Dover District Council

Anti-Social Behaviour Policy

Community Safety



COMMUNITY SAFETY

DOVER DISTRICT COUNCIL

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1. Introduction

1.1 Dover District Council ("the Council") believes that residents have the right to live and enjoy their home and environment in peace. We recognise that anti-social behaviour (ASB) caused by a minority of individuals can be disruptive, distressing and have a detrimental impact on victims, family members and other residents, as well as damage the environment of our neighbourhoods and estates and the sustainability of communities.

1.2 This policy outlines our commitment to managing and addressing ASB in a manner that is fair, reasonable, proportionate, and transparent, with residents' needs at the forefront of our efforts.

1.3 Additionally, this policy aligns with the measures established in the Anti-social behaviour, Crime and Policing Act 2014, and provides a framework for tackling ASB through prevention, early intervention, enforcement actions, collaborative partnerships, and resident support.

2. Definitions

2.1 For the purposes of this policy:

- 'The Council', 'we', 'ours' and 'us' refers to Dover District Council.
- 'Officers' refers to Dover District Council Officers, who are members of Dover District Council.
- 'Resident' refers to the general public, members of the community that live within the Dover district.
- 'Subject' refers to the subject of anti-social behaviour including hate crime.
- 'Reporter' refers to the person making the complaint or a third-party reporting on behalf of an individual ("reporter") of ASB.
- 'Victim' refers to an individual or group of individuals who have experienced, been targeted by, or have suffered harm, distress, alarm, or impact as a result of anti social behaviour or hate crime/incident.
- 'Witness' refers to a person who has observed a crime or incident taking place.
- 'ASB' refers to Anti-Social Behaviour, which includes hate crime/incidents.

3. Legislation and regulatory framework

3.1 This Policy has been informed by the following legal and regulatory framework for tackling ASB:

- Crime & Disorder Act 1998
- Human Rights Act 1998
- Anti-social Behaviour Act 2003
- Equality Act 2010
- Anti-social Behaviour, Crime and Policing Act 2014
- Mental Health Act 1983
- Data Protection Act 2018
- Community Safety Partnership Plan 2023-27

4. Purpose and scope

4.1 This policy sets out how the Council will manage and respond to complaints of Anti-social behaviour from residents of the Dover district, outside of any Council owned social housing and sheltered accommodation.

4.2 If any Anti-social behaviour complaints apply to tenants in Council owned social housing and sheltered accommodation, to be better informed please be directed to the Anti-social Behaviour Policy - Dover District Council.

4.3 The following documents should be read alongside this Policy:

- DDC Corporate Plan 2023 to 2027
- DDC Complaints Policy
- DDC Equality-Policy
- DDC Safeguarding Policy

5. Policy aims

5.1 The aims of this policy are to:

1) Tackle and prevent incidents of ASB from escalating when they arise.
2) Send a clear message to residents that ASB are unacceptable.
3) Use early intervention and warnings whenever possible to avoid ASB from escalating.
4) Ensure that residents are encouraged to report incidents of ASB to the Council, and that they are taken seriously when they do so.
5) Ensure that there are clear and transparent processes in place for residents to report ASB and understand how the matter will be investigated.
6) Ensure that residents are provided with appropriate advice and assistance and provide clear expectations to reporters and alleged subjects.
7) Work collaboratively with other agencies and practitioners to identify, assess and tackle ASB and the underlying causes.
8) Consider necessary legal action, where there is sufficient evidence.

6. Defining Anti-Social Behaviour

6.1 There are three main categories for anti-social behaviour, depending on how many people are affected:

- Personal anti-social behaviour is when a person targets a specific individual or group.
- Nuisance anti-social behaviour is when a person causes trouble, annoyance or suffering to a community.
- Environmental anti-social behaviour is when a persons actions affect the wider environment, such as public spaces or buildings.

Dover District Council has adopted the definition as defined by Section 2(1) of the Anti-social Behaviour, Crime and Policing Act 2014 as:

a) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
b) Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
c) Conduct capable of causing housing-related nuisance or annoyance to any person.

We consider the following as some examples of behaviour that would be treated as ASB

- Physical violence, such as assault, use of weapons
- Harassment
- Drug-dealing
- Verbal abuse
- Criminal Behaviour
- Hate related behaviour
- Fly tipping/Littering
- Disturbance caused by noisy pets
- Vandalism/Criminal Damage and Graffiti
- Noise nuisance (e.g. loud music, excessive shouting)

Different to What is antisocial behaviour? | Kent Police

Matters the Council are unlikely to investigate

6.2 The Council accepts people have different lifestyles and it is important that we are realistic when advising reporters what we can and cannot do in relation to a complaint of ASB.

