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## **Anti-Social Behaviour Policy 2026-29**

**DRAFT**

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## 1. Scope and purpose of this policy document

This is the Council's Anti-Social Behaviour **policy** document. It tells you what the Council means by 'anti-social behaviour' (ASB) and sets out the principles the council applies when responding to a report of anti-social behaviour. It explains how the Council responds when people experiencing ASB contact us for help and details the service quality the Council will provide.

## 2. The Council's responsibilities

Oxford City Council believes that no-one should tolerate anti-social behaviour. The Council works in partnership with other agencies and will use appropriate tools and powers available to local authorities to address anti-social behaviour. The policy sets out our approach to fulfilling our duties as:

**A Responsible Authority** of the Oxford Safer Communities Partnership (OSCP) as defined by the Crime and Disorder Act 1998. The Act requires the Council to work with the police and other agencies to reduce crime and disorder in Oxford. The Council makes a significant contribution to dealing with anti-social behaviour of all kinds and undertakes both investigations and prevention activities.

**A landlord** because the Council has a [duty to respond to ASB](#) affecting the properties we manage. Our landlord duties and powers complement the duties and powers we have to deal with anti-social behaviour by non-council tenants.

**An environmental protection champion:** the Council has a range of legal powers to deal with environmental anti-social behaviour such as noise, graffiti, litter, fly-tipping and abandoned vehicles. These responsibilities **derive from various statutes and case law**, but in particular from the Environmental Protection Act 1990, Clean Neighbourhoods and Environment Act 2005 and Anti-social behaviour, Crime and Policing Act 2014.

The Council will not normally be the lead investigating agency for cases in other social landlords' and private landlord's properties. We may offer support and assistance using available powers and fulfil our duties to investigate statutory nuisances.

This Policy should be read in conjunction with Oxford City Council's Corporate Enforcement Policy. <https://www.oxford.gov.uk/council/corporate-enforcement-policy>

## 3. Concerns for children, young people and vulnerable adults

Oxford City Council's Safeguarding Policy sets out how officers respond to a report of abuse or neglect of a child, young person, or adult with unmet care and support needs. It is not uncommon for safeguarding concerns to arise at the initial report stage or during an anti-social behaviour investigation.

The requirements of the Safeguarding Policy take primacy over this policy and these safeguarding responsibilities will influence the investigation of ASB cases.

## 4. Reporting Anti-social behaviour

- The Council is not an emergency response service. Incidents where there is an immediate risk of harm to person or property must be reported to the police or other appropriate emergency service.
- Incidents of a criminal nature must be reported to the police, for example, drug dealing. The Council work closely with the police and will consider criminal behaviours and information from criminal investigations when investigating an anti-social behaviour case.
- We will not disclose a complainant's personal details to the alleged perpetrator of the behaviour without their consent. The source of a complaint will be advised prior to a contact with the subject of the complaint.
- The Council will not normally investigate anonymous complaints. It is important for us to be able to speak to a complainant about the behaviour they are concerned about. The Council may record the report for intelligence purposes.
- The Council rely on evidence by the complainant and from other sources. Without necessary evidence the response to a complaint can be very limited or unachievable.
- Many incidents of anti-social behaviour can be resolved by the parties involved with no involvement by the Council or other agency. The Council will encourage this course of action, including mediation.

## **5. What is anti-social behaviour?**

5.1. Oxford City Council considers anti-social behaviour to be:

- Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises; or
- Any act that causes, or is likely to cause, harassment, alarm or distress to one or more persons; or
- Using or threatening to use Council property for unlawful purposes.

5.2. Determination to investigate.

The Council will decide whether to investigate a complaint of anti-social behaviour by assessing:

- the level of evidence.
- the public interest use of officer time and funds to pursue an investigation.
- if it is reasonable and proportionate to open a case.
- if the complaints are vexatious.
- the prospect of successful action.
- on the conclusion of an investigation, if enforcement action is in the public interest.

5.3. The Council will not investigate:

- Children playing in a public place or a garden.
- Neighbour complaints regarding boundary disputes, shared driveway disputes, location of waste receptacles, cooking smells, smoking and untidy foliage in gardens.

- Noise from vehicles on the highway carrying out their routine activities, noise from emergency service vehicles, aircraft, helicopters or other motorised airborne vehicles and noise from demonstrations.
- Reasonable living noise in domestic settings such as lawn mowing, household DIY, crying, loud talking, toilets flushing, sexualised noises, banging doors, noise from flooring and floorboards and noise from household appliances. Where poor insulation is suspected, the landlord should be contacted.
- Cycling, skateboarding, or riding e-scooters on the pavement and reports of inconveniently or illegally parked vehicles. Obstruction of the highway and pavements should be reported to the Highways Authority or to the police.
- Alcohol consumption in a public space that is not causing anti-social behaviour.
- Sporadic noise from people moving through public spaces.
- Flying drones. This should be reported to the Civil Aviation Authority or the police.
- People who are rough sleeping and not causing any anti-social behaviour.
- Complaints regarding the positioning of domestic CCTV cameras and video doorbells.
- If the complaint is over 12 months old, if there is insufficient evidence or it is considered vexatious. Exceptions to this may include if the complaint involves a safeguarding concern.

