



Exeter City Council

Anti-Social Behaviour: Statement of Policy



August 2012

Part 1 – Anti-Social Behaviour Policies

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Introduction

The Anti-Social Behaviour Act 2003 places a duty on all social landlords to prepare and publish policies and procedures in relation to anti-social behaviour and to ensure they are accessible to their tenants, leaseholders and members of the public. Further to this, Central government issued Statutory Guidance in August 2004 setting out what they expect to be included in these statements.

This publication seeks to meet these requirements and give all our customers a clear statement on how Exeter City Council will prevent, investigate, act on and monitor anti-social behaviour across its neighbourhoods.

Where it occurs, anti-social behaviour can have a detrimental effect on the lives of many residents, sometimes bringing misery and despair. A small anti-social minority can affect whole neighbourhoods. Indeed, if allowed to go unchallenged anti-social behaviour can play a major part in the decline of a neighbourhood resulting in unpopularity and low demand. Therefore, Exeter City Council believes that it must deal with incidents of anti-social behaviour swiftly and effectively in order that it does not have a detrimental effect on those residents that seek to enjoy a reasonable quality of life.

“Exeter City Council will actively seek to reduce the incidents of anti-social behaviour across our neighbourhoods by working closely with residents, the Police and other agencies. I believe we must show that such behaviour will not be tolerated and send a clear signal to all our residents that by working together we can ensure our homes are safe and pleasant places to live”

Cllr Rob Hannaford

Portfolio Holder for Housing & Community Involvement

Anti-social behaviour – a definition

Exeter City Council will take all reports of anti-social behaviour seriously and will demonstrate by its actions, both operationally and strategically, that we will not tolerate such behaviour within premises owned or managed by the council occupied by our tenants (whatever their status as a tenant, i.e. secure, introductory, demoted or non-secure). We will also not tolerate anti-social behaviour by non-tenants who impact on the neighbourhood where our tenants live.

We define anti-social behaviour as:

- *“conduct which is capable of causing nuisance or annoyance to any person and directly or indirectly relates to or affects the housing management functions of the Council”*
- *“conduct which consists of or involves using or threatening to use housing accommodation owned and managed by the Council for an unlawful purpose”*

(Anti-social behaviour Act 2003)

Such conduct could include

- Violence or threats of violence
- Verbal abuse
- Harassment (including racial harassment)
- Domestic Violence
- Arson or attempted arson
- Drug Dealing
- Unruly children
- Noise nuisance
- Graffiti and criminal damage
- Constant vehicle repairs
- Abandoned cars
- Litter and fly tipping

The Council is committed to investigating all reports of anti-social behaviour occurring at or near any premises owned or managed by the council, occupied by our tenants (whatever their status). However, in many cases the behaviour reported relates to minor ‘one-off’ incidents that have little impact on the surrounding neighbourhood. For example, complaints about a one-off party or someone undertaking a car repair to their personal vehicle.

Therefore, in order to effectively target our resources we will prioritise those complaints of anti-social behaviour where the behaviour is ‘persistent’ (i.e. occurs on more than one occasion over a given period of time) and has an overall negative impact on the neighbourhood.

This does not apply, however, to reports of serious anti-social behaviour such as racial harassment, arson attacks, threats of violence or violent incidents where we will take immediate and appropriate action.

Racial Harassment

When dealing with the specific problem of racial harassment Exeter City Council has adopted the definition of the Macpherson Report (The Stephen Lawrence Enquiry), which says:

- *“A racist incident is any incident which is perceived to be racist by the victim or any other person”*

The term racist incident includes crimes and non-crimes and can refer to a wide range of incidents. These include: personal abuse, threatening behaviour, graffiti, written/verbal threats or insults, damage to property and/or physical attacks, in which the perpetrators are or appear to be motivated by racial hatred.

The Council will therefore adopt a zero tolerance approach where alleged racist incidents are reported.

Anti-Social Behaviour Policies

Exeter City Council has adopted a range of policies for dealing with anti-social behaviour and harassment across its neighbourhoods. These policies set out our response to reports of such incidents and highlight the Council's willingness to use whatever actions are necessary to tackle such behaviour where it occurs.