6.3 Not all inconsiderate behaviour may be deemed as ASB. Some examples of issues which may cause upset or disturb people, and which are unlikely to be dealt with as ASB include but are not limited to:

- Children playing (including ball games – unless they are being played in a communal area or persistently causing a nuisance)
- Babies crying
- Cooking smells
- Doors and drawers being shut
- Dishwashers, hoovers, tumble dryers, washing machines and other household appliances
- Dropping of objects / moving of furniture
- General talking / Heavy footfalls (people walking on floors or upstairs)
- Flushing toilets and running water
- Lights switches being turned on and off
- Loud talking or laughing
- One-off or isolated incidents e.g. a party
- People carrying out DIY jobs at unreasonable hours of the day
- Sexual noises
- Shift workers leaving home
- Occasional slamming of doors

7. A victim-centred approach

7.1 The legal tests that govern the use of the anti-social behaviour powers are focused on the impact that the behaviour is having, or is likely to have, on victims, communities and businesses.

7.2 When considering a response to any reports of anti-social behaviour, the Council will consider the effect that the behaviour in question is having on the lives of those subject to it. This includes the debilitating impact that persistent or repeated anti-social behaviour can have on its victims, and the cumulative impact if that behaviour persists over a period of time.

7.3 The response to anti-social behaviour is likely to require collaborative working between different agencies to determine the most appropriate solution.

8. Policy statements

Key Principles

8.1 We will apply the following principles when we manage and investigate incidents of ASB:

1) We take a victim-centred and robust approach to tackling ASB
2) We believe that residents have the right to enjoy their homes and are entitled to live their day to day lives without having concerns that complaints of ASB will be made against them.
3) Residents will be treated fairly, and vulnerabilities will be considered when we conduct our investigations.
4) Incidents of ASB are dealt with consistently, proportionately, professionally, and justified action will be taken.
5) We will work in partnership with other relevant agencies and organisations to prevent and reduce ASB and to ensure the victim receives the correct support.
6) Be clear about the standards expected of staff and ensuring they have the knowledge to investigate incidents and reports of ASB.
7) We provide officers with training, clear guidance, policies, and procedures so they can deal with cases of ASB effectively, make informed decisions, use the appropriate enforcement tools and are aware of the wider issues associated with ASB, and safeguarding.

Protection of Staff and Contractors

8.2 We will not, under any circumstances, tolerate threatening or violent behaviour towards officers or contractors working on the Council's behalf. We will take appropriate action if staff are threatened, abused or subjected to ASB in accordance with our internal procedures of managing unacceptable behaviour.

How to Report ASB

8.3 Residents can report ASB to the Council several ways:

- Online using our ASB reporting form on the Council website.
- Emailing the department via CSU@dover.gov.uk
- Telephone – 01304 821199
- In person at the Council offices or during a scheduled visit by a member of our staff.
- In writing Dover Community Safety Unit, Dover Council Offices, White Cliffs Business Park, Dover, Kent, CT16 3PJ

8.4 **In situations where someone or a property is in danger, a serious disruption to the public is likely or when a crime is taking place, residents should contact the Police on 999 before contacting the Council. Residents should call 101 for non-emergency enquiries.**

Support for Victims and Witnesses

8.5 We will support as best we can, reporters and others affected by ASB to continue to live in their home and encourage them to work with us to resolve the problem.

8.6 We will signpost reporters experiencing ASB to other agencies for support and advice. We will make reasonable adjustments to our services where the reporter is vulnerable.

Hate Crime

8.7 A 'hate crime' is defined 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.

8.8 **Residents who believe they have been victim to a hate crime should report this to Kent Police on 101.**

8.9 We will support the Police and other agencies during criminal investigations, where required.

Multi-agency collaboration

8.10 We will work with other partner agencies and residents to tackle and address ASB.

8.11 We will actively participate in information sharing protocols with the Police and other agencies (where appropriate) to coordinate an effective response to problem solving ASB complaints. This is facilitated through the Kent and Medway Information Partnership.

