaches will continue to be person-centred and rooted in communities.

## 7.2 Hate Crime and reducing inequality

Although ASB can affect anyone, people who live in urban areas with higher levels of deprivation are more likely to witness or experience ASB<sup>1</sup>. Disabled people were more likely to have experienced ASB than non-Disabled people<sup>2</sup>, with men more likely to experience ASB and women more likely to have witnessed it<sup>3</sup>. Younger people are more likely to experience a significant impact from ASB, although young people are more likely to see behaviours as 'normal' which groups aged over 35 are likely to consider ASB<sup>4</sup>.

Our [Equity and Inclusion Policy and Strategy Framework](#) outlines our ambition to create a fairer, safer, accessible and inclusive Bristol where everyone feels they belong, have a voice and an equal and equitable opportunity to succeed and thrive. We accept a victim centred definition of ASB and hate crime and aim to eliminate instances of direct and indirect discrimination. We are focused on equally applying all policies, processes and practices so that all victims of ASB, harassment and hate crime are taken seriously and treated fairly.

Incidents of ASB can also be hate crimes if they are perceived by the victim to be motivated by hostility or prejudice based on a protected characteristic as defined by the [Equality Act \(2010\)](#). Hate crime is a criminal offence and includes all crimes against someone because of their race, religion, sexuality, Disability or gender. This includes where the victim is not a member of a protected group but is thought to be. Examples of ASB incidents which could be considered hate crime may include vandalism, graffiti, verbal abuse or assault.

We will continue to embed learning from the [multi-agency review](#) into the murder of Bijan Ebrahimi to ensure that we take all possible action to prevent future incidents of hate crime and act upon the recommendations of the review. This includes automatic notification to a source of support such as SARI or Victim Support when a hate incidence is recorded and that necessary steps are taken to ensure that ASB injunctions are only taken after a comprehensive investigation with consideration given regarding the stigmatising effect on the defendant and ensuring mitigating action is

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<sup>1</sup> [GtR \(ukri.org\)](#): Who experiences or witnesses ASB and in what context?

<sup>2</sup> Office for National Statistics: [Outcomes for disabled people in the UK](#)

<sup>3</sup> Home Office: [Anti-social behaviour: impacts on individuals and local communities](#)

<sup>4</sup> Home Office: [Anti-social behaviour: impacts on individuals and local communities](#)

taken to minimise the harm, risk and vulnerability of victims, witnesses and defendants.

Further information on Hate Crime, and how to report it, can be found on our [website](#).

### 7.3 Sustainable Development Goals

This policy also aligns with Sustainable Development Goal 16: [Peace, Justice and Strong Institutions](#) and forms part of our commitment to ‘Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels’.

## 8. Responding to Incidents of ASB

### 8.1 Actions before reporting ASB

BCC encourages and supports residents, staff, contractors, and visitors where appropriate, to report problems of ASB and to work with us to resolve problems.

Initial dialogue is encourage to resolve ASB issues as a first option. The perpetrator may not realise they are being anti-social and could change their behaviour quickly and resolve the problem. This should only be done if it is felt to be safe and comfortable to do so.

[Resolve West](#) (formerly Bristol Mediation Service) could assist in such situations. They have trained specialists who can help people involved in or affected by ASB including resolving conflict and restorative justice. Resolve’s services are confidential, impartial and can be used by BCC tenants, private rented and owner-occupied households.

### 8.2 Tackling the causes of ASB and early intervention.

As part of our role in keeping communities safe and managing the external environment, we are taking steps to have a greater focus on prevention. However, prevention, intervention and enforcement are interlinked and should not be treated as separate aspects of tackling ASB.

Reducing crime in environments to increase the safety of children and young people and divert away from offending is critical to our approach of early intervention to prevent incidents of ASB from occurring. Prevention and early intervention measures we are taking include:

- ❖ **Early Intervention and Targeted Family Support:** We directly deliver and commission a range of innovative family support projects, working with families with complex needs including a history of ASB to address their behaviour and improve their outcomes. The projects aim to secure behavioural change through

a series of intensive interventions, with the success of interventions measured by the impact on communities and individuals subjected to ASB.

