

## Anti-Social Behaviour (ASB) Policy

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## 1. Our Ambition

1.1. Clanmil’s aspiration is for everyone to live well and feel safe in their home. Clanmil’s approach to dealing with Anti-Social Behaviour is to act with integrity, fairness and respect regardless of the circumstances. Our approach is to work with customers and communities to overcome challenges and to achieve successful outcomes together.

## 2. Purpose

2.1. Clanmil’s Antisocial Behaviour policy sets out our commitment to deal effectively with reported incidences of Anti-Social Behaviour (ASB). The policy provides an overview of the principles underlying Clanmil’s approach to ASB.

## 3. Introduction

3.1. Clanmil recognises that Anti-Social Behaviour (ASB) can have a significant impact on the lives of our customers. We are committed to ensuring that customers and residents are able to feel safe in and around their homes. We know that to tackle ASB effectively means developing and maintaining close partnerships with councils, local residents, the police and other statutory and voluntary agencies if we are to achieve successful outcomes.

## 4. Policy Statement

4.1. We will not accept Anti-Social Behaviour and will take timely, effective and consistent action to tackle all forms of it at the earliest opportunity possible. Clanmil promotes the right of everyone to live in a peaceful environment, without fear or harassment. We will consider any necessary action to support complainants and alleged perpetrators in resolving issues which are a consequence of ASB in all its forms.

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## 5. Policy Aim

5.1. The main aims of this policy are to:

- Make people aware what Anti-Social Behaviour is;
- Encourage people to report ASB and make it possible for them to use a range of reporting methods;
- Seek to respond to each report of ASB as quickly as possible and, in any case within our target times;
- Effectively communicate to people who report ASB;
- Support victims of ASB throughout the case to the extent the seriousness of the case requires;
- Be clear on what ASB is and is not; and what Clanmil can and can't do;
- Reduce and tackle ASB by working in partnership with other agencies.

## 6. The Legislative Framework

6.1. Tackling Anti-Social Behaviour must be seen within the context of existing statutory obligations which include but are not limited to:

- The Housing (NI) Order 2003
- Anti-Social Behaviour (NI) Order 2004
- Housing (Amendment) Act (NI) 2010
- Housing (Amendment) Act (NI) 2011
- Housing (Amendment) Act (Northern Ireland) 2016
- The Housing (NI) Order 1988 (Part II) Article 7A and The Housing (NI) Order 1981 Article 22A
- The Children (NI) Order 1995 (Article 46) The Disability Discrimination Act 1995 (22(3)(c))

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- The Race Relations (NI) Order 1997 (Articles 21 &22)
- The Human Rights Act 1998
- The Northern Ireland Act 1998 (section 75 Equality of Opportunity)
- Injunctions and Anti-Social Behaviour Order proceedings are not restricted to housing association tenants but can be initiated in respect of any individual involved in ASB in the locality/vicinity of Clanmil owned/ managed property

## 7. Roles and responsibilities in Clanmil

- **Executive Director Customer and Communities** - Strategic oversight of housing management; legislative and regulatory compliance relating to ASB. Reports to Board and Executive Management Team.
- **Assistant Director of Housing and Communities** - Oversees ASB management and ASB performance reporting across the business.
- **Area Housing Managers** - Manage ASB case handling, reporting across areas, identification of trends and enforcement action.
- **Senior Housing Officers** – Review Case Management, support and guide Officers and makes recommendations for enhanced enforcement action.
- **Housing Officers** - Manages ASB Cases, effective case management, engaging with PSNI on relevant cases, establishing patterns of ASB, taking pre-emptive action to reduce the likelihood of ASB, provide effective communication to customers and reporting to management.

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- **Tenancy Support Coordinators and Scheme Coordinators** – Take reports of ASB, liaising with support agencies and provides support to customers. The TSC will support Housing Officer in managing the ASB Case including interviewing witnesses and perpetrators when the Housing Officer is not available and helping deal with the impact of ASB.

## 8. Training

- 8.1 Induction and refresher training will be carried out for all relevant colleagues (Neighbourhoods team, Scheme Coordinators and Tenancy Support Coordinators) to make sure they are aware of the policy and its obligations.

## 9. What is Anti-Social Behaviour?

9.1 Anti-Social behaviour means engaging in or threatening to engage in behaviour which:

- causes or is likely to cause nuisance or annoyance to a person residing in, visiting or otherwise engaging in a lawful activity in or in the locality of any housing accommodation owned or managed by Clanmil; or
- involves the use of housing accommodation owned or managed by Clanmil for an unlawful or immoral purpose.

9.2 In addition, an individual may be deemed to have acted in an anti-social manner if he/she has:

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- been convicted of an offence which involves using accommodation owned or managed by Clanmil or allowing it to be used for illegal or immoral purposes;
- been convicted of an indictable offence committed in, or in the locality of the dwelling house.