## 6. Anti-social behaviour categories

Anti-social behaviour cases are categorised to determine the Council's response time as described below.

Category 1	Target time for first contact with victim or referrer: three working days
<b>Definition</b> <ol style="list-style-type: none"> <li>Behaviour that presents a risk of serious harm to individuals or the neighbourhood, which may include violence, serious threats of violence or other criminal activity.</li> <li>Any complaint where there have been previous incidents, and it appears to the case officer that a greater risk has developed or may be developing.</li> </ol> <b>Category 1</b> includes the following behaviours: <ul style="list-style-type: none"> <li>■ Hate related incidents (hostility towards a person's race, sex or ethnicity, sexual orientation, disability, religion or belief, or transgender identity)</li> <li>■ Physical violence and threats of harm</li> <li>■ Child or adult safeguarding including cuckooing</li> <li>■ Domestic abuse</li> <li>■ Kerb crawling and aggressive, predatory and intrusive sexual behaviour</li> <li>■ Serious harassment, intimidation and threatening behaviour</li> </ul>	

<ul style="list-style-type: none"> <li>■ Racist, hate related or other offensive or inciteful graffiti will be either covered or removed within one working day of receipt of a report. Other non-urgent graffiti will be removed as per Service Level Agreements.</li> <li>■ Threats to Oxford City Council or Oxford Direct Services staff</li> <li>■ Drug possession or supply. The police take the lead on investigations. Where relevant, the Council will support the police in resolving cases.</li> </ul>	
<b>Category 2</b>	<b>Target time for first contact with victim or referrer: within five working days</b>
<p><b>Definition:</b></p> <p>1. Behaviour that is causing harassment, alarm or distress not listed in Category 1.</p> <p><b>Category two</b> includes:</p> <ul style="list-style-type: none"> <li>■ Noise disturbances due to unreasonable behaviour</li> <li>■ Verbal abuse</li> <li>■ Allegations of sex working and sexual acts</li> <li>■ Other forms of anti-social behaviour between two or more parties</li> <li>■ Properties and gardens that may harbour pests or present a public health risk</li> <li>■ Litter, incorrect refuse disposal from domestic and commercial properties, fly tipping, flyposting and dog fouling</li> <li>■ Nuisance car repairs on the highway</li> <li>■ Damage to Council-owned property, land or vehicles</li> </ul>	

## 7. Policy principles

### 7.1. No one should have to suffer from ASB.

We will:

- make people aware of what anti-social behaviour is.
- publicise and promote our ASB service.
- We will provide information to the source on how an ASB case is investigated and where to access additional support.
- encourage people to report ASB and make it possible for them to do this using a range of reporting methods.
- respond to each reported case of ASB within our target times.
- undertake a risk assessment and victims charter when appropriate, that sets out how we will keep the complainant informed of progress and possible enforcement powers.
- Take a harm centred and trauma informed approach to the case, recognising the circumstances of both the source and subject of a complaint.
- We will assess the needs of both the source and the subject and make reasonable adjustments where possible.

### 7.2. Reports of ASB will be treated seriously and dealt with professionally.

We will:

- triage reports and take action in accordance with our service standards.
- treat all reports as personal or sensitive information under the Data Protection Act 2018 and UK General Data Protection Regulation and not disclose personal information unless with the person's consent or permitted to by the relevant **legislation**.
- share information with other organisations for the prevention or detection of crime or disorder, in accordance with data protection laws and information sharing agreements.
- encourage criminal activities to be reported to the police.
- log each anti-social behaviour report and give each case a unique reference number and named case officer.
- fully investigate the complaint, which will usually involve interviewing alleged perpetrators and witnesses.
- refer cases between the different departments of the Council and to other agencies, as necessary.
- ensure cases are not open longer than necessary.
- respond promptly to complaints about the service.
- explain our reasons if we take no action, and suggest other alternative courses of action, including private legal proceedings.
- explain to the complainants how their evidence will be used and their role in possible court proceedings.

### 7.3. ASB will be addressed firmly, fairly, proportionately and holistically.

We will:

- make our best efforts to identify if a source or subject of a complaint is a vulnerable person and adjust our approach as necessary.
- prioritise responses to the most serious cases, based on the details of the case, taking any necessary early action to protect people and property.
- investigate the circumstances and seek to understand all the facts of any matter reported to us.
- seek always to resolve cases at the lowest level of intervention, using the legal tools and powers available to us according to our professional judgment.
- provide information in other languages and formats when necessary.
- with the consent of the people involved, refer suitable cases to mediation.