- ❖ **Secure by design:** The police architectural liaison officers based in Bristol, together with BCC planners work together to design out crime as part of the planning process and to make sure that each planning application is considered for its impact on reducing crime. Designing out crime can include the use of alley gating, defensive planting, secure entrance systems and improved lighting and should also give consideration to how an area feels at night.
- ❖ **Individual Tenant Support Services:** A range of support services are delivered across the city to vulnerable people, including ex-offenders and people with a history of rough sleeping, homelessness, begging and those with a history of addiction (including services provided by the Tenant Support Service).
- ❖ **Officer visibility & use of CCTV:** Bristol City Council work within localities and with communities to patrol and monitor ‘hot spots’ and to prevent areas being used for ASB. Council Officers involved are chiefly from the Neighbourhood Enforcement Team, Housing Officers, the Street Intervention Service and the Operations Team (CCTV Control Room). CCTV is used in areas within Bristol for security. Evidence from CCTV and witnesses can be used to improve areas by taking appropriate action to stop ongoing issues.

### 8.3 Taking an incremental approach to ASB

Taking an incremental approach to ASB means we seek to use informal measures before moving onto the more “formal” measures as referred above. Initial measures will also seek to explore any complicating factors that may be contributing to the ASB, with appropriate support provided as part of a child centred, trauma informed and victim centred approach.

Informal measures include verbal warnings, written warnings, visits, support interventions, mediation, restorative approaches, Acceptable Behaviour Contracts (ABC), Parental Control Contract and Community Protection Warnings (CPW). The framework below provides an example illustration of this process.



Where there is a real or credible risk of harm and threats or use of violence, including evidence of exploitation of groups of individuals, we have an escalation process. This allows us to move straight to formal action to try and prevent the immediate, ongoing harm prior to putting other supportive interventions in place.

## 8.4 How to report ASB

**Call 999 if a crime is happening now or you're in immediate danger.**

Reports of ASB to the Council can be made in any of the following way: by telephone, online or in writing. [Bristol City Council's website](#) provides advice and guidance around contacting BCC and other Partnership Agencies. It covers:

- What to do if a crime is happening now or there is immediate danger
- A definition of ASB
- Information about mediation
- How to report
- Street Issues
- Pollution and noise
- Other ASB
- ASB involving a council resident (to report this you can complete a [Web Form](#)).
- What to do if the problem isn't resolved (ASB Case Review)

### Street issues

To report street issues, like graffiti, fly-posting, rubbish or dog mess go to [report a street issue](#). Or call: 0117 922 2500

### Pollution and noise

To report pollution issues, like loud noise, light or smells go to [pests, pollution, noise and food](#). Or call: 0117 922 2500

### Other ASB

To report other ASB, including vandalism, aggressive language, threatening behaviour, physical attacks, drunken behaviour or drug taking or dealing contact Avon and Somerset Police by either:

- Calling 999 if a crime is happening now or if someone is in immediate danger
- Calling 101 if it's not an emergency
- Completing an [online crime form](#) through Avon and Somerset police
- Visiting your [local Avon and Somerset police station](#)

### ASB involving a Council Tenant

If a council tenant or the person responsible for the ASB is a council tenant or living in a council tenancy ASB can be reported to the [Tenancy Management Service](#) or by calling 0117 922 2200.

If the victim and / or the alleged perpetrator are tenants of a Registered Provider of Social Housing, then it is advised that the tenants contact their Registered Housing Provider in order for them to respond and take appropriate action.

Reports of ASB can be made by a third party, for example by a Local Councillor, Member of Parliament, or social worker. If a report is made via a third party we will seek the consent of the reporter to communicate and share information with the third party. We do not accept reports of ASB by social media.

### **8.5 What action may include**

Due to the subjective nature of ASB, Officers are required to consider and collate evidence setting out the reasons for the report and acknowledging the position of both the perpetrator and the victim. This enables Officers to determine an appropriate resolution having considered all the evidence available to them, this may mean that the enforcement action sought by an individual or collection of individuals may not be suitable or effective in all circumstances. BCC will endeavour, where possible, to achieve an outcome that is acceptable. It is the role of KBSP to coordinate multi-agency services to prevent and reduce cases of ASB citywide.

Action will be discussed with you and will be:

- ❖ Non-judgemental
- ❖ Objective
- ❖ Proportionate (this will, in part at least, be informed by risk).
- ❖ Evidenced based
- ❖ Preventative

In an emergency situation, meaning a real risk or threat of harm and use or threat of violence we'll respond in **1 working day** of a report being made.