A detailed procedure has also been produced to give guidance to Neighbourhood Management staff and customers on how we will deal with each reported case whatever it may be. This procedure is contained in Part 2 of this document.

Communication

The Council will seek to communicate its anti-social behaviour policies and procedures as widely as possible to all its customers and stakeholders. We believe it is important that everyone understands how the Council will deal with the problem, the rights and responsibilities of each stakeholder and the limitations that sometimes prevent action from being taken.

We will publicise this statement and its associated documents through a variety of ways. These include:

- Exeter's Tenant and Leaseholder Committee
- Older Persons Housing Forum
- Leaseholder Consultation Group
- Individual Tenants' and Residents' Groups
- Partnership meetings
- Tenants' Newsletter (Insight)
- Exeter City Council web-site
- Stakeholder Panels
- Information Leaflets
- Home Visits/Interviews with customers
- Correspondence with customers
- Distribution to partner agencies
- Other forms of social media

This statement will also be subject to resident and stakeholder consultation to ensure everyone has had their say in its development, review and implementation.

Resident Obligations

We clearly explain to tenants' their individual responsibilities. All tenants are made aware of their obligations at the time they sign for their tenancy. This is done both verbally by housing staff and is contained within the terms and conditions of their Tenancy Agreement.

The Tenancy Agreement contains details of the Council's and the Tenant's responsibilities. Section 10 deals with 'Behaviour and the tenant's responsibility', which states:

10 Behaviour – your responsibilities

- 10.1 Most tenants act reasonably and have consideration for their neighbours. We will not tolerate anti-social behaviour, harassment or domestic abuse and we will take firm action against anyone carrying out this behaviour.

As the tenant, you are responsible for any such behaviour by you, your family, any other people living at your home, your acquaintances, friends or lawful visitors while at your home or in the locality. You are also responsible if you incite (encourage) anyone to act for you. This will apply whatever their age.

You must not do, or allow anyone living with you or visiting you to do, the following:

- (a) Cause, or behave in such a way as to be likely to cause, a nuisance or annoyance to anyone who is lawfully in your locality.
- (b) Harass anyone in your locality on grounds of colour, race, ethnic origin, sex, sexual orientation, disability or health, age, religious beliefs or culture, immigration status or any other reason. Examples of harassment are using or threatening to use violence; using abusive or insulting words or behaviour; racist or homophobic abuse; damaging or threatening to damage another person's home or possessions; writing threatening, abusive or insulting graffiti; doing anything that interferes with the peace, comfort or convenience of others who are lawfully in the locality. (This is not meant to be a complete list.)
- (c) Make threats or be violent towards anyone else who is lawfully in your home or in the locality, including your partners or former partners, other members of your family, or the people related to your partners or former partners. You must not harass or use mental, emotional or sexual abuse to persuade anyone who lives with you to leave the home.
- (d) Make threats or be violent towards any Exeter City Council employee, contractor, consultant or city councillor. This includes when you visit or telephone any Council office, if you are visited at your home, or in any other situation.
- (e) Use your home or the locality for any activity that is unlawful, including but not limited to, drug dealing, possessing or consuming illegal drugs, drug growing or drug production, storing stolen goods or contraband, benefit fraud, obtaining goods fraudulently, sexual offences, or storing or keeping illegal guns or other weapons.
- (f) Interfere with security and safety equipment in communal entrances. Doors must not be jammed open and strangers must not be let in without identification. You must co-operate with the installation and maintenance of security systems.
- (g) Damage or deface your home or other City Council property. We will treat this as a breach of your tenancy agreement and you will have to pay the cost of repair or replacement.
- (h) Keep any animal unless you have our written permission. If we give our permission, we can withdraw it at any time if the animal causes a nuisance or annoyance to others who are lawfully in the locality. You must take proper care and control over any animals kept at or visiting your home. The only pets allowed in Rennes House, with our written permission, are caged birds and aquarium fish.
- (i) Carry out repairs, except emergency running repairs, to motor vehicles on the street or in parking areas. Also you must not park any untaxed, illegal or un-roadworthy vehicles on the land around your home, on the road or in a designated parking area (this includes where a Statutory Off Road Notification (SORN) has been obtained).
- (j) Park any heavy trade vehicle or large commercial vehicle of greater than standard Transit size on any communal hardstanding, parking bay or forecourt.
- (k) Park any caravan, boat or trailer on any communal hardstanding, parking bay or forecourt, without our written permission. We will refuse permission only if there is good reason.
- (l) Park any vehicle on the premises unless a Council-approved garage or hardstanding is provided.