8.12 Some types of complaints may constitute as ASB; however, it may not be appropriate for us to be the lead investigator. Such as, but not limited to:

- Environmental issues such as abandoned cars and fly tipping
- Harassment and intimidation
- Hate crime
- Highways related matters including parking illegally or inconsiderately on land outside of a tenancy boundary
- Hoax calls to emergency services
- Illegal or immoral activity
- Threatening behaviour and verbal abuse
- Violence to person
- CCTV related nuisance
- Drug dealing
- Smoking cannabis
- Safeguarding or welfare concerns
- Nuisance vehicles

8.13 When incidents of this type are reported to us, we will sign post the reporter to the agency best placed to investigate these allegations and work with partner agencies where required, to support resolution of these issues.

Vulnerable Persons

8.14 We will consider the vulnerability of subjects. In doing so, we will ensure that we comply with the Disability Discrimination Act 1995, the Mental Health Act 1983, the Care Act 2014 and the Equality Act 2010.

8.15 Where it is identified that a subject has a vulnerability, we will signpost them to external support services to help address the issues that may be exacerbating their behaviour. In doing so, we may decide to work closely with the support service to identify actions that can prevent repeat incidents.

8.16 Our actions to offer support to vulnerable subject does not condone or excuse their behaviour but forms part of our attempts to address and prevent repeat ASB.

Staff Training

8.17 Community Safety Officers investigate and manage cases of ASB, and all officers have access to the up-to-date policies and procedures for managing ASB.

8.18 While the Council provides training for its staff on ASB, we may on occasion seek to procure external training from specialist training providers or partners. This is to ensure that our staff have key transferrable skills and knowledge of good practice to manage and deal with incidents of ASB, prevent occurrences and provide support to reporters.

Publicity

8.19 The Council will consider the use of publicity to pursue legitimate aims including, but not limited to:

- Supporting and reassuring communities
- Informing communities of methods of reporting ASB
- Informing communities of positive case outcomes
- Making it clear to subjects that the Council will not tolerate ASB and will take action to protect others.
- Providing reassurance to residents in the Council's ability to tackle and prevent ASB.

8.20 Forms of publicity methods used will include, but are not limited to, media coverage, targeted leafleting, use of the Council website and / or social media platforms as appropriate.

8.21 When considering whether to publicise by what means and for how long, the Council will consider the circumstances of each case and whether the proposed publicity is necessary and proportionate.

9. Managing ASB cases

Responding to reports of ASB

9.1 We will take a victim-centred approach when investigating complaints of ASB.

9.2 If we decide that a complaint is not ASB, we will advise the reporter of our decision. We may still be able to offer advice or signpost them to other services for advice and support.

9.3 We will categorise each ASB complaint reported to us. The categorisation is dependent on the nature of the ASB and the impact to the reporter.

9.4 We will aim to initially respond to reported ASB cases within 5 working days.

9.5 We will retain clear records of all ASB cases for the purpose of evidence gathering, monitoring, quality checks and to provide a comprehensive picture of the case. All records will be kept electronically and kept up to date.

Types of Action

Preventative action

9.6 We recognise that one of the most effective ways to tackle ASB is to take preventative action to discourage this type of behaviour from occurring in the first place. The range of preventative measures we can take includes the following:

- Providing and publicising information on what constitutes ASB.
- Co-operating and working with partner agencies and the Community Safety Partnership, to prevent and reduce occurrences of ASB.

9.7 We will take a balanced approach to preventing and reducing ASB. Any action we take will be based on the circumstances of each case and will be proportionate to the behaviour.

Early Intervention

9.8 The Council's aim is to intervene at an early stage and tackle problems quickly to prevent the behaviour from escalating. Cases are assessed individually, and the appropriate intervention taken to tackle the behaviour.

9.9 Early interventions we can take include, but are not limited to:

- Community Protection Warnings.
- Acceptable Behaviour Agreements – an informal agreement to try and stop certain types of behaviour.
- Joint visits with the Police or other agency representatives.
- Referral to the Mediation Service.
- Referral to Environmental Services to investigate a statutory nuisance.
- Referral to external agencies who can provide services to subjects and reporters.
- Multi-agency partnership working.

Enforcement

9.10 We will consider enforcement action where other interventions and actions taken to tackle and prevent ASB have failed, or where the behaviour is such that it endangers life or property.

9.11 Any enforcement action we take will be in accordance with the Anti-social behaviour powers statutory guidance and will be considered on the grounds of proportionality as well as the Human Rights Act 1998 and the Equality Act 2010.