For other ASB complaints we'll respond within **10 working days**. For street issues, pollution and noise we'll respond within **15 working days**.

#### **8.5.1 Gathering evidence**

Evidence will be gathered following the report of ASB. Contact will be sought with the reporter and perpetrator. Gathering evidence may include witness statements, incident diaries, CCTV and communications with other agencies.

If a reporter does not want the perpetrator to be contacted, this will be honoured, and we will endeavour to deal with the issue without contacting the perpetrator. However, this can make it extremely difficult to resolve ASB situations so we will also work with victims and witnesses to support them so that they feel empowered to allow contact

with the perpetrator. This may include onward referrals for support through, for example, victim advocacy services.

This may not apply where there are serious safeguarding, crime prevention or risk management considerations that would require BCC to act in order to protect people.

BCC's Housing & Landlord Services manage reports of ASB where a reporter or perpetrator is a tenant. An action plan is created with the reporter and a risk assessment is completed to ensure the risk is considered from the perception of the reporter themselves. [ASB Policy \(Housing Management and Estates\)](#).

Environmental ASB (e.g. Noise, Fires, Dog related ASB, Fly tip, Littering) will generally be dealt with by Bristol City Council Neighbourhood Enforcement Team (NET). [BCC Enforcement Policy](#).

Social Landlords generally manage reports of ASB where a reporter or perpetrator is a tenant of a Housing Association. Avon and Somerset Police will manage reports of ASB in all other circumstances.

**8.5.2 Actions that may be considered to tackle ASB are shown in the table below (not exhaustive)**

Intervention	Description / links for further information	Authority
Drug and Alcohol Support	Where anyone involved in an ASB case needs treatment for substance or alcohol misuse issues, referrals will be made to the relevant services by whichever agency is best placed to do so. Commissioned drug and alcohol services are aware of their role in preventing ASB as per the <a href="#">Drug and Alcohol Strategy</a> .	All agencies can make referrals.
Written Warning: Inc. Tenancy Warning	Where an Officer, on the balance of probabilities, is satisfied that an ASB incident has taken place and will therefore explain the consequences of continuing to act in an anti-social manner via a letter. A tenancy warning relates to the tenancy agreement and conditions agreed as part of the acceptance of the tenancy. Breaching such conditions of the tenancy agreement can result in legal action to terminate the tenancy agreement.	All agencies can issue written warnings.
Referrals for support with Mental and Physical Health	Where anyone involved in an ASB case needs support for Mental and Physical Health issues then referrals will be made/liaison will be carried out to/with the relevant services by whichever agency is best placed to do so. Adult Social Care (ASC) will be actively involved in resolution of ASB cases where	All agencies can make referrals.

	individuals have apparent social care needs by giving such cases priority and importance, sharing information and being engaged in a multi-agency problem solving approach.	
Mediation	An early intervention tool to support parties to resolve a conflict or dispute. This can be effective in neighbour disputes and lifestyle differences and similar situations where it is difficult to identify victim and perpetrator.	All agencies.
Restorative Practice	A way to acknowledge and repair harm following an incident of ASB or crime.	Any Agency.
Support for/with children and family.	Where anyone involved in an ASB case needs support with children and family issues in order to prevent ASB from continuing then referrals will be made/liaison will be carried out to/with the relevant services. Safer Options, Families in Focus, Youth Justice Services and Children's Social Care will be actively involved in resolution of ASB cases where individuals have apparent social care needs, or where we have a corporate parenting responsibility for that child or young person, by giving such cases priority and importance, sharing information and being engaged in a multi-agency problem solving approach.	Any agency can make referrals to these services.
Verbal Warning	Where an Investigating Officer, on the balance of probabilities, is satisfied that an ASB incident has taken place and will therefore explain the consequences of continuing to act in an anti-social manner through spoken communication and identify opportunities to provide support. This may include translation and interpretation services to ensure communication is meaningful.	All agencies. Verbal warnings should be documented
Acceptable Behaviour Agreement/Acceptable Behaviour Contract	An agreement with an individual which sets out what they will or will not do in the future. The Investigating Officer may also include any actions they may take i.e. referral to a support service.	All agencies but lead agency should ensure the contract is counter-signed by other agencies incl. Police.
Parenting Contract	An agreement with the parent of a young person/child to set out what they will or will not do in the future. The purpose is to set boundaries and give guidance to the care giver to support positive parent-child relationships and to increase positive behaviours and cease ASB. <a href="http://bristol.gov.uk">Support for parents and carers (bristol.gov.uk)</a> and <a href="#">Parenting courses currently running in Bristol</a> are available.	Any Agency.