### 9.3 Anti-Social Behaviour might include amongst other things:

- violence or the threat of violence;
- hate behaviour that targets members of identified groups because of their perceived differences (e.g. race, religion, political affiliation, disabilities or sexual orientation);
- noise nuisance (e.g. rowdy parties, loud music/TVs, dog barking)
- arguing and door slamming;
- environmental quality issues (e.g. litter, dog fouling, graffiti, fly tipping, nuisance vehicles);
- offensive drunkenness;
- using housing accommodation for selling drugs or drug abuse or other unlawful purposes;
- intimidation and harassment.

9.4 The above list includes typical types of behaviour which trigger consideration for action by (name of) Housing Association. The list is not exhaustive and the policy statement is not an undertaking to act in every instance. Judgment will be exercised by Housing Association officers when considering and responding to a particular report of Anti-Social Behaviour.

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- 9.5 Often, what is or is not ASB will depend on the circumstances and must be judged on a case by case basis (or as a series of events). Sometimes, what is or is not ASB and how seriously it is categorised *may* be affected by the number of times the ASB occurs. Clanmil may also take into consideration (a) the impact of the behaviour on the complainant (e.g. where they have a disability or if they are members of a minority racial or nationality group) or (b) intention on the part of alleged perpetrators, when deciding what should or should not be treated as ASB and the category of ASB. Judgement will be exercised by the Housing Officer.
- 9.6 Some issues may be best managed in partnership with other agencies and this will have an impact on the most appropriate enforcement measures required to address an issue. For example, Environmental Health have statutory responsibility for noise nuisance cases.
- 9.7 Tenants are responsible for the behaviour of anyone living with them and for the behaviour of visitors to their home. This includes behaviour in communal areas and in the locality of their home.
- 9.8 Clanmil will not accept incidents of ASB towards any employees or contractors and will ensure colleagues have appropriate training to recognise, challenge and respond to incidents of ASB. All colleagues have an obligation to report all incidents of anti-social behaviour.
- 9.9 When dealing with vulnerable individuals (complainants and perpetrators) Clanmil will endeavour to consider all factors which may contribute to neighbour nuisance or ASB case as a part of developing the appropriate course of action. This will include liaising with the individual and support/advocacy providers to assist with resolution of the case.

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9.10 This policy applies to allegations against a Clanmil tenant or visitors to their home, regardless of whether the person making the allegation is a Clanmil tenant or not.

9.11 The installation and use of CCTV by a customer will be managed under the Clanmil CCTV policy, and customers will be signposted to the Information Commissioner’s Office as appropriate. Where an allegation is raised that CCTV is being used to make recordings of activity within the boundaries of another person’s property (e.g private garden or into the windows of a home), this will be investigated as ASB under this policy. This will apply whether or not the person making the complaint is a Clanmil tenant.

## **10. Communication and Effective Case Management**

10.1. All reports of ASB received will be treated as allegations, until evidence can support the anti-social behaviour or nuisance.

10.2. The Housing Officer will normally visit the customer at their home to understand the context of ASB that has been reported. If a customer requests that colleagues do not visit, that will be respected and an alternative location suggested (e.g. local community centre). Where more than three reports (about different incidents) have been received from the one property, the Housing Officer will visit the scheme within three days of the third report.

10.3. Clanmil will carry out an assessment of all ASB reports at the earliest opportunity to see if it is in the scope of the ASB policy and if so to categorise

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within the system set out below. This will include an assessment of the individual needs of the victim and the risk of harm using a risk assessment.

10.4. Where a reported issue or problem does not constitute ASB, the Housing Officer will communicate this to the person making the report within 5 working days.

10.5. If a customer reports an issue that is not in Clanmil’s power to address, the Housing Officer will explain this to the customer and, where possible, signpost them to the appropriate agency. (e.g. Social media trolling).

10.6. The Housing Officer will develop an action plan to address every case of ASB that is reported. The Housing Officer will review this plan at least weekly and will communicate relevant parts of this action plan to the complainant. Should the problem be persistent then complainant will be asked to complete an incident diary.

10.7. Clanmil will seek to make it as easy as possible for you to report ASB and monitor progress on your case, including through a self-serve model.

10.8. Correspondence will normally be by letter or email. The channel of communication to be used will be dependent on the preference of the complainant.

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10.9. Some ASB may also be criminal activity. Where a person has made a complaint to Police, Clanmil will endeavour to progress its ASB case in parallel to the PSNI investigation. The ASB case should normally be closed once the available information has been considered in line with this policy’s timeframes. In those cases, the Housing Officer shall maintain contact with PSNI seeking regular (e.g. monthly) updates until a court case is concluded.

10.10. In some cases, additional information may come to Clanmil’s attention after the ASB case is closed, e.g. through court proceedings or if a perpetrator accepts a Police caution. In those cases, a new case shall be created and further action considered in line with this policy.

