



Mid-Market Rent Anti-Social Behaviour Policy

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1 INTRODUCTION

Statement of Objectives

The aim of the Anti-Social Behaviour Policy is to provide a safe, peaceful and well-managed living environment for all tenants and neighbours within our properties. We recognise that anti-social behaviour (ASB) can have a serious impact on individuals and communities and will take appropriate, proportionate and lawful action to prevent and manage ASB.

This policy sets out how we will prevent, investigate and respond to allegations of antisocial behaviour by tenants, household members or visitors in Mid-Market Rent properties, in line with the Private Residential Tenancy (PRT) framework in Scotland.

2 SCOPE OF THE POLICY

This policy applies to:

- All tenants holding a Private Residential Tenancy (PRT) in Mid-Market Rent properties
- All tenants holding Short Assured Tenancy (SAT) in Mid-Market Rent properties
- Members of the tenant's household
- Visitors or others residing in or visiting the property

It covers behaviour occurring:

- Within the property
- In common areas
- In the immediate neighbourhood where behaviour affects others

3 DEFINITION OF ANTI-SOCIAL BEHAVIOUR

For the purposes of this policy, anti-social behaviour is defined as conduct that:

Causes or is likely to cause alarm, harassment, nuisance or distress to another person.

Antisocial behaviour can be considered:

- Personal anti-social behaviour – when a person targets a specific

individual or group.

- Nuisance anti-social behaviour – when a person causes trouble, annoyance or suffering to a community.
- Environmental anti-social behaviour – when a person's actions affect the wider environment, such as public spaces or buildings. (*Metropolitan Police, 2025*).

Examples of anti-social behaviour include (this list is not exhaustive):

- Excessive noise (e.g. loud music, shouting, persistent disturbance)
- Harassment, intimidation or threats
- Domestic abuse
- Hate incidents or hate crime
- Drug misuse or dealing
- Vandalism or damage to property
- Misuse of communal areas
- Aggressive or abusive behaviour towards neighbours or staff
- Allowing visitors to engage in anti-social or criminal behaviour

There are a number of areas of nuisance behaviour or disturbances that we will not consider within the scope of this policy, unless they are persistent and ongoing. This list is not exhaustive, and each case will be assessed individually. This can include for example:

- neighbours having a barbeque
- noise from a party where Police Scotland have not been called or where Police Scotland have attended and not issued any warning
- General living noise from people moving within their flat such as walking on laminate/hard flooring, closing doors, using household appliances (e.g. shower, dishwasher etc) between 7.00am and 11.00pm
- Children playing within the home or shared areas and not causing damage to property
- Cooking smells or smoke drift
- Behaviour which may simply be considered impolite or rude such as gestures, dirty looks, staring, coarse language, laughing at someone
- Social media posts or nuisance calls or texts
- Loud arguments between household members.

4 LEGAL AND REGULATORY FRAMEWORK

This policy operates within the following legislation and guidance:

- Private Housing (Tenancies) (Scotland) Act 2016
- Housing (Scotland) Act 2004
- Housing (Scotland) Act 1988
- Housing (Scotland) Act 1996

- Antisocial Behaviour etc. (Scotland) Act 2004
- Equality Act 2010
- Data Protection legislation

Under the PRT framework, anti-social behaviour is a specific ground for eviction where it can be evidenced and where eviction is considered reasonable and proportionate.

For SAT tenancies it will be specified in the terms of the agreement that anti-social behaviour is a ground for eviction where it can be evidenced and where eviction is considered reasonable and proportionate.

5 ROLES AND RESPONSIBILITIES

Our Neighbourhood Teams are responsible for managing all aspects of neighbour relations, tenancy matters and antisocial behaviour. In relation to antisocial behaviour the Team's main responsibilities include:

- Recording, investigating and taking action on reports of anti-social behaviour in accordance with this Policy and our procedures.
- To work with partners to help resolve anti-social behaviour in our neighbourhoods, including cross-tenure issues that impact on our tenants and the wider community
- To provide advice and support to victims and witnesses of anti-social behaviour.
- To engage with perpetrators to address their behaviour.
- To assist victims with taking their case to the Police or other appropriate agencies if a criminal offence may have been committed.
- To instruct legal action to recover possession of a tenancy. Legal Action is subject to approval by the Director of Housing and Communities.

