



**COUNCIL HOUSING
ANTI-SOCIAL BEHAVIOUR
POLICY**

OCTOBER 2025

Policy: COUNCIL HOUSING ANTI-SOCIAL BEHAVIOUR POLICY**Date adopted:** 29/10/2025**Next review date:** 29/10/2027**Version control:**

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Links to Council Corporate Plan 2025-28:

Council ambition	Linked?
Working for a prosperous future <i>The Council wants to ensure the best possible local economy, with opportunities for its residents to succeed and achieve</i>	Yes
Healthier, safer communities <i>Residents should feel safe in the Borough and supported to be more active in order to improve their health and wellbeing</i>	Yes
A greener and cleaner environment <i>It's important that everyone looks after their environment</i>	Yes
Restoring the Council to good health <i>The Council will be placed on a sound financial footing and ensure resilience – delivering the service its residents deserve and expect</i>	Yes
We ❤ Castle Point <i>The Council will help create and maintain the best possible place to live in, work in and visit</i>	Yes

Lead Officer responsible for owning the Policy and internal approval body (meeting / board where the Policy is approved for adoption or approved for referral to PFH or Committee for adoption)

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Lead Member and Committee responsible for approving Policy:

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Equality Impact Assessment undertaken?

Yes

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1. Introduction

1.1 As a responsible social housing landlord, Castle Point Borough Council ("the Council") is committed to keeping the people safe that live in the homes it owns and manages. The purpose of this document is to describe the Council's approach to addressing anti-social behaviour (ASB) affecting or caused by tenants and/or leaseholders of Council owned homes. The Policy shows how the Council follows current legislation.

1.2 The Council recognises that ASB can have a profoundly negative impact on communities and adversely affect the quality of life for many individuals in affected areas. It is essential that all tenants and leaseholders can enjoy a safe environment and the peaceful use of their homes and neighbourhoods. Similarly, all tenants and leaseholders are responsible for not disrupting the quiet enjoyment of others. Individuals experiencing ASB who choose to report it to the Council will receive support and their concerns will be thoroughly considered and addressed where there is sufficient evidence to do so.

2. Scope

2.1 This Policy applies to Council housing only. This Policy relates to tenants and leaseholders within Council housing and the neighbourhood, while acknowledging that specific procedures may differ based on the type of tenure.

2.2 Private residents and businesses are excluded from this Policy and are dealt with separately in the Castle Point Borough Council Community Safety Partnership Anti-social Behaviour Policy 2025.

3. Definitions

3.1 The Council has adopted the definition of ASB as set out in the 'Crime and Disorder Act, 1998', as acting "*in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as himself*". This definition was further refined in section 2(1) of 'The Anti-social Behaviour, Crime and Policing Act 2014', to include:

- 'conduct that has caused, or is likely to cause, harassment, alarm or distress to any person; and'*
- 'conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises; or'*
- 'conduct capable of causing housing-related nuisance or annoyance to any person.'*

3.2 'The Protection from Harassment Act, 1997' says that actions amount to harassment when the victim feels distressed, humiliated, threatened or fearful of further violence. These actions include, but are not limited to:

- phone calls
- letters/emails
- visits
- stalking
- verbal abuse, including on social media
- threats

- damage to property
- bodily harm

3.3 Under 'The Equality Act, 2010', 'harassment' is defined as "*unwanted conduct related to a protected characteristic, which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment.*" It essentially involves unwanted behaviour linked to a protected characteristic (like age, disability, race, etc.) that negatively impacts someone's sense of respect or safety.

3.4 'Section 4A of the Public Order Act, 1986' covers 'alarm and distress' which typically refers to behaviour that causes another person to experience fear, anxiety, or emotional discomfort. This is often linked to actions like using threatening words, displaying abusive signs, or engaging in disorderly behaviour.

3.5 The Council recognises that sometimes another person's behaviour may be annoying or disturbing but will not reach the threshold of ASB as defined above but would be classed as "nuisance". Behaviour that can be considered as nuisance includes (but is not limited to):

- Inconsiderate parking
- Lifestyle differences
- Noise (that does not meet the ASB definition)
- Neighbour disputes
- Garden or boundary disputes
- Pet or animal nuisance

3.6 In such instances, the Council will take steps to try to resolve the situation, but it is very unlikely it will be able to take enforcement action against a tenant or leaseholder for such behaviour.