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10.11. Complaints will be categorised as follows:

Nature of Complaint	Possible Category	Timeframe for initial contact acknowledging complaint	Target timescale for resolution
Category A - Very Serious Complaint	<p>These are very serious incidents that, if upheld, would result in criminal conviction. Police will be involved in these cases.</p> <p>Examples include:</p> <ul style="list-style-type: none"> <li>• Criminal behaviour involving serious incidents of violence or threats of violence towards any member of the public including members of colleagues.</li> <li>• Hate Crime or behaviour that targets members of identified groups, because of their perceived differences (e.g. race, religion, political affiliation, disability, or sexual orientation).</li> <li>• Domestic violence (including where a person has vacated the dwelling house as a result of violence or threats of violence by their partner) where appropriate.</li> <li>• Serious damage to property, e.g. arson.</li> </ul>	Within One working day	15 working days

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Nature of Complaint	Possible Category	Timeframe for initial contact acknowledging complaint	Target timescale for resolution
Category B – Serious Complaints	<p>When upheld these cases will result in enforcement action. There may be separate engagement/action by Police or Environmental Health.</p> <p>Examples include:</p> <ul style="list-style-type: none"> <li>• Drug dealing;</li> <li>• Harassment;</li> <li>• Complaints which concern aggressive/abusive behaviour;</li> <li>• Drug/ solvent/ alcohol abuse</li> <li>• Vandalism or Theft.</li> </ul> <p>Noise nuisance (e.g. persistent noise, rowdy parties particularly after 9:00pm and before 7:30am, loud music/TVs, dog barking).</p>	Within three working days	20 working days
Category C – Nuisance Complaints	<p>These would normally be dealt with as Estate Management issues at Housing Officer level and may involve engagement with other agencies.</p> <p>Examples include:</p> <ul style="list-style-type: none"> <li>• Environmental issues (e.g. graffiti, fly tipping, nuisance);</li> <li>• Minor neighbour disputes;</li> <li>• Pet or animal incidents (where this is no immediate danger to people).</li> </ul>	Within five working days	20 working days

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10.12. After initial contact is made, a written (including email) acknowledgement should be sent in accordance with the timeframes above and an arrangement made to interview.

10.13. In cases of reported hate crime, the Housing Officer will provide the complainant with a note of the interview in writing. This will be provided within 5 working days of the interview.

10.14. A case will normally be investigated and closed within 10 or 20 working days. This could take longer in more complex cases.

10.15. Customers will be updated on a weekly basis when the case is open and notified in writing when the case has been closed.

10.16. When a case is reopened, for example following a PSNI<sup>1</sup> caution, the customer who reported the ASB will be notified promptly.

10.17. Clanmil colleagues will remain impartial throughout any investigation to determine the facts of a case. Clanmil will work in partnership with key stakeholders such as the Police, Local Councils and community and voluntary sector organisations, and we may use information provided in statements as supporting evidence. Any decisions or actions taken on a case will be made solely by Clanmil based on the evidence available in the case.

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<sup>1</sup> Where this policy refers to the Police Service of Northern Ireland, this also refers to the Belfast Harbour Policy where that service is carrying out its statutory functions in the Belfast Harbour area

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10.18. Evidence is any information, record or material that supports the reported nuisance behaviour. Examples of evidence, but are not limited to;

- Witness statements;
- CCTV doorbell or dashcam camera footage;
- Photographs or mobile phone video recordings;
- Written accounts- diary sheets provided by complainant;
- 3<sup>rd</sup> Party records – PSNI report, local authority records.

Professional observations- statements from Clanmil colleagues and contractors, health professionals, PSNI officers, etc.

10.19. Any evidence made available to Clanmil will be shared with the alleged perpetrators where appropriate, in line with data protection. Evidence will be appropriately considered as part of the investigation and alleged perpetrators will be robustly interviewed to test their account of events against what was reported.

10.20. On a fortnightly basis the Senior Housing Officer will review with each Housing Officer the ASB cases that officers are handling including identifying Red Flags and identifying solutions to problems. On a monthly basis the manager will review ASB in their area to identify ongoing issues and trends to identify chronic ASB cases and engage with a solution focus.

10.21. Managers will ensure that a sample of at least 10% of cases are reviewed monthly to ensure compliance with this policy, and any actions identified are tracked and closed including close out with the relevant officer.

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10.22. Managers will raise chronic or ongoing ASB issues that require escalation to Senior Management (Director and Assistant Director) at least monthly; including raising any risks and any barriers to resolution.

10.23. Clanmil will proactively engage with other partners including PSNI, NIHE, local council, Trusts and customer advocates to seek to resolve complex ASB cases.

10.24. We may not classify some reports as Anti-Social Behaviour. These may be about minor differences in lifestyle and reports of noise associated with everyday living. These will not be investigated under anti-social behaviour policy or procedures. The following non-exhaustive list provides some examples of behaviour that will not normally be investigated as ASB: -

- People mowing the lawn at a reasonable time of the day;
- Everyday household noise for example people using a vacuum cleaner or DIY equipment at a reasonable time of the day;
- People using the washing machine or flushing the toilet;
- Impact noise for example footsteps, chair scrapes, dropped items;
- Noise from a child playing in or near their home;
- A baby crying through the night;
- Children playing ball games in a communal green space in a scheme;
- Car parking;
- People smoking in their garden;
- People emptying rubbish in their proper waste or recycling bins.

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10.25. In line with the third Principle of Good Administration all officers are required to keep 'proper and appropriate' records. Where a decision is taken not to treat an issue as ASB, the officer will record the rationale for this decision, explaining why it does not fall under this policy. This rationale will be communicated with the customer.

