

Nuisance Behaviour Policy 2025

1. Policy Statement

Bushbury Hill EMB (BHEMB) is committed to fostering a tolerant and respectful community environment. We encourage neighbours to resolve minor disputes amicably and independently, without the need for formal intervention. This policy outlines our approach to managing nuisance behaviour and low level anti-social behaviour (ASB) within our community.

2. Scope

This policy applies to all tenants, leaseholders and their households living in BHEMB-managed properties. Reports of nuisance may be made by the complainant in person, by phone, by letter, text or email.

3. Definition of Nuisance and Anti-Social Behaviour

Anti-social behaviour is defined as conduct that causes or is likely to cause harassment, alarm, or distress to one or more people who are not from the same household. We define nuisance as complaints that do not meet this threshold. The following are not considered ASB when occurring in isolation:

- Babies crying or children playing (including ball games)
- Disputes or comments made on social media
- Cooking smells
- Use of household appliances (e.g., dishwashers, washing machines) unless during unsocial hours (11pm–7am)
- Normal household noises (e.g., doors closing, furniture movement, flushing toilets)
- Light switches, loud talking, or laughing
- One-off incidents (e.g., parties or arguments)
- DIY or car repairs unless frequent or during unsocial hours
- Smoking inside one's home
- Walking loudly or sexual noises
- Shift workers' comings and goings, including vehicle noise
- Situations where tenancy rules have not been breached
- Hurt feelings
- Disapproval of lifestyle or parenting choices
- Disagreements over garden boundaries or maintenance.
- One-off noise disturbances (e.g. a party).
- Untidy gardens or minor property upkeep issues.
- Pet nuisance (non-aggressive behaviour).
- Use of communal areas (e.g. drying laundry, storage).

4. Assessment

All reports will be assessed by Tenancy officers using professional judgment. If a report does not meet the criteria for ASB, the complainant will be informed and this nuisance policy will be followed.

5. The Bushbury Hill EMB approach

BHEMB's approach to managing nuisance cases is based on building relationships with tenants so that issues can be resolved collaboratively on a basis of mutual respect. We believe that most tenants wish to get on peacefully with their neighbours. In most cases they do not set out to upset or annoy their neighbours and therefore are open to informal resolution in most cases.

Tenancy officers will approach most nuisance cases by talking to all of the parties involved and finding out what the problem is and what a satisfactory resolution would be for each person.

We will try to help where a tenant contacts us with something that upsets them, but we will not always be able to resolve the matter to their satisfaction. Some complaints will not be something we can take action on because we do not judge them to be an issue covered by the tenancy agreement and they don't meet the threshold for. This will be explained to the complainant. We will still try to negotiate a resolution between the parties, but if this is unsuccessful we will explain that we are unable to assist further.

6. How we will treat the parties and their rights

In accordance with the Bushbury Hill approach, both the complainant and the respondent have the right to:

- Be treated with fairness, dignity and respect
- Be accompanied by a friend, advocate or interpreter during meetings
- Receive clear communication about the process and outcome
- Appeal the decision through BHEMB's Complaints procedure

If any party to the case is vulnerable (e.g. due to age, disability, mental health), BHEMB will take this into account in our handling of the case. We will ensure appropriate support is offered (parties may refuse such support) and may involve relevant support services. If the Tenancy Officer has any Safeguarding concerns a referral will be made.

7. Non-Legal Interventions

Where appropriate, BHEMB will use non-legal remedies to address nuisance or low-level ASB, these are options for officers to use based on their professional judgement, taking account of individual circumstances of the parties and the involvement/advice of any other agencies:

Warning Letters

Issued to individuals whose behaviour is causing concern. These letters serve as an early intervention and warn that formal action may follow if the behaviour continues.

Mediation

This may be an informal agreement negotiated by the case officer. Where suitable and with the agreement of all parties, cases may be referred to an independent mediation service. Mediation offers a confidential and impartial process to resolve disputes constructively.

Acceptable Behaviour Contracts (ABCs)

A voluntary written agreement between the individual and BHEMB, often involving partner agencies such as the PSNI, local councils, or the Youth Justice Agency. The contract outlines unacceptable behaviours and includes a commitment to cease such actions. ABCs typically remain in place for six months.

Referral to external agencies

Where appropriate the Tenancy Officer will make referrals to external agencies (e.g. environmental health, social services, community support services including those provided by Fifth Avenue Community Centre etc).