- (m) Put up structures such as satellite dish aerials, sheds, garages or pigeon lofts anywhere on your property or alter any existing structures or vary services such as water, gas or electricity supplies to the home without the Council's written agreement. Planning conditions and Building Regulations must also be satisfied.
- (n) Run a business from your home or its surroundings without our written permission. We will not normally refuse permission unless the business would cause a nuisance, breach an existing covenant (a legally binding promise) that prevents business use, or possibly lead to damage to the property. Planning permission for business uses may be required, and it is your responsibility to get it. If as a result of your running a business from your home, National Non-Domestic Rates (Business Rates) apply, you will be responsible for paying them.
- (o) Store petrol or any other flammable liquid in your home.
- (p) Store or use liquid petroleum gas (LPG) cylinders at Rennes House or Faraday House. At any other premises they must be used and stored according to the maker's instructions.
- (q) Store or use paraffin at Rennes House.

You and everyone living with or visiting you must do the following:

- 10.2 You must co-operate with us and your neighbours to keep any communal areas clean, tidy and clear of obstruction. If you share balconies and stairways with other tenants, you should keep these areas clean and free of any item (pram, bicycle etc.). If we have to take action against you to enforce this, we will recover the costs from you.
- 10.3 You must keep your garden tidy and free from rubbish (this may include cutting the lawn, maintaining walls and trimming the hedges) to a standard that we decide, taking into account the character and location of your home. If you cannot maintain the garden because of ill health or disability, we may be able to offer you help. Please ask your Neighbourhood Officer for more information.

If you break clause 10, the Council may take enforcement proceedings (see explanations of words and phrases). If we get a court order, we will ask the court to make you pay our legal costs in bringing that action.

Neighbourhood Management Team

Exeter City Council will adopt a pro-active approach to managing our estates that recognises the diverse range of problems that exist within our neighbourhoods and the need for a more holistic approach to preventing and solving them. The Neighbourhood Management Team is primarily responsible for:

- Letting of properties/void management
- Transfers and property inspections
- Mutual exchanges
- Dealing with tenancy issues including anti-social behaviour, domestic abuse, noise nuisance, boundary disputes etc
- Neighbourhood Inspections of communal areas, including monitoring grounds maintenance and cleaning contractors, dealing with graffiti, abandoned vehicles, fly-tipping etc.
- Working with multi-agency groups
- Working with operational and strategic partnerships
- Permissions
- Community development and liaison with Residents' Committees

Within the team each Neighbourhood Management Officer undertakes the full range of housing management duties. The prevention and investigation of anti-social behaviour is a major priority for the team. All team members are trained and capable of dealing with reports of anti-social behaviour. However, once a case reaches the stage of requiring formal action the teams Anti-Social Behaviour Case Manager will progress the case potentially using legal recourse with our legal representatives.

The Tenancy Services Manager will play a strategic role in dealing with anti-social behaviour as well as managing the day-to-day operational service. They will participate in strategic partnerships and multi-agency groups wherever they exist to help identify trends and underlying causes of such behaviour and work with those groups to find viable solutions.

Dealing with Harassment

Exeter City Council defines harassment as:

- acting in a way that threatens someone's physical or mental health, safety, security, or sense of well-being
- acting in a way that has a hurtful, detrimental or destructive effect on someone's peaceful enjoyment of their home or surrounding environment
- damaging or threatening damage to property, including damage to any part of someone's home
- writing threatening, abusive, offensive, racist or insulting graffiti, and
- acting or failing to act in a way that is likely to interfere with someone's peace or comfort or to inconvenience them.