10.26. Should a neighbour nuisance case represent a chronic housing issue (e.g. severely impacting the health and wellbeing of one or both parties) then an intensive review of housing options for both parties should be considered. This can involve use of management transfer status to provide alternative accommodation.

10.27. Anonymous complaints of Anti-Social Behaviour can be accepted; however, this will make investigating the report more difficult and any action will require Clanmil to find corroborating evidence. Complainants will be advised that their report will be used to provide Clanmil with intelligence on the situation. Anonymous complainants will be advised that they will not be updated on the progress of the case that their report has created.

10.28. Malicious, persistent and unfounded reporting of Anti-Social Behaviour may result in action being taken against the complainant. This may be through the use of our Unacceptable Behaviour Policy, tenancy enforcement or legal action.

10.29. The Housing (Northern Ireland) Order 2003 extended the grounds for possession to include domestic violence. Clanmil is empowered to seek possession where a person has vacated the dwelling house as a result of violence or threats of violence by their partner (the violence or threat of violence could be directed at the partner who has left or at other family members living with that partner).

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10.30. As in any case of Anti-Social Behaviour Clanmil recognises the need to ensure the safety of the individual experiencing the Anti-Social Behaviour.

10.31. When dealing with young people Clanmil will attempt to ascertain the causes of the Anti-Social Behaviour and involve parents/guardians. Consultations with appropriate agencies will be undertaken i.e. Probation, Youth Justice, Health & Social Services and Education Welfare. In particular Social Services will be advised of the Association’s involvement with any young person participating in Anti-Social Behaviour given the former’s duty under Article 18 of the Children (Northern Ireland) Order 1995.

10.32. Clanmil will give careful consideration to the safety of complainants/witness(es). Where they are not willing to provide direct evidence to the court, Clanmil will endeavour to use expert witnesses and hearsay evidence. These expert witnesses may be officers from the statutory agencies, social workers, police officers etc. Statements may also be used by Clanmil colleagues where appropriate.

## 11. Service Standard

11.1. Clanmil is committed to providing customers with excellent services that are relevant and meet the needs of customers. We will work with our partners, customers and communities to address Anti-Social Behaviour and ensure our residents are able to enjoy peace, quiet and security in their home. This will be supported by a set of Service Standards co-designed with customers.

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11.2. We ask all new customers and those transferring from another home to sign a ‘Good Neighbour Agreement’ this a voluntary charter which sets the behaviour expected from customers and includes community safety and shared neighbourhood principles.

## 12. Ways to report ASB

12.1. There are a number of ways in which customers can do this including:

- Customer Portal: You can download the ClanmilConnect app or visit the website;
- Direct to your Housing Officer/Scheme Co-ordinator In person at the office;
- By emailing [housing@clanmil.org.uk](mailto:housing@clanmil.org.uk) ;
- By telephone 028 90876000 to the Customer Resolution Centre.

12.2. If there is a problem out of hours, you can email us and we will get back to you as soon as possible.

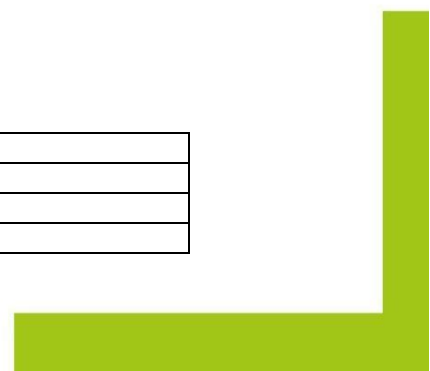
12.3. You can report criminal or antisocial behaviour to the police. You can do this online by visiting the PSNI website The police are responsible for dealing with complaints about:

- Assault;
- criminal damage;
- disorderly behaviour;
- drink/drug related offences;
- harassment;
- breach of the peace.

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12.4. If you report an incident to the police remember to ask for an incident number. You may need this later if the antisocial behaviour means that you feel you can no longer live in your home and want to be rehoused by the Housing Executive.

12.5. Alternatively, if the problem is urgent, you can contact the Police on 101. You should always dial 999 when there is an immediate danger or you witness a crime taking place.

12.6. It is really important that crime is reported at the time. If you would prefer it, *you can ask the Police to not call at your address.*

12.7. If you are experiencing low level neighbour nuisance out of hours then you can call Clanmil’s security company. Further information about the provision in place at your scheme and how you can make a report can be found on the Clanmil website.

### **13. Our Approach to Investigating ASB**

13.1 When investigating ASB Clanmil will take a proportionate and fair approach. Each case will be dealt with on a case by case basis and will be assessed on the evidence provided.

13.2 Clanmil will gather all evidence including witness statements, CCTV and photographs.

13.3 We will proactively seek information from our partner agencies such as the PSNI, Council and Support Services.

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13.4 Where a referral has been made to a partner agency e.g. Local Council, Clanmil will clearly communicate the purpose and scope of the referral.

