

EXETER CITY COUNCIL

**SCRUTINY COMMITTEE – COMMUNITY
10 NOVEMBER 2009**

**EXECUTIVE
24 NOVEMBER 2009**

**REVIEW OF ANTI-SOCIAL BEHAVIOUR POLICY AND PROCEDURES
FOR HOUSING LANDLORD SERVICES**

1. PURPOSE OF REPORT

- 1.1 To seek Members' approval for the amended Anti-Social Behaviour Policy and Procedures document following its regular review.

2. BACKGROUND

- 2.1 At the meeting of the Scrutiny Committee – Community on the 28 February 2006 Members approved the current anti-social behaviour policy to ensure it embraced existing legislation, official guidance and current best practice. As part of our obligations under the Anti-Social Behaviour Act 2003 we are required to review these policies and procedures on a regular basis and have committed to carry out a comprehensive review every three years.
- 2.2 The review has been carried out over the past four months and has taken the following into account:
- Ensuring the policy statement complies with the requirements of the Anti-Social Behaviour Act 2003.
 - Changes in legislation.
 - Consultation outcomes with tenants through our Status Survey 2008 and a tenants' focus group looking specifically at how we deal with reports of Anti-Social Behaviour (ASB).
 - Staff feedback via a working group of those staff involved in tackling ASB as part of their day to day responsibility, and a review by the Service Improvement Board.
 - Existing procedures for investigating reports including timescales and action taken.
 - The experience of the Housing Solicitor and the ASB Case Manager.
 - Use of partnership working to address anti-social behaviour, including our relationship with the police and the Crime & Disorder Reduction Partnership.
- 2.3 As a result of the review the document, Anti-Social Behaviour - Statement of Policy and Procedure, has been revised. A copy is available on the website and is linked to the agenda. It is also available in the Members' Room and by request from Member Services. This document will replace the Council's previously published policy and procedures for dealing with reports of Anti-Social Behaviour on the Council's housing estates.
- 2.4 The document clearly sets out the Council's policies and procedures for dealing with ASB and harassment on its estates and will enable staff, Members and residents to understand what we will do with incidents of ASB. The document also includes sections on dealing with racist incidents, domestic abuse and providing support and protection for witnesses.

3. TENANT CONSULTATION

- 3.1 The Status Survey carried out in September 2008 stated that we have high levels of satisfaction from tenants (85%) for overall performance and 84% of tenants stated that the Council's performance in dealing with ASB had either improved or stayed the same over the past two years.
- 3.2 However, the results also showed that 29% of tenants had stated that they found it difficult getting hold of the right person when making a report about ASB; 32% stated they found staff unable to deal with the problem and 31% were dissatisfied with the final outcome of their report. The review team were very keen to ensure that these issues were addressed to help improve this level of satisfaction in the next survey (due in 2010).
- 3.3 A focus group of tenants who had reported ASB to the Tenancy Services team and had therefore used the service met with an independent facilitator on 21 September 2009 to look at the ASB Policy and Procedure and to review the service from their point of view. The group looked specifically at what worked well and what needed improving.
- 3.3 The review group have taken into account the comments from both the STATUS survey and the residents' focus group and looked at ways of addressing their concerns and improving the overall service for everyone.

4. REVISIONS FOLLOWING CONSULTATION

- 4.1 The table below shows what the focus group believed were areas of improvement in relation to how the housing unit dealt with reports of ASB and how the policy and procedure has been amended to address these comments. It is important for Members to note there were many positives that came from the focus group but that as part of our commitment to improve the service we have concentrated on the areas where improvement is required.

Focus Groups Areas of Improvement	Outcomes within the ASB Policy and Procedure
Residents were not fully aware of the service standards and felt they are not clearly defined within the ASB leaflet provided to tenants when making a report of ASB. They were also unsure of timescales in relation to the responding to e-mails etc and what to do when they wish to complain.	Although the leaflet does explain what action we will take when receiving a report of ASB, actual "service standards" are not clearly set out. It has been agreed to meet with the focus group following the policy being approved to revise the leaflet.
There was an issue raised about Estate Officers and Wardens in relation to what action we can take and how we deal with reports of ASB.	Once the Policy and Procedure has been agreed full training of Estate Officers and Neighbourhood Wardens will take place to appraise them of changes and to act as a refresher course on the procedures to follow.
The focus group confirmed what had been stated in the Status Survey in regard of difficulty in getting hold of the correct person and getting a response.	The revised policy and procedure ensures that staff are obliged to maintain regular contact with complainants when a case is open and being investigated and action taken (a minimum of contact at least once a month).