9.12 There are several enforcement actions we can take to resolve anti-social behaviour. These include, but are not limited to:

1. **Community Protection Warning (CPW)** – A Community Protection Warning (CPW) can be issued as a written warning directly to individuals, businesses, or organisations to disrupt behaviour that is negatively impacting a community's quality of life. Anyone over the age of 16 years can be issued with a CPW. As a CPW acts as an opportunity to address issues without formal sanction, it cannot be appealed.
2. **Community Protection Notices (CPN)** – When a CPW is breached, the next stage is to issue the offending individual, business, or organisation with a Community Protection Notice (CPN). The conditions listed in the CPN must be the same as the CPW issued previously. A CPN can be issued to anyone over the age of 16 years, and will state that the aforementioned behaviour must stop, and may highlight necessary and reasonable steps, that must be taken, to ensure it is not repeated in the future.
3. **Fixed Penalty Notices (FPN)** – In some cases and with some offences, the Council can prosecute the subject or may choose to issue a FPN of up to £100. The Council can also prosecute if the FPN remains unpaid.
4. **Criminal Behaviour Order (CBO)** – can be used to deal with a wide range of anti-social behaviours following an individual's conviction for a criminal offence, for example:

- Threatening others in the community
- Persistently being drunk and aggressive in public
- To deal with anti-social behaviour associated with a more serious conviction, such as for burglary or street robbery.

An application for a CBO does not require a link between the criminal behaviour which led to the conviction and the anti-social behaviour for it to be issued by the Court.

The Council will make proportionate and reasonable judgements before applying for a CBO.

5. **Public Space Protection Order (PSPO)** – are intended to deal with a particular nuisance or problem in a specific area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are intended to help ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. To review the councils PSPO visit - Public Spaces Protection Order.

6. **Closure powers** – is a fast, flexible power than can be used to protect victims and communities by quickly closing premises that are causing nuisance, disorder and to prevent offensive or criminal behaviour on the premises. Before issuing a notice, the Council will ensure that it has consulted with anyone we think appropriate, which includes (but not limited to) the Police, the reporter and other members of the public that may be affected positively or negatively by the closure.

9.13 When we conduct any legal and / or enforcement action, we will follow the set ASB procedures as stipulated in the Policy.

Case Closures

9.14 Although we will seek to resolve cases to a reporter's satisfaction, this will not be possible in all cases and the Council may choose to close the case when it is appropriate to do so. A decision to close a case or not will be on a case-by-case basis and after review.

9.15 The following circumstances are common reasons as to why an ASB case may be closed (this is not an exhaustive list):

- When we have reached an agreement upon solution and successfully resolved the incident.
- When we have completed an investigation into the case and have exhausted all viable solutions.
- Where mediation is a reasonable solution and has been offered to both parties but has been declined by the reporter.
- When another agency or department is leading on the case and no longer requires our involvement.
- Non-engagement and failure to respond to our requests by the reporter.

9.16 Victims and agencies involved in the initial referral of enquiries will usually be contacted and advised of the reasons for a case closure prior to the case being closed. We can also provide reporters with further advice on the next steps and on alternate options. Where reasonable and practical, the subject of a complaint may also be informed at the point of closure.

9.17 If a reporter is unhappy with the outcome or closure of a case, they can contact the Community Safety Team to resolve this, or if the case meets the requirements, they can request an ASB Case Review (see 9.18 – 9.22).

ASB Case Review

9.18 The Anti-Social Behaviour, Crime and Policing Act 2014 introduced the Anti-Social Behaviour Case Review, a mechanism for victims of ASB to request their local Community Safety Partnership (CSP) to review responses to incidents of ASB.