8. Legal Action

Where non-legal remedies are ineffective or inappropriate, BHEMB may consider legal action in accordance with tenancy agreements and relevant legislation. Where the behaviour passes the ASB threshold the case will escalate to the ASB policy. In other cases, legal action will be considered under other tenancy breaches. Legal action can include injunctions, demotions and possessions, or other actions as advised by Legal Services or the ASB Unit.

9. Investigation and Resolution timescales

We will acknowledge the issue within five working days and assess whether the issue falls under this policy or should be redirected to the ASB or Complaints procedure.

The Tenancy Officer for the alleged perpetrator's address will manage the case and offer informal resolution options, including mediation.

We will investigate the dispute within 21 days, or such other time limit as may be reasonable in the circumstances.

10. Decision and Communication

At the conclusion of the case, the Tenancy Officer will write to both parties informing them of the outcome of the investigation and any actions taken, including expectations for future conduct and available support services.

The parties will be advised that if the issue escalates or remains unresolved, it may be referred to the Anti-Social Behaviour Unit.

The parties will be informed of their right to appeal through the Complaints process.

11. Review and Monitoring

This policy will be reviewed every three years or in response to significant changes in legislation or community needs.

12. Legal Framework

BHEMB aims to comply with the expectations set out in the Home Office July 2014 statutory guidance for frontline professionals in relation to the Anti-Social Behaviour, Crime and Policing Act 2014. It is also informed by the legal and regulatory framework for tackling anti-social behaviour, including:

- Housing Act 1985
- Housing Act 1996
- Crime & Disorder Act 1998
- Equality Act 2010
- Human Rights Act 1998
- Anti-Social Behaviour Act 2003
- Data Protection Act 2018

The policy also complies with the regulatory requirements of the Regulator of Social Housing's Neighbourhood and Community Standard which requires registered providers to work in partnership with other agencies to prevent and tackle anti-social behaviour in the neighbourhoods where they manage homes, and specifically to publish a policy on how they work with relevant partners to prevent and tackle both nuisance behaviour and anti-social behaviour (ASB). This policy addresses cases that do not fall under BHEMB's anti-social behaviour policy.

13. Equality and Diversity

An Equality Impact Assessment has been completed for this policy.

| Service/Project/Policy | Department | Assessor | New/Existing | Date |
|--|------------|-------------|--------------|-------------|
| Nuisance behaviour Policy | Tenancy | BHEMB Board | New | August 2025 |
| <p>1. Who is responsible for the service/project/policy?</p> <p>Karen Williams, Chief Officer and Bill Heywood, Tenancy Manager</p> | | | | |
| <p>2. Describe the purpose of the service/project/policy? Who is it intended to benefit? What are the intended outcomes?</p> <p>To provide The City of Wolverhampton Council (CWC) who will report to The Regulator of Social Housing Bushbury Hill Estate Management Board's approach to managing nuisance and low level anti-social behaviour within properties detailed in our Modular Management Agreement.</p> <p>Through this policy we aim to provide clear lines of responsibility within BHEMB for the management of nuisance behaviour. We will also identify circumstances in which the policy does not apply</p> <p>The intended outcomes are;</p> <ul style="list-style-type: none"> - Transparency on our approach and mitigating actions when dealing with reports | | | | |

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| <ul style="list-style-type: none"> - A clearer policy and guidance for staff to operate with - To try to resolve incidents of nuisance behaviour experienced by tenants living in properties managed by BHEMB - To mitigate the risk of cases escalating by helping to resolve issues in good time and with the co-operation of all parties | | |
| <p>3. Are there any associated objectives?</p> <ul style="list-style-type: none"> - To offer early intervention when issues arise - Refer tenants to appropriate support agencies - Joint working with other agencies - Providing information and guidance to customers | | |
| <p>4. What factors contribute or detract from achieving the intended outcomes?</p> <p>The EMB may experience issues when applying this policy where the tenant refuses to engage positively with their tenancy officer. Failure to accept offers of support or advice from other agencies can also make it difficult to achieve success.</p> | | |
| <p>5. Does the service/project/policy have an impact in terms of race, disability, gender, gender reassignment, religion or belief, sexual orientation, and age?</p> <p>This policy has been developed with the intention that it ensures equality of treatment for all tenants without discrimination, or victimisation and is not intended to inadvertently affect any person covered under the protected characteristics as defined in the Equality Act 2010.</p> | | |
| Board Decision | Approve | |
| Comments | | |