Support services/Counselling	Referral to relevant support and or counselling services to seek to help the individual to cease/prevent ASB and modify harmful behaviour.	Any Agency.
Section 128 Notice for introductory tenancy	A legal notice served by a landlord to notify the tenant they intend to go to court to seek possession of the property. Tool must only be used where there is a legitimate intention to take back property possession.	Landlord: social, Local Authority (LA) or private.
Absolute Grounds for Possession	Home office explains within Statutory guidance for frontline behaviour on ASB powers under ASB, Crime and Policing Act 2014 ( <a href="http://publishing.service.gov.uk">publishing.service.gov.uk</a> ).	Landlord: social or private.
Demotion of Tenancy	A tenant's security of tenure is legally reduced due to tenancy agreement breaches as part of possession proceedings.	Landlord: social, LA or private.
Suspended Possession Order and Postponed Possession Order	A possession order granted in court but is suspended or postponed i.e. the order not to be actioned unless further breaches occur.	Landlord: social, LA or private.
Part 1 Civil Anti-Social Behaviour Injunction	Home Office explains Statutory guidance for frontline behaviour on ASB powers under relevant statutory provisions eg ASB, Crime and Policing Act 2014 ( <a href="http://publishing.service.gov.uk">publishing.service.gov.uk</a> ).	<i>Housing:</i> Usually Landlord but can be any authority <i>Harassment, harm or distress:</i> Any authority but landlords will usually apply for civil injunction.
Environmental Protection Act 1990 powers including Abatement Notices	An abatement notice is served by a LA's environmental health department telling a person responsible for a statutory nuisance to take the steps necessary to stop the nuisance. The usual enforcement procedure taken by a local authority starts with the service of an abatement notice.	LA.
Community Remedy	Home Office explains within Statutory guidance for frontline behaviour on ASB powers under ASB, Crime and Policing Act 2014 ( <a href="http://publishing.service.gov.uk">publishing.service.gov.uk</a> ).	Police or authorised agency.
Conditional Caution/Youth Conditional Caution (Except where DA/HATE is a factor)	Conditional Cautions are one of a range of out-of-court disposals and provide an effective, swift and speedy resolution in appropriate cases. A Conditional Caution is issued if the young person admits the offence and accepts the condition(s). If the conditions are complied with or completed within the timescales determined, the case is finalised and there is no prosecution. If, however, the conditions are not complied with, a prosecution may follow. A Conditional Caution differs from a simple caution as there are certain conditions that	Police.

	must be complied with in order to avoid prosecution for the offence committed.	
Dispersal Power	Home Office explains within Statutory guidance for frontline behaviour on ASB powers under ASB, Crime and Policing Act 2014 ( <a href="http://publishing.service.gov.uk">publishing.service.gov.uk</a> ).	Police.
Community Protection Notice and warning	Home office explains within Statutory guidance for frontline behaviour on ASB powers under ASB, Crime and Policing Act 2014 ( <a href="http://publishing.service.gov.uk">publishing.service.gov.uk</a> ).	Police/LA. Social Landlords if designated by LA.
Public Spaces Protection Order	Home Office explains within Statutory guidance for frontline behaviour on ASB powers under ASB, Crime and Policing Act 2014 ( <a href="http://publishing.service.gov.uk">publishing.service.gov.uk</a> ).	LA following consultation with agencies.
Closure/Partial Closure Notice/Order	Home Office explains within Statutory guidance for frontline behaviour on ASB powers under ASB, Crime and Policing Act 2014 ( <a href="http://publishing.service.gov.uk">publishing.service.gov.uk</a> ).	LA/Police.
Harassment Warning	Harassment warnings or Police Information Notices are formal written notices given to people who have been accused of causing another alarm and distress. They contain an incident account as alleged by the complainant and a warning that any further incidents could result in arrest and prosecution.	Police.

In all cases Bristol City Council's Legal Regulatory Community (LRC) team can advise on the measures which can be employed in relation to ASB incidents.