3.7 Tenants and leaseholders are expected to behave responsibly and reasonably. Routine noise and lifestyle differences are common when living in proximity to others. Behaviour related to everyday living noises (such as children playing or crying, footsteps, toilets flushing, or vacuuming) will not be investigated. Action will not be taken for isolated parties or disturbances.

3.8 'The Noise Act, 1996' defines night hours as 11 pm to 7 am. If noise exceeds permitted levels during these hours, it may be considered a nuisance. "Noise Nuisance" - noise, particularly between 11pm – 7am, may be considered ASB. Noise under the statutory limit will only be considered ASB if it is persistent, occurs regularly and continues for a period that is unreasonable. It is not enough for the noise to be annoying or disturbing. Noise will normally be initially investigated as nuisance first.

3.9 'Hate Crime' - The Crown Prosecution Service (CPS) defines a hate crime as: "Any criminal offence which is perceived by the victim or any other person to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or

transgender identity or perceived transgender identity." Please see the Council's Hate Crime Policy.

3.10 'Cuckooing' – is when the home of a vulnerable person is taken over by a criminal to use it for criminal activity, such as dealing, storing or taking drugs, to facilitate sex work, as a place for them to live, or work from. It is also known to occur as "mate crime", which is the act of befriending a person to exploit them.

3.11 'Domestic Abuse' or 'DA' - DA victims will be signposted to the right support and advice available about domestic abuse, including referrals to domestic abuse support services. Where the person is over 16, behaviour is "abusive" if it consists of any of the following:

- physical or sexual abuse
- violent or threatening behaviour
- controlling or coercive behaviour
- economic abuse - any behaviour that has a substantial adverse effect on a person's ability to acquire, use or keep money or other property, or obtain goods or services
- psychological, emotional or other abuse; and it does not matter whether the behaviour consists of a single incident or a course of conduct.

3.12 **Criminality** - Acts of behaviour that are contrary to criminal law. Criminality should be reported to the Police.

4. Aims and Objectives of the Policy

4.1 The aim of this Policy is to set out how the Housing Management Team will deal with ASB in the Council's homes by:

- Ensuring adherence to all relevant legislation, regulatory standards and industry best practices related to ASB.
- Minimising the occurrence of ASB within local communities.
- Addressing the root causes of ASB and taking all reasonable steps to prevent incidents from escalating.
- Taking necessary enforcement actions against perpetrators.
- Raising awareness among tenants, leaseholders, Council employees and other stakeholders about the tools and powers available to tackle ASB.
- Collaborating with the Police and other key agencies.
- Providing housing management services that reflect best practices and follow legislation and statutory guidance for ASB.
- Facilitating the development of sustainable communities where people want to live and feel safe.
- Increasing tenants' and leaseholders' confidence by clearly communicating around ASB and providing a clear process for reporting, investigating, and managing ASB.
- Ensuring that a partnership approach is taken to tackle ASB and supporting initiatives to prevent ASB from occurring.

5. Policy Statement

5.1 ASB can negatively impact communities and significantly affect quality of life; all reports of ASB will be treated seriously. The Council will manage expectations and clearly explain the limitations of its powers as a landlord, and when enforcement action may or may not be possible.

5.2 In regard to behaviour that is not defined as ASB within the scope of this Policy, the Council will work to manage the expectations of tenants and leaseholders and offer advice and guidance and, where appropriate, will expect them to take steps to resolve the situation themselves.

5.3 The Council is committed to having a risk assessment in place for all ASB cases. These will be reviewed regularly or when a tenant or leaseholder within the scope of this Policy notifies of a change in their circumstances or reports further incidents.