The Council condemns all incidents of harassment and is committed to taking effective action to assist the victims of such attacks. This message reflects the Council's corporate harassment policy statement. This can be found at

http://www.exeter.gov.uk/media/doc/1/s/Harassment_Policy_Statement_FINAL.doc

Further information regarding the Council's approach to racial harassment and equality and diversity can be found on our web-site at: www.exeter.gov.uk/index.aspx?articleid=4432

The Council will apply a zero tolerance approach to any resident found to be using racist or other discriminatory behaviour. All such reports will be categorised as serious within the Council's anti-social behaviour policy and the investigation begun within one working day of receiving the report.

Where evidence of harassment is provided the Council will do all it can to help protect the victim and prevent the alleged perpetrator from committing further offences. In particular, liaison with the Police is essential to assist with the investigation and to help them take action under the Protection from Harassment Act 1997 if appropriate.

Support for the victim could include additional security measures to their home and personal support from organisations such as Victim Support, the Race Equality Council or the Police Diversity Support Officer. In the most severe of cases the victim may be assisted with a management transfer to alternative accommodation.

Incidents of harassment and anti-social behaviour of a racist nature will be recorded and reported separately to help the Council monitor these cases more closely and track incidents

easily within our neighbourhoods. All such reports are also recorded corporately within the Corporate Policy Unit. As a point of principle we would always wish to resolve the racial harassment issues without moving the person who is suffering the racial harassment (if anyone is to be inconvenienced by having to move it ought to be the offender and not the victim).

Dealing with Domestic Abuse

Exeter City Council will not tolerate acts of domestic abuse in our tenancies and will do whatever is possible to help the victims of such circumstances. All reports of domestic abuse will be treated as serious within the definition of the anti-social behaviour procedure.

However, we recognise that our powers are limited in this area and that the victims themselves can take faster, more effective action by engaging their own Solicitor. Despite this, we believe that victims should be adequately supported and that, where appropriate, action taken against the perpetrator to prevent further acts of abuse from occurring.

Following a report of domestic abuse the Council can take one or more of the following actions:

Liaison with Police Domestic Abuse Officers (DAO) – The DAOs are an excellent source of information, where they are involved. They have access to information on the reported incidents and will normally have interviewed the victim. They are able to install additional security measures where necessary and offer help and advice on taking legal action against the perpetrator. They will also have knowledge of any potential police action currently underway. The Council will liaise with the police DAO's following a report of domestic abuse to establish the facts of the case and offer our assistance in their investigation.

Sanctuary Project – The Council has supported the local police to establish a Sanctuary Project within the Exeter area. This project helps victims of repeated domestic abuse to create a secure 'safe' room within their home, which will prevent anyone from penetrating the security measures. These measures could include installing a secure solid internal door with mortice bolts, hinge bolts and door viewers. Additional security would be provided at windows (locks, grilles etc). Fire safety equipment could also be issued together with panic alarms and mobile phones to help the victim communicate with the outside world.

Whilst this scheme is designed to assist the most severe of cases the Council will also provide similar security measures from within its own budget if we believe they will make a difference to a victims quality of life.

Support – Victims of Domestic Abuse will be referred to the appropriate support agency (where support is not already provided), to request on-going support for the victim. This may be short-term support immediately following the incident or more long-term where other related issues arise. Referrals to Social Services may be appropriate where young children are involved or the victim has a vulnerability. Other referral agencies could include Victim Support, Stop Abuse For Everyone (SAFE), local Domestic Abuse groups, CAB, Devon M.A.L.E, Outreach Project etc.

Assistance with legal action – The Council will assist the victim take legal action against the perpetrator by offering help and advice and supporting them through the process. In some circumstances it may be necessary for the Council to take its own legal action to prevent the perpetrator from returning to the property. However, it should be noted that it is often quicker and easier for the victim to obtain a non-molestation order through the Courts by engaging a local Solicitor.

Eviction of perpetrator– In some circumstances the victim of domestic abuse will leave the family home and seek protection elsewhere. This may be with friends or family or through being placed into temporary accommodation by the Council. In these cases the perpetrator is often

left in the family home. Where the perpetrator is a tenant, and there is substantial evidence available, the Council will seek to take action to evict the perpetrator using Ground 2A as set out in the Housing Act 1985.

Alternative Accommodation – If the victim does not wish to remain in the family home the Council will work with them to assist them find suitable alternative accommodation. This might be in the form of a management transfer or locating and expediting a mutual exchange.