Tenants are responsible for:

- Their own behaviour
- The behaviour of anyone living in or visiting the property
- Ensuring conduct does not cause nuisance, disturbance or distress to others
- Complying with tenancy conditions relating to behaviour

Failure to meet these responsibilities may result in tenancy enforcement action, up to and including eviction.

6 PARTNERSHIP WORKING

Partnership working is key. We can resolve some types of anti-social behaviour issues directly by enforcing tenancy conditions or taking action on estate management issues. However, tackling other types of anti-social behaviour often depends on partner organisations applying their powers and expertise, sometimes with our assistance. Accordingly, we will maintain close working relationships with:

- Police Scotland, where suspected criminality is involved. We have several local arrangements in place whereby we attend regular meetings and have good working relationships with community policing teams, Problem Solving Teams and joint initiatives at neighbourhood level. We may also act as an advocate for our communities, to influence local policing priorities and use of resources.
- Glasgow City Council, on environmental issues falling within the Council's responsibilities, and on enforcement of the Council's licensing and regulatory powers, for example in relation to privately rented properties in our neighbourhoods. We may also seek their support when dealing with concerns about the protection of children or vulnerable adults that may become apparent during investigations into antisocial behaviour.

We work closely with the Community Relations Unit when dealing with anti-social behaviour in our social housing properties, unfortunately this service is not available for Mid-Market rent properties however we can contact them for advice and guidance as and when required.

We may seek to resolve or reduce anti-social behaviour at neighbourhood level, through environmental measures, or through resident involvement activities, or our community development and support services.

7 MANAGING ANTI-SOCIAL BEHAVIOUR

We will manage ASB complaints by adhering to the following principles:

- Early intervention where possible
- Proportionality of response
- Fairness and consistency
- Confidentiality, where appropriate
- Partnership working with relevant agencies (e.g. Police Scotland, Environmental Health, support services)

We recognise that some behaviour may be linked to vulnerability, health issues or support needs and will consider this when deciding appropriate action.

We will use the three categories shown below, to assess the seriousness of complaints and the type of action that may be needed.

CATEGORY A - Very Serious Complaints

Complaints which concern drug dealing; criminal behaviour involving serious incidents of violence or threats of violence towards any member of the public including members of staff or our contractors; serious assault; serious harassment; racial harassment; or other hate crimes, and serious damage to property, including fire raising. Typically, it is expected the Police will also be involved. Target timescale for resolution is 40 days.

CATEGORY B – Serious Complaints

Complaints which concern aggressive/abusive behaviour; frequent disturbance; vandalism; drug/solvent/alcohol abuse; verbal/written harassment; and frequent and persistent noise. Target timescale for resolution is 20 days.

CATEGORY C – Nuisance Complaints

Complaints which concern simple breaches of tenancy conditions or minor neighbour disputes. These would normally be dealt with by a Housing Officer as Estate Management issues. Target timescale for resolution is 10 days.

8 REPORTING ANTI-SOCIAL BEHAVIOUR

ASB can be reported by:

- Tenants
- By asking a third party such as a family member, carer, support worker or elected member.

- Neighbours or members of the public
- Partner agencies

Reports can be made:

- By phone
- By email
- In writing
- In person at the office

Complainants will be asked to provide:

- Details of the behaviour
- Dates and times of incidents
- Impact on them or others
- Any supporting evidence, where available

Anonymous complaints may be recorded but may limit the action we are able to take.

9 INVESTIGATION PROCESS

When an ASB complaint is received, we will:

1. Acknowledge the complaint and assess risk
2. Open an ASB case where appropriate
3. Gather evidence, which may include:
 - Witness statements
 - Incident diaries
 - Photographs or recordings
 - Information from partner agencies
4. Interview relevant parties, where appropriate
5. Assess seriousness, frequency and impact of the behaviour

We will generally consider a complaint to be substantiated if:

- Two independent complainers have confirmed the same specific incident, and we are satisfied with the credibility of the accounts they have provided.
- Police Scotland, the Community Relations Unit or another professional witness have confirmed a single complaint about a specific incident as a result of their attendance.
- CCTV or photographic evidence shows that an incident took place.
- The alleged perpetrator has admitted to an incident reported by a single Complainer.