6. Legislation, Regulation and Guidance

6.1 The Council is committed to ensuring that tenants and leaseholders feel safe in their home and will work with appropriate partners with the common aim of trying to reduce the ASB. In achieving this, the Council follows relevant legislation and regulations. The following list sets out the key legislation, regulations and guidance:

- Anti-social Behaviour Act 2003
- Anti-social Behaviour, Crime and Policing Act 2014
- Anti-terrorism Crime and Security Act 2001
- Crime and Disorder Act 1998
- Criminal Justice and Public Order Act 1994
- Data Protection Act 1998, 2018
- Equality Act 2010
- Health Act 2006
- Homelessness Act 2002 and Homelessness Reduction Act 2017
- Housing Acts 1985, 1996 and 2004
- Human Rights Act 1998
- Immigration Act 2016
- Local Government Act 2000
- Mental Health Acts 1983, 2007
- Police and Justice Act 2004
- Protection from Harassment Act 1997
- Race Relations Act 1976 and Amendment Act 2000
- Racial and Religious Hatred Act 2006
- The Crime and Disorder Act 1998
- UK General Data Protection Regulation 2018

7. Reporting ASB Incidents

7.1 A report of ASB suspected to be malicious or motivated by the complainant's prejudice towards the alleged perpetrators because of their age, gender, religion, race, colour, appearance, disability, sexual orientation, and cultural background will not be seen as genuine.

Incidents can be reported by:

Speaking directly to the Housing Management Officer by calling 01268 882200

Emailing tenancyofficers@castlepoint.gov.uk or firstcontact@castlepoint.gov.uk

Completing an online form: <https://www.castlepoint.gov.uk/form---reporting-anti-social-behaviour>

More details on how to report ASB incidents can be found on this page:

<https://www.castlepoint.gov.uk/anti-social-behaviour-asb/>.

7.2 When reporting an incident, the following information should be provided:

- Date and time of the incident.
- Name of the individual(s) involved (if known).
- The impact of the ASB on the tenant/leaseholder and their household.

Some tenants and leaseholders may be reluctant to report incidents of ASB to the Council due to concerns that the situation could escalate if the alleged perpetrator becomes aware of it. All reports made to the Council are treated in the strictest confidence and it will not disclose the complainants' details to the alleged perpetrator without their permission, unless disclosure is necessary. In these situations, the Council will inform the complainant before taking further action.

7.3 Reports may be given anonymously; however, investigating such reports can be more challenging, and the Council's ability to help those affected by ASB might be limited. All reports of ASB are handled with utmost seriousness and, with the consent of tenants and leaseholders, the Council will start the right action against identified individuals. In cases where perpetrators cannot be found, the Council will collaborate with the Police and other relevant agencies to try to resolve the issue.

8. Approaches for addressing ASB

8.1 In most instances, perpetrators of ASB will be given the opportunity to improve their behaviour and signposted to support services, before the decision is made to take enforcement action. However, it is necessary to balance the needs of the individual against the needs of the community. If it is essential to act to protect the needs of the community, the Housing Management Team will make every effort to ensure that this is both swift and effective.

8.2 Enquiries and cases will be allocated to the Housing Management Team to investigate. The officer carrying out the enquiry will lead on the case investigation and any later interventions and enforcement action to ensure an effective resolution to the case.

9. Prevention and early intervention

9.1 The Council will use a range of early intervention practices and non-legal remedies to mitigate ASB and avoid escalation problems, including mediation, early warnings, visits, letters, contracts and agreements. As part of the prevention strategy, the Council will use all available powers to reduce instances of anti-social behaviour within the local community.

ASB is counted as a breach of tenancy and, in extreme cases, the Council will seek possession of the property.

These may include:

- a) Implementing estate action plans to address ASB by conducting necessary repairs and identifying improvements that could help prevent and address ASB issues specific to certain estates.
- b) Carrying out estate inspections at an increased frequency to consider ASB in an area.
- c) Issuing a Legal Warning Letter/Letter Before Legal Action, which outlines the behaviours that do not follow tenancy or lease agreements, inform tenants and leaseholders of their obligations, and outline that further action may be considered if behaviour does not change. The communication makes the next steps of legal action very clear.
- d) Negotiating an Acceptable Behaviour Contract. This is a voluntary written agreement between an individual engaging in ASB and various agencies, aiming to prevent further problematic actions. The contract outlines specific behaviours to be avoided and may include positive requirements to support the individual in changing their conduct.
- e) Applying Parenting Contract Agreements (PCAs) in cases of ASB involving individuals under 18 years old, assign responsibility to parent(s) to work on their child's behaviour with support from relevant agencies such as youth services.
- f) Engaging external mediation services to help in resolving disputes between neighbours – such as those about noise, boundaries, parking, pets, waste – with the consent of all involved parties.
- g) Referring to a Restorative Practice specialist so that all parties can understand the impact of their behaviour.