13.5 We may pause ASB investigations where reports have been made to the PSNI and where we do not have sufficient evidence to take action and where we believe that the investigation by the PSNI with its statutory powers may yield information not available to Clanmil.

13.6 Where a pause in a Clanmil Investigation occurs, the case will be closed on CX. The housing officer will continue to proactively engage with the PSNI and other relevant agencies to obtain further evidence and/or information on any decisions, cautions, or charges brought against the alleged perpetrators.

13.7 Once new evidence becomes available the case will be reopened and the investigation will resume.

13.8 Any new evidence will be put to the alleged perpetrator during a robust interview and all evidence will be given proportionate and fair consideration.

## 14. Support for Victim and Witnesses

14.1. Clanmil will acknowledge ASB reports in a timely manner, take statements from victims and witnesses and provide advice and support to individuals who have been significantly impacted by incidents. Clanmil will send written

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acknowledgement to an individual who has reported ASB at the start and at the end of the case.

14.2. Statements from local residents are very important in the ASB investigation process.

Where enforcement action is taken a witness can often identify the perpetrators of ASB in court and describe the effects the ASB has had on their lives. Clanmil will gather evidence to enable effective case management and it may be that victims and witnesses can provide statements to support this (a non-exhaustive list of types of evidence that can be used in court is detailed in 9.6).

14.3. Where someone who reports ASB does not engage with Clanmil to progress the investigation, the Housing Officer shall make an assessment based on whatever information is available to them. Where evidence is outstanding the timeframe for closure of the case may be extended.

14.4. Resolving a case working alongside local residents strengthens the community, boosts the morale of victims and helps to establish/sustain long term improvements. Clanmil will signpost victims and witnesses for support should this be required. This includes signposting for mental health support and floating support.

14.5. It is essential to any legal enforcement action that Clanmil is able to use the information available, including any evidence provided by witnesses.

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14.6. Where witnesses are prepared to give evidence directly, this makes the case significantly stronger. However, witnesses need to be made aware that if they agree to provide evidence directly this will mean giving witness statements in which their details will be disclosed to the perpetrator. It will also mean potentially attending court hearings so that they can answer any questions in court.

14.7. Where a witness is not prepared to provide evidence directly, their statements can be presented with their consent by Clanmil or another 3<sup>rd</sup> party organisation. However, this weakens the evidence, because there is no opportunity for the defendant to directly challenge the evidence.

14.8. In certain circumstances Clanmil colleagues or another 3<sup>rd</sup> party organisation may be able to give evidence on behalf of the customer without revealing their identity. This is known as ‘hearsay’ evidence. This does not carry as much weight as it would if it were given directly by the customer.

14.9. It is important that people living and working in our communities feel confident to report ASB. Subject to any legal requirements, any information received by Clanmil will be treated in confidence. (See section 14).

14.10. We recognise that victims and witnesses may have anxieties about reporting ASB and providing evidence; we will work with victims and witnesses and agree what support is required throughout the process. We will work with Victim Support and make referrals to them where necessary and appropriate.

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14.11. We will ensure the service is accessible to all and will provide an interpreter for victims or perpetrators, where required, and will provide assistance for people who have a disability. In exceptional circumstances we may provide additional security such as additional locks, security lights, fireproof letterboxes and cameras to ensure that victims of Anti-Social Behaviour feel safe in their homes and to prevent the risk of harm.

14.12. While investigations are taking place, communication is extremely important. Clanmil will keep the complainant updated in a timely fashion. This will be determined by the nature of the ASB involved. The Housing Officer should update the complainant at least weekly on progress, including to advise on timeframe for anticipated close down. Updates are an opportunity to see if the reported behaviour has changed, explain the types of evidence that Clanmil requires to take enforcement action and check on the welfare of the complainant. The frequency of updates to customers may be changed by agreement with the customer.

14.13. In areas where there is a persistent issue with ASB Clanmil will offer proactive focused engagement and support for victims and perpetrators even when there is not a live ASB case. This will be called the “ASB Focused Support” initiative. The service outcomes will include increased reporting of incidents and greater reassurance and support for customers. Clanmil will engage with victims of ASB on a monthly basis as a part of an “ASB Focused Support” initiative. This proactive engagement will encourage reporting of incidents and provide reassurance and support to customers. ASB Focused Support will be initially introduced for 3 months after the case is closed. The Housing Officer may extend it at that stage for 3 months thereafter, in consultation with the complainant.

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## 15. Support for Perpetrator

15.1. Clanmil will balance the need to take action with the aim to support and rehabilitate perpetrators. This is particularly relevant when considering issues of ASB that are the direct or indirect consequence of:

- Drug addiction;
- Alcohol addiction;
- Mental health issues;
- Learning difficulties;
- Family or relationship breakdown.

15.2. Where perpetrators may be vulnerable on one or more of the above grounds, this will be taken into consideration before deciding on an appropriate course of action. As a part of this, referrals may be made to relevant support agencies and Clanmil will offer enhanced engagement and support as a part of an " ASB Focused Support".

15.3. Legal action may be taken against a perpetrator of ASB who does not engage with support agencies, or where their behaviour continues to affect the community even if they are engaging.