	<p>Estate Officers and the ASB case manager are expected to spend the majority of their time out on the estates pro-actively managing the areas they are responsible for and this obviously impacts on their ability to take and respond to messages or reports when received. However, there are clear timescales set put in the revised procedures for officers to respond within that will be included in the revised ASB leaflet. Cover within the office to deal with enquiries has also been introduced.</p>
<p>There was a report from one couple at the focus group about the time taken to receive diary sheets.</p>	<p>The procedure has been amended to send out diary sheets at the initial investigation by officers (where they are appropriate) which should take place within 1 working day of the report on cases classified as serious. Officers will also contact those households who have been sent diary sheets on a regular basis to make sure they are using them and recording any incidents correctly.</p>
<p>The focus group felt that the Council did not listen or always take reports seriously or understand the need to be offered support or counselling.</p>	<p>A new leaflet called “information for witness” has been agreed with the tenants’ Editorial Board and has recently been published. This will be provided to tenants as appropriate. The revised Policy and Procedure makes clear reference to the use of mediation and agencies offering support to victims of ASB. This will form part of the training to Wardens and Estate Officers.</p>
<p>The focus group wanted an action plan in place showing what would happen next when they reported ASB.</p>	<p>The revised policy and procedure ensures that an action plan is agreed and put in writing to the complainant. This action plan will include future actions and timescales, together with who is responsible for doing each task.</p>
<p>There was some confusion within the focus group as to what action a complainant should take following breaches of any legal action such as an Anti-Social Behaviour Order (ASBO) or Injunction.</p>	<p>A letter setting out clearly what court orders have been obtained and what a complainant should do in the case of a breach has been drafted and will form part of a set of suited letters relating to keeping tenants informed when they have reported ASB.</p>

4.2 The focus group were then asked for their suggestions going forward on how we can improve the way we deal with reports of ASB, the table below shows those suggestions together with the review team’s response.

Focus Groups suggestions going forward	Outcomes within the ASB Policy and Procedure
Earlier escalation for serious cases needed especially where it concerns various forms of harassment.	This is agreed and the policy and procedure make specific reference to what staff should do in regard of cases where there is harassment. Also with the employment of a specialist housing solicitor we are now in a position to escalate cases far quicker and have in recent months been able to obtain interim injunctions within hours of receiving the report.
Clarify supported housing role	This will form part of the revision to the ASB leaflet in conjunction with this focus group and the training to staff following a final version of the policy and procedure being approved by the Executive.
Improve response to messages, correspondence and e-mail ensuring there is cover when people are on leave and that messages are picked up.	The proposed policy and procedure has specified timescales for the response to messages and arrangements are in place to cover staff on leave and that messages are picked up.
Write case studies of actual cases in the residents' newsletter (Insight) to show the community the action we are taking and encourage people to have the courage to report ASB.	This has been added to our policy and case studies will be approved by our Tenants Editorial Board.
Consider reducing the size of estate officers' patches and train them more in relation to ASB.	There is currently a comprehensive review of the Tenancy Services team underway which will look at the range of functions the team undertakes and will focus on the way we manage our neighbourhoods. This review may lead to a change in how neighbourhood management is provided to tenants. This will form part of a further report to Members in due course.
Consider the policy of moving the victim and the letting process for any new tenants.	Our policy states that our preferred option is not to disrupt any victim of ASB by them having to move and to also give them support through the process.

4.3 The ASB focus group has asked to work with staff in an advisory capacity and review the outcome of their work in relation to ASB. As outlined above we will be asking this group to meet with us to review our ASB leaflet, to feed back the outcome of this report and help with future monitoring on the ASB service.

4.4 In response to one of the issues raised in the 2008 STATUS survey, when each case is closed we send out a letter informing the complainant that the case has been closed, giving the reasons for this and enclosing a survey form to complete about their satisfaction on how the case was been dealt with. The results of these surveys are

reviewed by the housing management team and tenants on the performance review committee. We shall use this survey to monitor the changes we have proposed in the new policy document and plan future improvements where required.

5. RECOMMENDED:

- 5.1 That Scrutiny Committee – Community supports and Executive agrees to adopt the revised Anti-Social Behaviour – Statement of Policy and Procedure.

HEAD OF HOUSING SERVICES

S:LP/PA/Cttee/1109SCC1
8.10.09

COMMUNITY AND ENVIRONMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling the report:

None