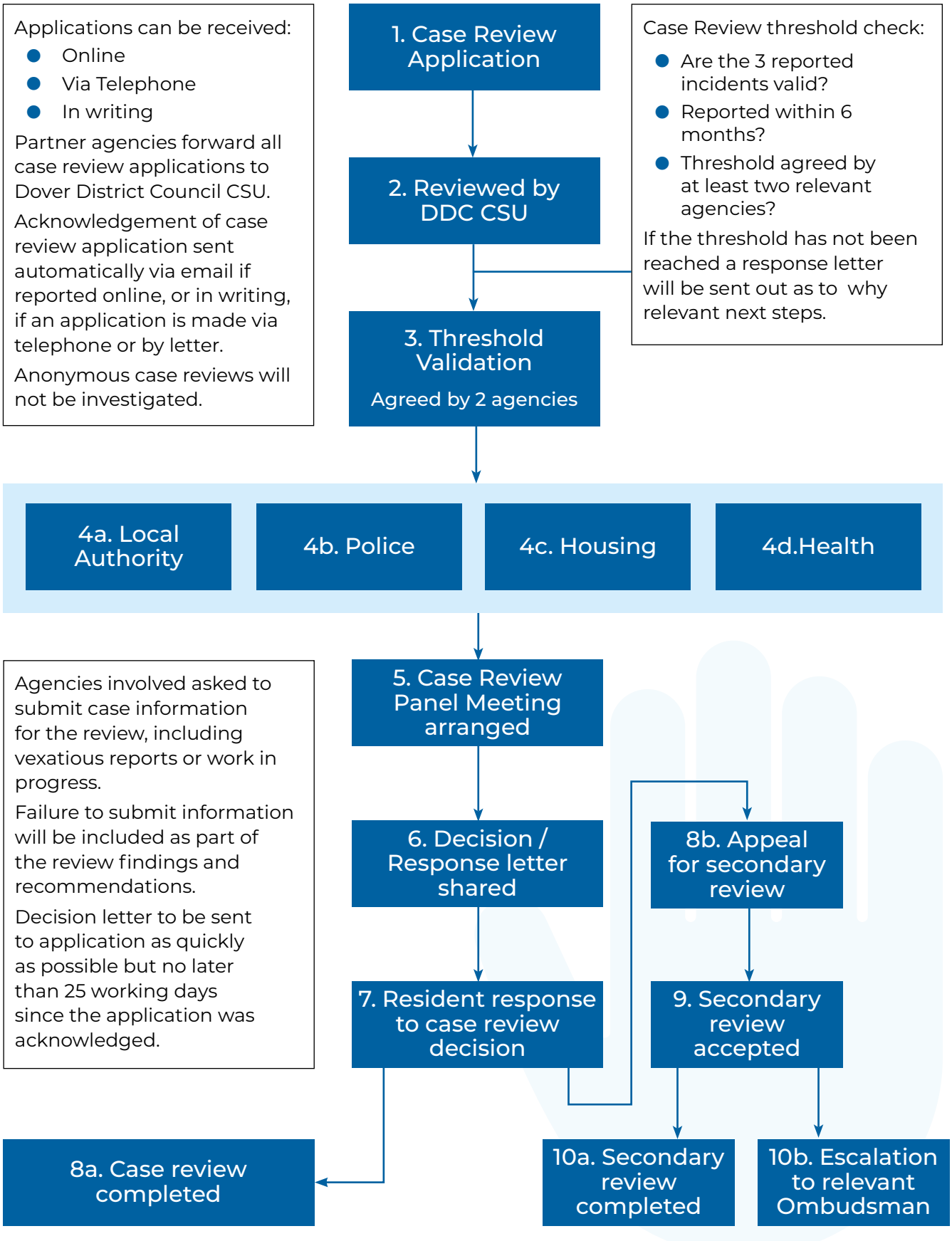
9.19 The review helps ensure that agencies are working together to resolve incidents of ASB that are affecting residents' quality of life. We will do this by appropriately sharing information between agencies, reviewing the actions that have been taken and use available resource to try and reach a solution and make recommendations that will hopefully prevent the situation for reoccurring.

9.20 The reporter or someone acting on their behalf should use the review if they have reported ASB to the Council, Police and / or a registered provider (housing association) at least 3 times within 6 months, and if ASB persists. The Review cannot be used to report general ASB / crime and does not replace formal complaints procedures (see Section 12).

9.21 To request a Review, the reporter or someone acting on their behalf can complete our online ASB case review form: Anti-social Behaviour Case Review (dover.gov.uk).

9.22 Should the reporter be dissatisfied with the review decision. The reporter can request an appeal, of which a full review will be passed to a neighbouring local authority, who would be happy to support the review subject to availability, to review the case. The reporter will also be provided with information to escalate the case to the Ombudsmen, and/or the Independent Office for Police Conduct (IOPC) or other relevant body for further scrutiny. The council has the right to not provide an appeal should the established process not be followed.