15.4. Clanmil will conduct a proportionality assessment before commencing legal action.

15.5. When dealing with young people Clanmil will attempt to ascertain the causes of the Anti-Social Behaviour and involve parents/guardians. Consultations with appropriate agencies will be undertaken i.e. Probation, Youth Justice, Health &

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Social Services and Education Welfare. In particular Social Services will be advised of Clanmil’s involvement with any young person participating in sustained Anti-Social Behaviour given the former’s duty under Article 18 of the Children (Northern Ireland) Order 1995.

## **16. Resolving ASB – Remedies**

16.1. Clanmil recognises that in order to create sustainable communities where residents can live and work in a safe environment, Anti-Social Behaviour must be dealt with effectively and at the earliest opportunity when incidents occur.

16.2. Clanmil uses early intervention to deal with incidents, for example, as set out in section 8.0, working with the perpetrator to amend their behaviour or referring them to appropriate support services, can resolve the situation without the need for enforcement action. This can be formalised with the perpetrator through the use of Acceptable Behaviour Contracts as a written agreement between Clanmil and a person who has been involved in Anti-Social Behaviour.

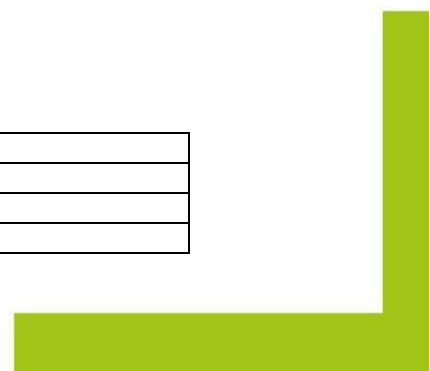
16.3. Mediation is another early intervention remedy that can be used in neighbour nuisance cases.

16.4. When investigating an ASB case Clanmil may obtain and use evidence from a variety of sources. This includes sound recording or photographic equipment, bodycams, CCTV, police officers, professional/expert witnesses and in certain circumstance social media. This evidence will be used to build a case around statements by victims and witnesses.

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16.5. CCTV evidence provided should be relevant to any allegations of ASB and Clanmil reserves the right to refuse or limit the amount of CCTV footage which colleagues will review in line with the Unacceptable Behaviour Policy.

16.6. We can use the following options (depending on the case) to tackle Anti-Social Behaviour:

- Home visits;
- Warning letters;
- Crime Prevention Injunction;
- Community Protection Notice;
- Possession proceedings;
- Mediation.

This is not an exhaustive list.

16.7. We will work with our partners to invoke some of the other legal remedies available to deal with dealing with Anti-Social Behaviour they include:

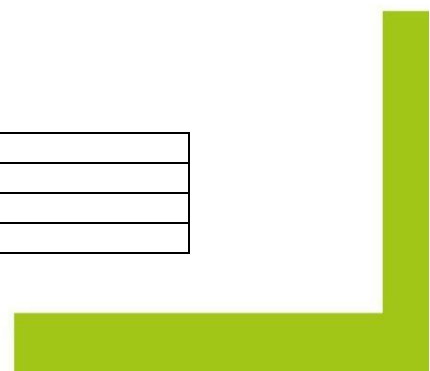
- Criminal Behaviour Orders;
- Community Protection Orders (public spaces);
- Directions Order;
- Community Protection Order (closure).

16.8. Clanmil implements Secured by Design standards in the design, layout and construction stages of homes. This helps to reduce the opportunity for crime and the fear of crime, and to create a safer and more secure environment.

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16.9. Management Transfers: where neighbour relations have broken down irretrievably and people, including children, are living in a toxic atmosphere, Clanmil will explore management transfers as a potential remedy (this may be a transfer of alleged perpetrators or victims of ASB). In such circumstances Clanmil will look flexibly at waiving the requirement to have been in a home for 2 years before a transfer is permitted.

## 17. Mediation

17.1. Mediation can be an effective means of dealing with disputes between neighbours, which, if left unresolved may escalate into more serious ASB problems.

17.2. Mediation is a process whereby a neutral third party seeks to help neighbours in dispute to reach common ground without having to resolve their differences via court proceedings.

17.3. Clanmil provides access to independent professional mediation services for customers where both parties freely agree to participate. Mediation is not normally appropriate in cases involving violence although we can sometimes make exceptions on a case by case basis.

17.4. Mediation is a remedy that Clanmil offers to neighbourhood dispute cases. If one or other party doesn't agree to mediation then Clanmil reserves the right to close the case.

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## 18. Safeguarding Vulnerable Adults and Children

18.1. On occasions an investigation into a complaint of ASB raises concerns that a child or vulnerable adult may be harmed through abuse or neglect. We will use this policy alongside our Safeguarding Policy which gives guidance to colleagues on how to identify and respond to signs of abuse or neglect.

18.2. Anyone concerned about potential abuse or neglect of a child or vulnerable adult can contact Clanmil’s safeguarding team on [safeguarding@clanmil.org.uk](mailto:safeguarding@clanmil.org.uk) or 02890876000.