## 9. Victim support, safeguarding and case reviews

### 9.1 Supporting the victim(s) and witnesses

We aim for witnesses to feel secure and safe in coming forward to report ASB as we deal sympathetically and confidentially with the report and witnesses. We will work with our partner agencies to achieve this. The action we take to support the reporter and witnesses will vary depending on the type of ASB. We will also take appropriate action in each case:

- Provide regular support to the victim as part of case management until the case is closed or if agreed otherwise with the victim, including regular phone calls and regular updates on progress.
- Take swift and appropriate action to stop intimidation.
- Discuss with the victim what is involved if their help is required in taking legal action. We will provide them with information and support to help them decide about providing and signing evidence and going to Court.
- Protect a victim's or witness's identity where they do not give permission to be identified.

- We will always refer to Bristol Hate Crime and Discrimination Services where the ASB being experienced may have a hate crime element.
- Where the ASB may not have a hate element, but the impact might be being exacerbated due to the victims' protected characteristics, we will support the victim by referring them to the appropriate support available.
- Inform the reporter and any witnesses about services that our partners and local agencies (such as local authorities, police, and community groups) can provide, including victim support services.
- Where attendance at Court is required, explain Court procedures, offer pre-visits to Court in advance and escort to Court (if required)  
We work with our partners to support and protect that victim or witness.

## **9.2 Rehabilitation of perpetrator of ASB incidences to stop offending/unacceptable behaviour**

Providing support for the perpetrator of a report of nuisance or ASB does not prevent enforcement action being taken against them. The purpose of the support is to remedy the underlying issues that might be a causal factor in the anti-social/nuisance behaviour. Provision of appropriate support can address unacceptable behaviour by tackling underlying causes and unmet support needs. Often, support will need to go hand in hand with other interventions that seek to put boundaries on behaviour via enforcement approaches. Support and enforcement work together as a way to support people who struggle with behaviour to have some boundaries and clear consequences if their behaviour crosses them.

When establishing what interventions are required, we will take a trauma informed approach by seeking to understand the perpetrators needs through such measures as:

- Making all reasonable efforts to communicate with the perpetrator via regular phone calls and regular updates on progress.
- Explaining why we need to take swift and appropriate action to stop intimidation.
- If there is a need for court action, the perpetrator will be provided with notice of hearings and relevant evidence in line with the court procedure rules as well as advising them to seek legal advice.
- Where we are in, or intending to be in, legal proceedings with a perpetrator, we will not be able to provide them with Legal Advice or act in any capacity in their Defence.

## **9.3 Concerns for children, young people or adults at risk of harm or modern slavery**

During an investigation an Officer may come across a person whose welfare may raise concerns. Whether or not the child or adult has a direct connection to the case under

investigation, it remains the duty of Officers to ensure that these concerns are properly reported and the Council's Safeguarding Policy is adhered to. Anyone concerned about potential adult abuse, including those who may be victims of ASB, can call the Care Direct on 0117 922 2700 or may complete a [safeguarding adult form](#).

On occasions an investigation into a complaint of ASB raises concerns that a child or young person may be being harmed through abuse or neglect, the Officer must report this to the Children's First Response Team [here](#). In cases where there are concerns about the immediate safety of an adult or a child or young person the police should always be called, by dialling 999.

In investigations of ASB where modern slavery or human trafficking is identified as a concern we have a duty to tell the Home Office through a [National Referral Mechanism](#) (NRM) report. Only designated and trained responders should make an NRM referral. More detail on modern slavery and how to report to the police if you suspect modern slavery can be found on our [website](#). For non-emergencies, call the police on 101 or [report online](#).

#### **9.4 ASB Case Review**

If you report ASB but feel no action has been taken, you can ask for an [ASB Case Review](#) (formerly known as Community Trigger).

The Community Trigger was introduced by the [Anti-social Behaviour, Crime and Policing Act 2014](#) to give victims and communities the right to request a review of their case where a local threshold is met, and to bring agencies together to take a joined up, problem-solving approach to find a solution for the victim.

Where members of the public have made three complaints of ASB in a qualifying six-month period where no action has been taken, the complainant can make an application for an ASB Case Review. Each report of ASB must take place within one month of it happening.