9.23 To summarise the Case Review process, please follow the chart below.



10. Safeguarding

Safeguarding children, young people and adults at risk

10.1 Safeguarding is everyone's responsibility. It is not uncommon for safeguarding concerns to arise during an investigation. To be better informed, please be directed to the Dover District Council Safeguarding Policy Safeguarding Policy 2025

11. Implementation, monitoring and review

11.1 Monitoring is necessary to ensure that the Council delivers the aims and objectives set out in this Policy. Cases will be subject to regular reviews by the Community Safety Team.

11.2 Work carried out by the Community Safety Team and the wider Community Safety Partnership Executive is presented the Council's Overview and Scrutiny Committee Crime & Disorder) since they are required by legislation to oversee work on community safety.

11.3 Performance is monitored several other ways. Resident satisfaction is currently monitored by the measures listed below but may be subject to change:

- Number of cases identified
- Anti-Social Behaviour (ASB) cases resolved within 30 days

11.4 The Council aims to undertake a review of the Policy every three years, or in response to relevant changes to legislation and / or regulations that require a review to be undertaken sooner than the expected review date. We will also monitor the effectiveness of the Policy, and where appropriate, make necessary changes to reflect good practice, or operational efficiencies.

11.5 Any minor amendments required to this Policy will be made by officers of the Council. Any significant amendments made to the Policy due to changes to national legislation will be approved by the Council's Cabinet. Where significant changes are required, relevant officers and teams will be consulted before the changes are implemented.

12. Complaints

12.1 The Council's definition of a complaint is:

"An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or a group of residents."

12.2 The Council takes complaints made about any service it provides, officers who work for the Council or contractors who provide our services, seriously. If a resident wishes to make a complaint about the service they have received, a Council officer or contractor, they can be made:

- In writing (letter or email)
- Using our online complaint form
- Using the Council's Complaint Leaflets (these are available at the Council's office reception, or our residents can request them to be posted)
- Via telephone; or
- In person by an appointment

12.3 All complaints received will be dealt with in accordance with the Council's Complaints Policy and Procedure. More information about how to make a complaint can be found on our website: www.dover.gov.uk/Customer-Services/Complaints

13. Equality, diversity and inclusion

13.1 The Council is committed to promoting equality of opportunity and to eliminating unlawful discrimination on the grounds of race, age, disability, gender, sexual orientation, religion, belief, financial status, and any other difference that can lead to discrimination or unfair treatment considering the principles of the Equality Act 2010. Please see our Equality Policy for more details.

13.2 A full Equality Impact Assessment (EIA) was conducted for this policy in accordance with our Public Sector Equality Duty (PSED) when carrying out our duties (s149 of Equality Act 2010). The EIA has identified no negative impacts as a result of the Policy's implementation, and therefore there is no requirement at this time for mitigative actions to be put in place.

14. Data privacy and confidentiality

General

14.1 The Council is a data controller under the UK General Data Protection Regulation (GDPR). Personal data is processed securely and confidentially in accordance with data protection legislation.

14.2 Full details of how we handle personal data are available in our Data Protection Policy and Privacy Notices which can be found on our website at www.dover.gov.uk/privacy. For further information or questions, please contact the Council's Data Protection Officer at dataprotection@dover.gov.uk.

Information sharing and confidentiality

14.3 Our Policy is not to accept anonymous complaints, however, in exceptional circumstances where the reported nuisance is extreme, can be evidenced and is deemed to be having a significant impact and effect on others in the community, we will investigate as appropriate. The personal data we collect will be treated securely and confidentially and will only be shared with those who need it to manage and respond to the complaint.

14.4 Information may be shared with partner agencies in accordance with the Council's legal obligations under the Crime and Disorder Act 1998, and in line with established data sharing protocols and agreements, such as the Kent and Medway Information Sharing Agreement (KMISA). This agreement outlines:

- What information may be shared
- What powers in law give the ability to share information
- How information is going to be shared
- Who the partners to the agreements are; and
- Any necessary security requirements

14.5 Information may be shared without consent where another lawful basis applies — for example, to prevent or detect crime, or where there is a serious safeguarding concern. Any one-off or repeated sharing of personal data under KMISA must be documented using a Record of Sharing form, which can be obtained from the Council's Data Protection Officer. This form must be completed prior to sharing under the KMISA.

15. Version control

Approval date	6th July 2026
Approved by	Cabinet
Policy owner	David Parratt - Community Safety, Resilience and Digital Manager
Scheduled review	July 2029

Policy controls sheet		
Date	**Summary of change**	**Author and approver**
July 2026	Version 1	**Author:** Elliott Allen **Approver(s):** Cabinet