10. Enforcement

10.1 When needed, the Council will implement legal measures as considered appropriate to address instances of ASB reported by tenants or leaseholders.

Legal remedies may include:

- a) Initiating possession proceedings through the court when early intervention is ineffective in resolving anti-social behaviour and alternative measures are unsuitable. '*The Anti-social Behaviour, Crime and Policing Act, 2014*' established an absolute ground for possession for secure or fixed-term secure tenancies where ASB or criminality has been substantiated by another court. This approach is generally reserved as a measure of last resort in instances of severe or persistent ASB, when support has been declined or the behaviour remains unchanged.
- b) Pursuing a civil injunction, which may be issued against individuals aged 10 or older (and may include a power of arrest), to prohibit or prevent anti-social conduct. This enables the Council to de-escalate situations before they worsen and can be employed concurrently with applications for possession of property.
- c) Accepting a legal undertaking, which is a formal promise to the court and holds the same weight as an injunction but does not confer a power of arrest. The Council may

- consider accepting undertakings from ASB perpetrators as an alternative to seeking an injunction, based on legal advice and where it is considered appropriate.
- d) Issuing a Community Protection Notice (CPN) to halt behaviour by individuals aged 16 or over that negatively impacts community quality of life. This typically requires ceasing specific actions or taking reasonable steps to prevent further anti-social conduct. Violation of a CPN constitutes a criminal offence and may result in a fine.
- e) Coordinating a Public Space Protection Order aimed to improve the quality of life for residents by restricting or prohibiting certain activities that negatively impact the community. PSPOs are enacted under the ASB, Crime and Policing Act 2014.
- f) Coordinating a Premises Closure Order in collaboration with the police and community safety partners, where justified. If Council properties are being used, or are likely to be used, for nuisance or disorder, access may be restricted for durations ranging from 48 hours to six months.
- g) Requesting a Criminal Behaviour Order via the Crown Prosecution Service, which may be imposed on individuals aged 10 or over upon conviction of a criminal offence, targeting those who repeatedly engage in criminal ASB.

11. Rehabilitation

- 11.1 The Council will act following all relevant legislation when addressing the actions of perpetrators or supporting victims of ASB. To achieve effective and lasting resolution of ASB incidents, the Council will work collaboratively with partner organisations to address problematic conduct and provide the right support to promote positive and long-lasting behavioural change.

12. Support to victims, witnesses and vulnerable perpetrators

- 12.1 The Council provides comprehensive support and reassurance to all victims and witnesses of ASB by keeping ongoing communication with individuals to determine their preferred methods of contact and identify appropriate forms of support for effective case management. Contact frequency will be mutually agreed upon, and referrals to specialist agencies or partners will be made, when necessary.
Upon receiving an ASB report, a thorough risk assessment will be conducted to evaluate any vulnerability or safeguarding concerns. Where required, safeguarding referrals will be started following the [Council's Safeguarding Policy](#).
- 12.2 The Council acknowledges that the vulnerabilities of some tenants and leaseholders contribute to behaviour which is classed as anti-social to those around them. These vulnerabilities include, but are not limited to, mental health issues, learning difficulties and substance misuse. In cases where vulnerable perpetrators are involved, the Council will work closely with various support agencies with the aim of improving the behaviour of the individual. Compliance with legislation such as the Equality Act 2010 will be factored into any action taken.
- 12.3 The Council recognises that some individuals who commit ASB may require support to resolve the issue and change their behaviour. The Council will offer support to perpetrators of ASB, helping them to resolve their problems and change their behaviour.

In doing so, the Council will take mental health conditions and other vulnerabilities into consideration when assessing any support needed. Referrals to partner organisations and support agencies will be made as appropriate in an attempt to get individuals the help they need.