Homelessness – If the victim wishes to move away from the area and seek the support of friends and family the Council will give advice on how this may be done. This could include making a homeless application to another local authority that would normally have a duty to find alternative accommodation under guidance issued with the Homelessness Act 2002.

Links with SAFE (Stop Abuse for Everyone) – The Council has close links with SAFE. This organisation provides 15 places at its hostel within the city and works closely with victims of domestic abuse within the community. SAFE can provide invaluable advice to victims and assist the Council seek the most appropriate solution where domestic abuse occurs.

Support for Witnesses

The Council understands that agreeing to collect evidence, making formal statements and appearing in Court can be a daunting task for many residents. It is particularly stressful where there is a potential for reprisals from the perpetrator once they become aware that action is being taken using evidence from their neighbours.

The Council will do whatever it can to help support its witnesses to ensure they can continue to enjoy their home throughout the case. In offering support, officers will ensure that it is the person reporting harassment who decides how far our investigations should go, respecting what they want to happen. Action that may be taken includes:

Communication – Throughout the whole process the Council will keep in contact with its witnesses and keep them informed of progress. This will ensure they are up-to-date with current events and play a full part in the action taken. It will also help the Council to monitor any weakening in their support for our action and allow us to increase our support accordingly.

Police liaison – The Council will, through its regular meetings with the police, discuss the case to ensure they are fully aware of our intended action and will assist them in their assessment of the risk of reprisals and where possible assist the police with measures to reduce that risk.

Legal action - where violence or threats of violence are likely the Council can seek an injunction, sometimes without Notice against the perpetrator, to give its witnesses legal protection. The injunction will detail a number of conditions that the perpetrator must adhere to. A Power of Arrest may also be attached to the injunction. This means that should the terms of the injunction be broken the perpetrator will be arrested and taken back before the Court within 24 hours.

Additional security – We will work with other agencies to provide additional security where it is considered appropriate this could include: police panic alarms, additional locks, door viewers, secured letterboxes, additional patrols by Police or their support officers or assistance from the Council's Community Patrol team.

Management Transfers/decanting – in the most severe cases the witnesses may be offered the chance of a management transfer away from the neighbourhood or a chance to move to another property for the duration of the Court case. This measure will only be taken where the witness is subjected to a substantial risk of intimidation and there is no other realistic

alternative. The Council will normally resist requests for a transfer from witnesses, as we believe that to agree to such a move would further destabilise the neighbourhood and punish the witness not the perpetrator.

Assistance during Court proceedings – where necessary Police protection will be arranged for witnesses during the Court case. This may involve transporting them to and from the Court. In some circumstances the Council will pay for the witnesses' child minding, travelling and other 'out-of-pocket' expenses.

Support from other agencies – In some instances other external agencies are involved with the witnesses for a variety of reasons. The Council will seek to engage with these agencies to help support the witnesses and report any problems that arise. We will also seek the help of external agencies where witnesses currently receive no assistance but would clearly benefit from some involvement.

Leaflet – The Council has produced a leaflet entitled 'Information for Witnesses' which explains the Court process and de-mystifies the various legal remedies available. It is hoped this will help witnesses have a greater understanding of the processes the Council must follow and what will happen once the case reaches Court.

Preventing Anti-social Behaviour

As well as having effective policies and procedures for tackling anti-social behaviour wherever it occurs, the Council recognises that taking effective action to prevent such behaviour in the first place will have a number of major benefits for both staff time and resources and individual neighbourhoods.

Risk Management

The effects of anti-social behaviour on tenants can be great. For this reason the Council believes it has a duty to act wherever such behaviour occurs. However, there are other reasons why action is required – the risk to individual neighbourhoods and the effect it has on the Council's reputation as a whole.

Failure to take action on anti-social behaviour can lead to a spiral of decline within neighbourhoods that becomes increasingly difficult to reverse. As incidents of anti-social behaviour increase, overall tenant satisfaction begins to decline. Areas start to gain a reputation. The Council is accused of dumping problem families into these areas. Law-abiding tenants seek transfers off the estate or even relinquish their tenancy and move to other sectors. Arrears levels begin to rise and those tenants who find it hard to pay see less reason to adhere to Court Orders. Vandalism increases leading to higher repairs costs to the Council. Empty properties become 'difficult to let' leaving the area looking run down and increasing its unpopularity. Over time the area's reputation falls so low that only a huge amount of time and resources will make even the smallest of improvements.