Agencies involved in your case will then review the incidents, such as BCC, the Police, local health teams and registered providers of social housing. To ask for a case review, you need to either fill in the [Avon and Somerset Police online form](#) or call 0117 922 2500 and choose option 4.

You can also email [asb@bristol.gov.uk](mailto:asb@bristol.gov.uk) or write to 'ASB case review, Safer Communities Team, Bristol City Council, City Hall, PO Box 3399, Bristol BS1 9NE'. Further guidance can be found online at [ASB case review – Bristol.gov.uk](#).

#### **9.5 Reports of ASB that are motivated by malice and/or are untrue**

BCC has the power to act under various statutes and has a responsibility in enforcing the law to ensure that it does so fairly and in cases only where there is an objective justification and evidence base for action.

If, during our investigations, we find that reports of ASB are fabricated, motivated by malice or are false, we may take appropriate action. This is particularly applicable if the behaviour has caused distress to neighbours or others and has put an unnecessary burden on our resources. Individuals have a right to enjoy their homes and are entitled to go about their daily lives without having concerns that complaints will be made against them.

Similarly, if the ASB which is alleged cannot be substantiated then we will be unable to take further action.

We work with victims and witnesses to seek fair and proportionate action to cease ASB. We may also work with the perpetrator to address the behaviours in regard to our duties under the [Equality Act 2010](#) and [European Convention on Human Rights](#). Behaviours from reporters such as below will not be tolerated and may result in the ASB case being closed and/or legal action being taken:

- Making unjustified complaints about staff who are trying to deal with the issues and seeking to have them replaced.
- Changing the basis of the allegations as our enquiries proceed without an evidence base.
- Denying or changing statements made at an earlier stage.
- Submitting falsified documents.
- Adopting a 'scatter gun' approach: unnecessarily making parallel complaints of ASB with various organisations.
- Making excessive demands on the time and resources of our organisation's staff with lengthy phone calls, emails to numerous staff members, or detailed letters every few days, and expecting immediate responses.

## **10. Comments, compliments and complaints**

Tenancy Management and Anti-social Behaviour Teams carry out surveys of reporters and victims of ASB at the point of case closure to gather comments, compliments and issues.

BCC welcomes feedback and will seek to fully resolve any complaints about our service. Any complaints about our service will be dealt with under Bristol City Council's complaints procedure available online at [Complaints and feedback - bristol.gov.uk](https://www.bristol.gov.uk/complaints-and-feedback).

## **11. Equalities and Diversity statement**

BCC is committed to promoting equality within the delivery of its services to ensure all residents are treated with respect, dignity, fairness and above all not discriminated

against. The [Equality Act 2010](#) provides a framework to ensure Council services are not provided in a discriminatory manner.

We will make sure this policy is applied fairly and consistently to all our residents and will not directly or indirectly discriminate against any person or group of people. We will act sensitively towards the needs of individuals and communities and we will take positive action to reduce victimisation, discrimination and harassment. An Equalities Impact Assessment has been carried out and agreed by the Equalities Team.

## 12. Monitoring and evaluation

The arrangements set out in this policy will be reviewed annually in line with legislative and regulatory changes.

## 13. Related policies and information sources

### 13.1 Information sources

- [ASB and how to report it](#)
- [ASB case review guidance](#)
- [Avon and Somerset Police: report a crime or incident](#)
- [Bristol City Council as a landlord](#)
- [Complaints and feedback](#)
- [Find your local police station](#)
- [Hate Crime and how to report it](#)
- [Keeping Bristol Safe Partnership](#)
- [Reporting ASB or Hate Crime to Bristol City Council](#)
- [Reporting safeguarding concerns about a child](#)
- [Reporting street issues to Bristol City Council](#)
- [Reporting suspected abuse: adults at risk](#)
- [Resolve West](#)
- [Safer Bristol Partnership multi-agency learning review following the murder of Bijan Ebrahimi](#)
- [Trauma-informed system: knowledge and skills framework](#)

### 13.2 National Legislation

- [Anti-social Behaviour Act 2003](#),
- [Anti-social Behaviour, Crime and Policing Act 2014](#)
- [Care Act 2014](#)
- [Children's Act 1989](#)
- [Clean Neighbourhoods and Environment Act 2005](#)
- [Crime and Disorder Act 1998](#)
- [Environmental Protection Act 1990](#)
- [Equality Act \(2010\)](#)
- [Housing Act 1996](#)
- [Human Rights Act 1998](#)
- [Modern Slavery Act 2015](#)