13. Methods for Dealing with ASB

- 13.1 The Council will adopt a multi-agency approach to tackling ASB by encouraging and sharing mutual expertise, good practice, information and resources. This involves evaluating service effectiveness and addressing specific area issues.
- 13.2 The Council will often work in partnership with other agencies and partners, such as the police, the Community Safety Partnership team, Probation Service, Fire Service, Housing Associations, Youth Offending Services, Social Services, and other services to share information and tackle ASB in a coordinated and effective way. Some partners may have tools or powers that the Council does not.

14. Monitoring and Continual Improvement

- 14.1 The Council's performance on ASB cases will be monitored monthly, through:
 - a) Monthly satisfaction surveys for closed cases
 - b) % of cases with a current risk assessment
 - c) % of cases with an action plan in place
 - d) Number of overdue actions on ASB cases
 - e) % satisfaction with case handling
 - f) Complaints and compliments analysis
 - g) Case reviews and management monitoring
- 14.2 Performance information will be published on the Council's website and in its Tenants' Newsletter as part of the annual report to tenants against the Tenant Satisfaction Measures particularly **NM01 – ‘Anti-social behaviour cases relative to the size of the landlord’**. The calculation involves the number of ASB cases per 1,000 homes and the number of hate crime cases per 1,000 homes.
- 14.3 Annually, the Council will submit data to the Regulator of Social Housing in the form of a Tenant Satisfaction Measure submission. The measure relevant for ASB is **NM01 ‘Anti-social behaviour cases relative to the size of the landlord’**.
- 14.4 Housing Service ASB performance indicators will be reported monthly to the Housing Management Team, and quarterly to the Senior Leadership Team and Portfolio Holder for Health, Wellbeing and Housing.
- 14.5 Performance information will be published quarterly on the Council's website and shared with the Council's engaged tenants and leaseholders.

15. Data and Records

- 15.1 The Council will keep accurate records of all ASB cases that are reported to it on its ASB system. These will be kept for the lifetime of the tenancy. This allows the Neighbourhood

Management Officer to consider any history of ASB and helps to build up a complete picture.

- 15.2 Audits and reviews provide data reflecting the effectiveness of this Policy and find opportunities to achieve continual improvement in the management of ASB cases at the Council. The Council will commission an independent audit of ASB cases at least once every two years, to specifically test for compliance with legal and regulatory obligations and to identify any non-compliance issues. An action plan will be developed for any issues found during the audit, with timescales agreed for corrective actions to be carried out. Other checks and reviews may be undertaken periodically, as needed.
- 15.3 The Council will keep all records and data in line with its Document Retention Policy and will have robust processes and controls in place to keep proper levels of security for all ASB case management related data.

16. Equality, Diversity and Inclusion

- 16.1 The Council values diversity and promotes equality, ensuring that people are treated according to their individual needs. This ensures that no person or other organisation is discriminated against on the grounds of race, colour, nationality, ethnic origins, sex, disability, sexual orientation, gender reassignment, marital or civil partner status, pregnancy, unrelated criminal activities, illness or any other matter that may cause a person to be treated with prejudice.
- 16.2 The Council will endeavour to ensure that services are delivered fairly and equally to all and to the highest possible standard. It provides all tenants and leaseholders, prospective tenants and other stakeholders with the information they require, in a format to meet their individual needs, using clear language which is easy to understand.
- 16.3 The Council's approach is underpinned by the Equality Act 2010 and specifically the Public Sector Equality Duty. This legal framework obliges public authorities to actively eliminate discrimination, harassment, and victimisation, while advancing equality of opportunity and fostering positive relations among people with different protected characteristics.
- 16.4 The Council has completed an Equality Impact Assessment to ensure that any action it takes does not discriminate, is the least restrictive and enables the person as much choice and control over decisions as is possible.

17. Communication

- 17.1 Once the Policy is approved, a summary document ("a policy on a page") will be placed on the Council's website with a link to the full Policy. An approved version of this Policy will be published internally and accessible to Council employees.
- 17.2 The Council aims to successfully engage with vulnerable and hard to reach tenants and leaseholders. The Council will share information clearly and transparently and will ensure that information is available to tenants and leaseholders via regular publications and information on its website.

17.3 The Council may sometimes engage with other agencies who may be supporting its tenants or leaseholders. When it shares information, the Council will have regard to Data Protection law, and its Safeguarding Policy.