Timescales and actions will depend on the nature and severity of the complaint. Details of all complaints will be recorded on Rubixx, our housing management system.

10 ACTIONS AND INTERVENTIONS

Depending on the circumstances, we may take one or more of the following actions:

- Verbal or written warnings
- Formal tenancy breach letters
- Mediation (where appropriate and agreed)
- Acceptable Behaviour Agreements
- Referral to support services
- Increased monitoring
- Legal action under the PRT framework

Serious incidents (e.g. violence, domestic abuse, drug-related activity) may result in immediate escalation and partnership working with Police Scotland.

Where anti-social behaviour is serious, persistent, or has not improved despite earlier intervention, we may seek to end the tenancy using the relevant PRT or SAT eviction grounds.

Eviction will always be:

- A last resort
- Supported by evidence
- Considered reasonable by the First Tier Tribunal for Scotland (Housing and Property Chamber)

11 VICTIM SUPPORT AND SAFEGUARDING

We will:

- Provide clear information about how complaints are dealt with and have good record keeping.
- Provide advice on support agencies and make referrals where appropriate.
- Keep the Complainer fully informed of progress.
- Respect confidentiality and show sensitivity in dealing with the complaint.

- Adhere to data protection matters and ensure we do not disclose the Complainer's identity to the alleged perpetrator or a third party without their agreement.
- Make sure the complaint has been managed to the resolution stage.

Third Party Reporting

We are a designated Hate Crime, 'Third Party Reporting Centre'. This means that we will assist and facilitate individuals who do not feel able to report Hate Crime directly to Police Scotland or other agencies. We will also help residents to report antisocial behaviour complaints to Police Scotland and the Community Relations Unit. This will involve us passing on complaints to the relevant agency, and providing any help needed with the completion of forms etc. If a complaint is very urgent (for example, a threat of physical violence), we will support the complainer in making direct contact with Police Scotland as soon as possible.

A hate crime is any crime motivated wholly or partly by ill will (hostility or prejudice) based on once or more actual or perceived characteristics.

12 DATA PROTECTION AND CONFIDENTIALITY

Information relating to ASB cases will be:

- Handled confidentially
- Shared only where lawful and necessary
- Processed in line with data protection legislation

Complete confidentiality cannot be guaranteed where legal action is required.

13 EQUALITY, DIVERSITY AND INCLUSION

We recognise our obligations under the Equality Act 2010 to eliminate unlawful discrimination and harassment, advance equality of opportunity, and to promote good relations between all sections of our communities. Beyond meeting our legal duties, we also recognise that promoting equality and inclusion is the right thing to do. We want to be recognised as an open and welcoming place for all.

In applying this Policy, we will comply with the Equality Act 2010. The Act makes it unlawful to discriminate against, harass or victimise a person because they have one or more of the following protected characteristics: age, disability, gender

reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. This policy aligns with our Equality, Diversity and Inclusion Policy

In relation to this Policy, we will give particular importance to dealing firmly with all forms of harassment and hate crimes and we take our responsibility as a Third-Party Reporting Centre seriously. We seek to preserve the safety of those who make serious complaints and whose safety may be in jeopardy and ensure that we act on evidence rather than hearsay when we investigate complaints.

14 MONITORING AND DELEGATED AUTHORITY

The Neighbourhood Team will:

- Maintain detailed anti-social behaviour case files
- Monitor information about complaint volumes and types, actions taken and outcomes
- Provide the Board with quarterly reports about anti-social complaints, including increases in complaints in particular areas
- Provide the Board with a quarterly and annual report about complaints, to support oversight of performance, and awareness of the range of remedies used and outcomes achieved.

The Director of Housing and Communities will be responsible for deciding whether court action should be taken to seek eviction, before a case is booked to court.

The Board has authority to decide whether to carry out an eviction.

All case details will be considered by the Board and the Director of Housing and Communities before action is taken, and eviction is always a last resort once all other supports and steps have been exhausted.

In accordance with our legal obligations, we will notify the local authority if we have issued a Notice and, at a later stage, if an eviction is to take place.

15 REVIEW OF THE POLICY

This Policy will be reviewed in 3 years or sooner if required. The review will incorporate changes in legislation and consider how the Policy is operating in practice. We will also seek feedback from our customers and key partners.



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