- [Serious Crime Act 2015](#)
- [Social Housing Regulation Act 2023](#)

### 13.3 Other relevant policies

- [ASB Policy \(Housing Management and Estates\)](#).
- [Bristol City Council's Corporate Strategy \(2022 to 2027\)](#)
- [Bristol City Council's Enforcement Policy](#)
- [Bristol City Council's Modern Slavery Transparency Statement 2021-2022](#)
- [Equity and Inclusion Policy and Strategy Framework](#)
- [Drugs and Alcohol Strategy for Bristol \(2021 to 2025\)](#)
- [One City Plan](#)
- [One City: Sustainable Development Goals](#)
- [Safeguarding Adults multi-agency Policy](#)

## 14. Glossary of terms

This list is not exhaustive, and terminology evolves so it will be amended in future updates of the policy as required.

**Abatement Notices:** An abatement notice is the usual enforcement procedure taken by a Council to tell a person responsible for a statutory nuisance to take the steps necessary to stop the nuisance.

**Acceptable Behaviour Agreement / Contract:** An agreement with an individual which sets out what they will or will not do in the future. The Investigating Officer may also include any actions they may take i.e. referral to a support service.

**Anti-social Behaviour:** Anti-social behaviour is behaviour that can be considered unreasonable or is having a detrimental effect over a long period of time on the quality of life of the local community. Anti-social behaviour has caused or may cause:

- harassment, alarm or distress to any person
- nuisance or annoyance to a person because of their job or where they live
- housing-related nuisance such as loud noise, rubbish outside the property or annoyance to any person

**ASB Case Review (formerly community trigger):** An ASB case will be reviewed by the agencies involved if asked for following a report of three or more separate instances of the same problem within a six-month period and you feel no action has been taken.

**Conditional Caution / Youth Conditional Caution:** A Conditional Caution is issued if the offender admits the offence and accepts the condition(s). If the conditions are complied with or completed within the timescales determined, the case is finalised and there is no prosecution. If, however, the conditions are not complied with, a prosecution may follow.

**Harassment Warning:** Formal written notices given to people who have been accused of causing another alarm or distress. They contain an account of the incident

as alleged by the complainant and a warning that any further incidents could result in arrest and prosecution.

**Hate Crime:** Crimes carried out against someone because of their race, religion, sexuality, disability, or gender. These may include physical attacks, threatening behaviour, property damage, vandalism, graffiti, arson and offensive letters, texts, leaflets or posters.

**Keeping Bristol Safe Partnership:** The Keeping Bristol Safe Partnership is the statutory crime and disorder partnership, tackling crime, the fear of crime, Anti-social Behaviour and substance misuse.

**Parenting Contract:** An agreement with the parent of a young person/child to set out what they will or will not do in the future. The purpose is to set boundaries and give guidance to the care giver to support positive parent-child relationships and to increase positive behaviours and cease ASB.

**Restorative Practice:** A way to acknowledge and repair harm following an incident of ASB or crime.

**Tenancy Warning:** relates to the tenancy agreement and conditions agreed as part of the acceptance of the tenancy. Breaching such conditions of the tenancy agreement can result in legal action to terminate the tenancy agreement.

**Trauma-informed approach:** A trauma-informed approach understands the impacts that trauma and adversity can have on adults and children; how it can affect behaviour and people's ability to feel safe or develop trusting relationships with services and staff. A trauma informed approach to ASB ensures we recognise the impacts of trauma on both victims and perpetrators of ASB and provide support to people in a positive, supportive, and safe environment.

**Written Warning:** Where an Investigating Officer, on the balance of probabilities, is satisfied that an ASB incident has taken place and will therefore explain the consequences of continuing to act in an anti-social manner via a letter.

**Verbal Warning:** Where an Investigating Officer, on the balance of probabilities, is satisfied that an ASB incident has taken place and will therefore explain the consequences of continuing to act in an anti-social manner through spoken communication.

**Victim-centred approach:** Focusing on ensuring the safety, rights, wellbeing and expressed needs and choices of reporters when responding to ASB. Victims views will be taken into consideration when deciding what action to take, and action will not be taken unless the victim wants us to do so (notwithstanding serious safeguarding or criminal situations).