18.3. In cases where there are concerns about the immediate safety of a child or vulnerable adult the police should always be called, by dialling 999.

18.4. Customers can also be at risk of exploitation, gangs can coerce a vulnerable person, such as a drug user, or a person with mental or physical health problems, to allow them to use their property as a base. These vulnerable people are then further exploited by the gangs to sell drugs on their behalf.

18.5. How to spot the signs of a vulnerable customer

- The signs that may indicate a vulnerable customer has had their property taken over by a gang are:
  - a customer starts receiving more visitors to their property
  - they receive visitors at unusual times of the day or night
  - a customer’s curtains or blinds are almost always shut
  - a customer stops leaving their house
  - suspicious smells coming from the property
  - an increase in anti-social behaviour around the property.

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**Criminality and Coercive Control/exploitation**

Clanmil also recognises that customers may become involved in activities normally identified as Anti-Social Behaviour as a result of criminal exploitation and/or coercive control. In the Northern Ireland context, this can take the form of paramilitary related intimidation, human trafficking and/or organised criminal gang drug dealing.

Identifying and responding to exploitation of customers by third parties in housing association properties requires a structured, multilayered approach integrating safeguarding, tenancy management, and interagency collaboration.

Exploitation scenarios frequently include:

- County lines and cuckooing: gangs coerced a tenant into providing a base for illegal drug activity;
- Tenancy fraud/subletting: tenants profit illicitly through illegal subletting;
- Mate crime or financial abuse: befriending or coercing tenants for financial gain;
- Domestic abuse, harassment, or coercion by third parties.

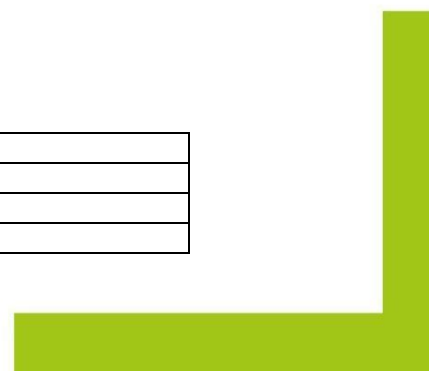
We will work with other key partners, including PSNI, Health & Social Care Trusts, Women’s Aid and other organisations to address cases where we believe exploitation has occurred and we will adopt a victim-centred approach where appropriate.

Colleagues will follow the ASB People Exploitation Procedure where cases of exploitation for criminal purposes, are suspected.

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## 19. Supporting and Protecting Colleagues

19.1. In delivering service to the community, we expect that members of the public will treat our employees with courtesy and respect.

19.2. Exposure to violence and assault is not an acceptable part of an employee’s everyday working life and we will take all reasonably practicable measure to prevent or reduce the risk of such exposure.

19.3. We have developed policies to protect colleagues in accordance with their duties under common law and statute.

19.4. As well as general health and safety policies we have developed other compatible policies, procedure and training, covering a variety of issues. These include:

- Lone Working;
- Accidents and near misses.

19.5. All line managers are responsible for completing a risk assessment for the work activities undertaken by the colleagues they directly manage, and for ensuring that all the relevant control measures are implemented to reduce the risk to the lowest possible level.

19.6. Clanmil will provide training and guidance for colleagues on victimisation, harassment and hate crime and incidents.

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19.7. Colleagues should notify relevant Directors and Managers of Serious Incidents on their patch. Line managers should debrief and support colleagues when dealing with Serious Incidents.

19.8. Line managers should also facilitate reflective practice and peer support to support continued improvement in working practices.

## **20. Partnership Working**

20.1. We recognise that effective and sustainable solutions to ASB cannot be achieved by any individual agency in isolation. As a landlord we have a key role in creating safe and sustainable communities and can only achieve this in partnership to deliver a comprehensive approach to local problems and priorities.

20.2. We participate in various multi-agency partnerships to resolve issues within communities where we have properties through an early intervention and collaborative approach. This includes working with agencies that have the statutory responsibility for certain issues (e.g. Police, Environmental Health). In such circumstances Clanmil will engage with the relevant agency and work in partnership to resolve the case.

20.3. We will work with the Probation Board for Northern Ireland and the Prison Service on reducing re-offending and homelessness among offenders by early identification of the underlying causes that contributes to their re-offending behaviour.

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20.4. Some of the partnership that we actively participate in include but are not limited to:

- Local councils (e.g. Community Safety, Noise Nuisance);
- PSNI;
- Local community groups and community meetings;
- Interagency Groups such as ASB Fora, Housing Fora and Policing and Community Safety Partnerships and associated working groups;
- Restorative Justice organisations.

## 21. Confidentiality

21.1. Subject to any legal requirements, any information received by Clanmil will be treated in full confidence. In some cases the court may dictate that a witness needs to come forward.

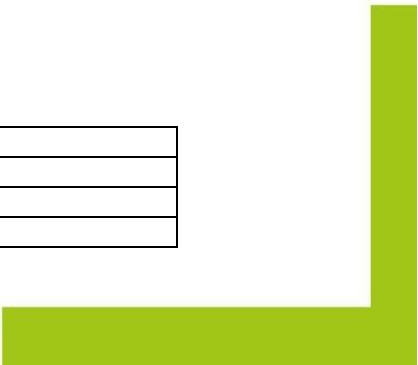
21.2. Information will be shared with other agencies for the purpose of crime prevention, prosecution of offenders and legal proceedings.