18. Review of Policy

18.1 This Policy will be reviewed every 2 years, following the date of its implementation, unless new legislation or good practice, or a relevant major incident means it needs to be reviewed sooner.

18.2 The implementation of this Policy will be continuously monitored by the Interim Head of Housing Management. The results will be used to enhance future policy reviews and continually improve the Council Housing ASB service.

18.3 The Council reserves the right to change this Policy to meet changes in regulation, legislation and good management practice. All changes will be subject to an Equality Impact Assessment. Where the change is minor, it will be approved by the Director, Place and Communities. If the change is major, approval will be by the Portfolio Holder for Health, Wellbeing and Housing, following statutory consultation with all known stakeholders.

19. Consultation

19.1 The Council is committed to meaningful tenant and leaseholder engagement. The Council has held a focus group with tenants who have used the Council Housing ASB service, and with all stakeholders in a separate focus group.

20. Training

20.1 The Council will keep a skills/training matrix to ensure that all Council employees undertaking key roles within the scope of this Policy have training.

20.2 The Council will use a detailed competency framework, including regular appraisals, as part of the ASB Procedure.

20.3 The Council will deliver training on this Policy and the procedures that support it, including team briefings; basic ASB awareness training; and more detailed training for those delivering the ASB service to its tenants and leaseholders, to ensure that all Council employees understand their responsibilities.

20.4 Training records will be kept for all courses attended.

21. Significant non-compliance and escalation

21.1 The Council's definition of significant non-compliance is any incident which has the potential to result in a breach of legislation or regulatory standard, or which causes a risk to health or safety. All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred or of a Council employee being made aware.

- 21.2 Any non-compliance issue found at an operational level will be formally reported to the Housing Compliance Manager in the first instance, who will agree a suitable course of corrective action with the relevant Assistant Director. The Assistant Director will report details of the same to a member of the Senior Leadership Team which includes the Chief Executive, Director - Corporate and Customer, Director - Commercial and Assets and Director - Place and Communities and Assistant Director - Legal & Democratic Services and Monitoring Officer and Assistant Director - Finance & Procurement and Section 151 Officer.
- 21.3 In cases of a serious non-compliance the Chief Executive will notify the Leader, Deputy Leader and the Portfolio Holder for Health, Wellbeing and Housing.
- 21.4 In cases of serious non-compliance, the Chief Executive will consider whether it is necessary to report the issue to the Regulator of Social Housing, as required by the regulatory framework, or any other relevant organisation such as the Health and Safety Executive.

22. Governance

- 22.1 The Council has overall responsibility for ensuring that this Policy is implemented to ensure compliance with the law.
- 22.2 The Chief Executive reports to Cabinet to show accountability that the requirements in the Consumer Standards of the Regulator of Social Housing are properly controlled and managed. Under Section 26 of the Constitution (the Officer Scheme of Delegation) the Chief Executive is authorised to delegate duties to the Directors who are then responsible to take the decisions for the effective sub delegation of duties within their service areas of responsibility; this is to ensure that the Council's statutory duties and functions are effectively discharged.
- 22.3 The day-to-day responsibility for managing the ASB Service for the Council's tenants and leaseholders is implemented in line with this Policy has been delegated, via the Chief Executive, to the Director - Place and Communities. In addition, the Interim Director of Housing is responsible for providing strategic leadership across the Housing Service. The ASB Procedure also shows the roles and responsibilities of those who will undertake the day-to-day tasks on behalf of the Director - Place and Communities.
- 22.4 The Director - Place and Communities has delegated their duty holder responsibility to the Interim Head of Housing Management who has professional responsibility for the ASB service.

23. Associated Policies and Procedures

- Castle Point Borough Council Data Protection Policy
- Castle Point Borough Council Domestic Abuse Policy
- Castle Point Borough Council Hate Crime Policy
- Castle Point Borough Council Health and Safety Policy
- Castle Point Borough Council Lone Working Policy

Castle Point Borough Council Safeguarding Policy
Council Housing Allocation Policy
Council Housing Neighbourhood Management Policy
Council Housing Tenancy Management Policy
Leasehold Agreement
Tenancy Agreement

24. Appendix

Equality Impact Assessment for Council Housing Anti-Social Behaviour Policy