Fortunately, Exeter City Council does not have such estates at present. However, some of our neighbourhoods could begin this decline if action we are already taking is not maintained and in some cases, intensified.

There are other risks to the Council if we do not tackle anti-social behaviour effectively. These include increased repairs and management costs; long-term reduction in the asset value; increased insurance costs; higher legal bills and an increase in compensation claims. Tenant satisfaction will also decrease.

Conversely, there is also a risk of increased reports of anti-social behaviour if the Council is seen to be having more success in this area. It is accepted that many people do not report incidents of anti-social behaviour, particularly lower level problems, because they do not believe anything can be done. However, as the Council becomes more effective in dealing with these incidents, residents may feel more able to report them. This will need to be monitored closely and the level of publicity surrounding our policies carefully managed.

To help prevent such behaviour the Council has implemented or is involved in the following:

Neighbourhood Management

The Council's Housing Unit is structured into a number of 'specialist' teams designed to provide a more responsive service to all our tenants and customers. The Neighbourhood Management Team, for example, is designed to provide a customer-focused approach to neighbourhood management and to bring together a whole range of external agencies to help co-ordinate services across our neighbourhoods and increase customer satisfaction.

The Council's approach to Neighbourhood Management means that neighbourhoods will be managed both strategically and operationally and residents will have detailed information on the service standards they can expect.

To help the Council target its resources more effectively the Neighbourhood Management Team use a range of neighbourhood indicators and historical housing management data to assign each neighbourhood across the city a level of priority, either A, B or C. These priorities determine the level and intensity of management that each neighbourhood receives in terms of inspections and strategic planning.

The Council continues in its wish to create a more pro-active neighbourhood management service. Therefore, priority neighbourhoods will be inspected on a regular basis in order to identify problems such as graffiti, fly-tipping, abandoned cars, vandalism and untidy gardens that are often the sign of a decline and increased anti-social behaviour.

Inspections will be undertaken on the following frequency:

- **Priority A neighbourhoods:** Every two months
- **Priority B neighbourhoods:** Six monthly
- **Priority C neighbourhoods:** On an ad hoc basis

An inspection checklist will be completed for each visit to prompt housing staff and to record each problem and the action taken. This will provide an audit trail for future reference and help to build up a picture of problems across our neighbourhoods that will influence our strategic response.

Wherever possible local resident representatives, the Police and ward councillors will be involved in these inspections to help identify specific problems, particularly in communal areas. We also advise all residents of these inspections via the residents quarterly magazine "Insight".

Neighbourhood Improvement Plans

- With the aid of the neighbourhood inspections and information obtained through partnership working between other agencies and contractors the Neighbourhood Management team will develop a series of Neighbourhood Improvement Plans in areas of prime concern. The Neighbourhood Improvement Plans are subject to resident consultation and availability of resources. However, they are a strategic response to the problems identified in terms of the environment, the properties and the tenancies on that neighbourhood.

To develop the Improvement plans staff draw on a range of information in order to help establish trends and problems across individual neighbourhoods. This will include:

- Lettings information (% of turnaround, refusals etc)
- Home Choice information (demand for properties, number of transfer requests etc)
- Arrears information
- Housing Management information – taken from inspection checklists, ASB monitoring etc
- Repairs information
- Decent Homes programme
- Results from satisfaction surveys etc
- Information from Residents Groups
- Crime Audit information
- Socio-economic information (from area profiles developed by the Council's Economic development section)

Staff are expected to work with a range of multi-agency partners to increase understanding of each other's work on the area, facilitate more effective communications, clarify current problems and trends and identify medium and long term solutions. Using the information above, a specific Improvement plan is formulated for the neighbourhood. The Neighbourhood Management Team

is responsible for overseeing its implementation. The improvement plan may include physical works to properties and communal areas and will help to influence the Council's capital programme.