21.3. Should the enforcement action undertaken by Clanmil become a matter of public record or if Clanmil must share information with the complainant as a part of legal proceedings then information may be shared with the complainant.

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## 22. Monitoring and Evaluation

22.1. Clanmil will record and monitor all reports of ASB by complaint category and area.

We will also monitor the number of cases resolved by area and how they were resolved. This information will be used to enable us to build up profiles of area specific problems, volume of complaints, identify hotspots and target resources when such trends emerge. We will monitor the number of complaints, reviews and appeals and use the information to improve our ASB service.

22.2. We will contact a sample of complainants when the case has been closed to ask how satisfied they were with the service they received. We will use this information to improve the way we deliver services and ensure we are targeting our resources in the right areas. We will also seek to learn from any feedback provided to us through our customer satisfaction surveys of the wider customer cohort. Low satisfaction scores will be documented in an action tracker, with corresponding actions identified and implemented to address the underlying issues. This aligns with our Customer Feedback Policy.

22.3. Clanmil will present an annual ASB report to the ASB Consultation Group. This will include performance information, identify best practice and provide a space for discussion around appropriate approaches to address ASB across Clanmil properties.

22.4. The annual report on ASB will also be provided to the Customer Council, Executive Team and Board Customer Committee.

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## 23. APPENDICES

### 23.1. Legislative context

- Part II Housing (NI) Order 2003 extends the powers to tackle ASB in local communities. It provides for Introductory Tenancies and includes measures for developing use of injunctions and extending grounds for possession.
- Part IV Housing (NI) Order 2003 provides for persons who are unsuitable to be tenants because of their unacceptable behaviour to be treated as ineligible for housing accommodation or homelessness assistance.
- Anti-Social Behaviour (NI) Order 2004 enables the NI Housing Executive, Councils and Chief Constable of PSNI to apply to courts for an Anti-Social Behaviour Order (ASBO). This power is not extended to Housing Associations, but Clanmil can apply to the above relevant authorities to issue an ASBO on our behalf.
- The Housing (Amendment) Act (NI) 2010 amended the grounds for possession as set out in Schedule 3 Housing (NI) Order 1983 to provide that a conviction for any offence which includes the use of a dwelling for illegal or immoral purposes will be grounds for possession.
- The Housing (Amendment) Act (NI) 2011 provides for social landlords to withhold consent to an exchange of tenancies where an order or injunction relating to ASB is in place, where an application for an order or injunction is pending before the court and where a tenant or proposed assignee, or person residing with either of them, has been convicted in connection with an offence which involves the use of the

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tenant or assignee’s home for immoral or illegal purposes or has been convicted of an indictable offence.

- Housing (Amendment) Act (Northern Ireland) 2016 enables the disclosure of information to registered housing associations if the information is disclosed is for a relevant purpose (applying for injunctions, ASBOs or orders for possession). Information to be disclosed includes ASB at the property or use of the property for illegal purposes by the tenant or any other person residing in or visiting the dwelling.

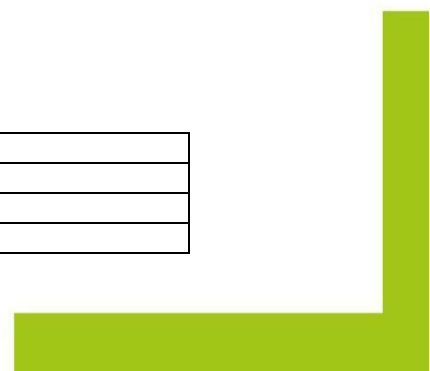
## 23.2. Procedures

Procedure	Procedure Reference	Location
Anti-Social Behaviour	P076	Clanmil U
Application for Transfer and Pointing	P001	Clanmil U
Tenancy Fraud	P103	Clanmil U
Guidance on Lone Working	BA019	Clanmil U
Archiving, Data Retention and Confidential Waste	BA006	Clanmil U
Complaints	BA001	Clanmil U
Viewing and Downloading CCTV	BA011	Clanmil U
Domestic use of CCTV	BA012	Clanmil U
ASB People Exploitation Procedure	TBC	TBC

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### 23.3. Policies

Policy Title	Policy Reference	Location
Lone Working	HS P02	Clanmil U
CCTV	BA P06	Clanmil U
Compliments, Comments and Complaints	BA P01	Clanmil U
Customer Feedback Policy	BA TBC	Clanmil U
Data Protection	BA P02	Clanmil U
Equality, Diversity and Inclusion	HR P40	Clanmil U
Adults at Risk Safeguarding and Protection	HM P001	Clanmil U
Unreasonable Customer Behaviour	BA P09	Clanmil U
Health Safety and Wellbeing	HS P14	Clanmil U
Accidents and Incident Reporting	HS P09	Clanmil U

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