### 7.4. We will work with partners in order to deliver an effective ASB service for our communities.

We will:

- work with social housing providers, private landlords, letting agents, universities and businesses, police, local authorities, health services and

other partners to provide advice and support as required so that these organisations can act confidently to prevent or tackle ASB making use of their own resources.

- participate in multi-agency case conferences and problem-solving meetings
- participate in relevant ASB prevention initiatives.
- play a full part as a lead member of the Oxford Safer Communities Partnership.

#### 7.5. We will deliver a high-quality service

We will:

- ensure that staff receive relevant ASB, equality, diversity and inclusion, domestic abuse, mental health and safeguarding training.
- train staff in ASB policies and procedures.
- obtain citizen feedback through surveys of users of the ASB service provided by Oxford City Council to rate their satisfaction with the service.
- act on any negative feedback to improve our service when appropriate.
- Learn from ASB Case Reviews to inform practice.

### 8. Service Standards

We will:

- Contact the source of Category 1 complaints within 3 working days.
- Contact the source of Category 2 complaints within 5 working days.
- Complete a Risk Assessment where an individual is the target of the behaviour.
- Complete a Victim's Charter where an individual is the target of the behaviour.
- Contact with the source of the complaint how and when we have agreed with them under the Victim's Charter.
- Case officers will review cases every two weeks.
- Inform the complainant when the case has been closed.

### 9. The Council's role as a landlord

The [Social Housing \(Regulation\) Act 2023 \(on GOV.UK\)](#) was introduced to improve the lives of people living in social housing. The new Consumer Standards set out what tenants can expect from Oxford City Council as a landlord.

The Neighbourhood and Community Standard require us to work with local partners to help you live in a safe, clean, and well-maintained neighbourhood and make sure you feel secure in your home.



Through our tenant engagement processes we will work collaboratively with tenants to continue to develop our approach to preventing and tackling anti-social behaviour and improve our public spaces.

We work closely with the police and other criminal justice agencies, other housing providers, Oxfordshire Local Authorities and support agencies to address anti-social behaviour. Oxford City Council teams who have a role include our Anti-Social Behaviour Investigation Team, Community Response Team, Green and Blue Spaces Team, Landlord Services and Housing Needs teams, Property Services and Oxford Direct Services.

This Anti-Social Behaviour Policy and the Council's Anti-Social Behaviour Procedures are our commitment to delivering the Consumer Standard and the specific requirements:

- Registered providers must have a policy on how they work with relevant organisations to deter and tackle ASB in the neighbourhoods where they provide social housing.
- Registered providers must clearly set out their approach for how they deter, and tackle hate incidents in neighbourhoods where they provide social housing.
- Registered providers must enable ASB and hate incidents to be reported easily and keep tenants informed about the progress of their case.
- Registered providers must provide prompt and appropriate action in response to ASB and hate incidents, having regard to the full range of tools and legal powers available to them.
- Registered providers must support tenants who are affected by ASB and hate incidents, including by signposting them to agencies who can give them appropriate support and assistance.

## **10. Data analysis**

The Council will analyse reported ASB data and other partner data to identify ASB trends and locations where types of ASB are more prevalent. The Council will use these insights and feedback from our communities to address the ASB issues with our partners.

## **11. Anti-social Behaviour, Crime and Policing Act 2014**

The Anti-social Behaviour, Crime and Policing Act 2014 provides local authorities, social housing providers and partners with a range of powers to tackle anti-social behaviour. The Act introduced the Anti-Social Behaviour Case Review, a mechanism for victims of anti-social behaviour to request a review of their case where there has been no effective action. More details can be found on the Oxford City Council website.

## **12. Section 218A, Housing Act 1996 requirements**

This document fulfils the requirements of section 218A of the Housing Act 1996 (as amended by the Anti-Social Behaviour Act 2003) with regard to the publication of the ASB procedures of a local authority landlord.

This policy underpins Oxford City Council's statutory duty under the Crime and Disorder Act 1998, which places a legal duty to work in partnership to tackle the city's crime and disorder priorities. Section 17 of that Act states: "each authority needs to do all it reasonably can to prevent crime and disorder and to ensure services give due regard to crime and disorder."

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

Oxford City Council strives to excel in citizen satisfaction. We welcome feedback where our staff, services, policies and procedures have exceeded expectations.

To ensure we receive your feedback, either positive or negative, please use our on-line form that can be found [here](#) or call our Contact Centre on 01865 249811.

### **14. Vexatious complaints**

Where the Council has reason to believe that a complaint is false, malicious or unreasonable, we will consider taking appropriate action against the complainant under the Council's [Vexatious Complaints Procedure](#). Vexatious complaints cause distress to the alleged party and places unnecessary burdens on Council and partner resources.

### **15. Other relevant policies**

Other relevant Oxford City Council policies are:

- [Corporate Enforcement Policy](#)
- [Domestic Abuse for Service Users Policy](#)
- [Safeguarding Policy](#)
- [Complaints Procedure](#)

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