Given the comprehensive nature of these Improvement Plans the Neighbourhood Management Officer may engage the help of the local multi-agency partnership or, if one does not exist, promote the creation of one for the duration of the plan. In particular, where neighbourhoods show higher than average incidents of anti-social behaviour the Council may seek to establish specialist multi-agency teams to take collective action to address the issue. The Council believes this approach will ensure a greater chance of success and help us to engage with the community on a number of different levels.

Introductory Tenancies

As part of our strategy for preventing anti-social behaviour, increasing customer satisfaction and improving long-term sustainability across our neighbourhoods the Council has an Introductory Tenancy scheme (excluding transfers and mutual exchanges). The scheme covers all our general needs and sheltered properties within our neighbourhoods.

The scheme means that new tenants to these properties will receive an Introductory Tenancy for a period of 12 months.

An Introductory tenancy guarantees the tenant possession of their home for the period of the tenancy – i.e. 12 months. However, if the tenant breaks the terms and conditions of their Tenancy Agreement the Council can end the tenancy by serving a 28-day 'Notice to Terminate'.

The use of Introductory Tenancies is an extremely powerful tool. It is important that the Council uses them ethically and that safeguards are built into our procedures to ensure there can be no victimisation of the tenant. The Council has produced a comprehensive Operating Procedure for this scheme and is attached as **Appendix 10**. This procedure includes a right to appeal for tenants subject to a Notice to Terminate and the need for senior officers within the Council to agree to the recommendation to end the tenancy.

If there are no breaches of tenancy during the initial 12-month introductory period, the non-secure tenancy automatically becomes a full secure tenancy with all the security of tenure and rights this brings. However, the Council does have the power to extend an introductory tenancy for a further 6 months, should we believe this is appropriate.

The Introductory Tenancy scheme is closely monitored to measure the effect it has on anti-social behaviour across our neighbourhoods. Reports are produced showing the number of notices served and evictions undertaken, together with the number of tenants who have their introductory period extended. A full audit trail of the decision making process is kept.

Partnership Working

The Council recognises that dealing with anti-social behaviour, and more importantly the causes of anti-social behaviour, is often complex and requires the input from a variety of agencies to effectively tackle the problem. We therefore believe that working in partnership with a range of statutory and voluntary agencies is essential for reducing incidents of anti-social behaviour in the medium to long term and in preventing incidents from happening at all. The Council engages in a variety of partnerships that either directly or indirectly seek to reduce or prevent anti-social behaviour, crime and the fear of crime. These include:

Devon and Cornwall Constabulary's Safer Communities Agreement

This agreement allows the sharing of information of criminal activity and anti-social behaviour on the Council's estates through an Information Exchange Protocol. The protocol forms part of the local strategic plan introduced following the Crime and Disorder Act 1998 and gives clarity on how information can be shared within the confines of the Data Protection Act 1998.

Exeter City Council regularly requests information through this protocol to help build up an informed picture of activity that in turn influences any decision regarding the appropriate course of action to take on any one case. The protocol encourages close working relationships with local Police and has resulted in effective action being taken in many cases.

Neighbourhood Management staff also meet with the Police regularly to discuss new cases, review on-going cases and plan joint action wherever possible. These meetings have led to much closer co-operation between the two agencies, a higher Police presence in problem areas, targeting of resources to known individuals, and joint visits on estates. We believe that such co-operation is already having a positive effect, particularly in high profile cases where Police evidence is essential for successful action to be taken.

Exeter Community Safety Partnership

The Council actively participates in the Exeter Community Safety Partnership that has been established within the city. The group plays an important role in dealing with community safety issues, including anti-social behaviour, at a strategic level and in co-ordinating multi-agency responses at an operational level.

The Community Safety Partnership's Strategy Document includes a series of action plans for each of the major themes identified as priorities.

Anti-Social Behaviour Action and Community Tasking Group

The Anti-social Behaviour Action Team and Community Tasking Group is charged with tackling priority issues such as litter, graffiti and vandalism, specific households where a multi agency approach will benefit the case and concentrating on those areas perceived as anti-social behaviour hot-spots. Housing staff are fully involved in this Action Team, including being represented by the Housing Operations Manager who co-chairs the group.

Devon & Cornwall Social Housing Anti-Social Behaviour Group

This forum brings together housing managers and staff from across all the social landlords (RSLs) operating in the south west to discuss common housing management issues, benchmark performance and promote best practice.

The development of anti-social behaviour policies and procedures forms part of this process and the forum intends to organise specific training on a range of management issues for its members. It is hoped that this approach will not only help to reduce overall training costs but ensure training is tailored to our specific needs and requirements.

Local Strategic Partnerships (LSP)

Exeter City Council and its residents play a major role on the Local Strategic Partnership (Vision Partnership) that deals with a wide range of community regeneration issues. The Vision Strategy document is divided in key themes that seek to improve the well being of all of Exeter's citizens through a series of published actions. A sub-group of the Vision Partnership, the Social Health and Inclusion Partnership (SHIP) is tasked with delivering specific action on tackling social exclusion across the city.

Social Inclusion

Officers will identify areas and groups of residents who are currently socially excluded, and to plan, co-ordinate and implement policies and projects that seek to address the problem. In particular officers will work with the SHIP mentioned above who are a key player in this process.

Using Central Government's Deprivation Statistics the main areas identified within the city (Super Output Areas) show, unsurprisingly, that they often contain the highest level of social housing. It is hoped that work in these areas by a wide range of statutory and voluntary sector partners will contribute to greater community cohesion, a more socially inclusive community and therefore an overall reduction in the number of incidents of anti-social behaviour.

Supported Housing/Floating Support Services

Exeter City Council has a team of Neighbourhood Wardens who provide support services to the Council's 500 elderly tenants living in our older persons accommodation. The Neighbourhood Management Officers work closely with the Neighbourhood Wardens when dealing with complaints of anti-social behaviour on these schemes. In some cases this will require joint working with other support services who may be involved with the residents concerned.

Neighbourhood Management Officers can also seek to refer vulnerable tenants who require it to a range of 'floating support' services that exist within the city to assist them to live independently in their own home. The majority of these tenants have a range of mental health and/or substance misuse issues. However, some could also be young single parents or people with physical disabilities.

Tenants with such problems can often become targets for abuse and harassment from their neighbours or local youths. Some can also cause problems for their neighbours by unintentionally being noisy, or attracting a large amount of visitors, for example. Because of the possibility of this arising the Council's anti-social behaviour procedure identifies these problems and sets out the responsibility of both supported housing and Neighbourhood Management staff in dealing with such complaints.

Secure by Design

The Council aims to have all new developments awarded Secure by Design status. This ensures, as far as practicable, new schemes meet strict criteria that seeks to design out potential areas where anti-social behaviour can occur without being noticed.

On our existing neighbourhoods where security issues are an on-going problem, we will include in our Neighbourhood Action Plans an undertaking to carry out joint inspections with the Police Architectural Liaison Officer to identify areas of weakness and explore possible solutions. Wherever possible resident representatives will be involved in this process.

Community Patrol

Exeter City Council operates, through its CCTV centre, a community patrol scheme. These patrols operate 7 days a week from mid-day to 23:00 from October to January and 13:00 to mid-night during February to September

The Neighbourhood Management Team can request that certain areas are patrolled more intensively on a short-term basis in response to complaints received by residents. The patrollers can also provide evidence where incidents of anti-social behaviour have been witnessed.

Whilst not available solely for the Housing Unit, this out-of-hours resource has contributed to a number of successes in the past and remains a useful prevention tool should the need arise.

Lettings Policies

Exeter City Council, together with RSLs and other Local Authority partners operates a choice-based lettings scheme, Devon Home Choice.

The scheme advertises all affordable rented and shared ownership properties that become available each week. Advertisements appear in the Home Choice website and in leaflets available from all the partners. Applicants are able to choose which properties they wish to bid for. The successful applicant is the one who bids for the property and demonstrates the highest level of housing need.

Exeter City Council believes that the introduction of a choice based letting scheme has resulted in higher satisfaction by tenants and applicants, a feeling of ownership of the property by those who are successful and generally contribute towards more sustainable communities. In turn more settled communities should result in less anti-social behaviour.

Where RSL's provide new housing, and the overall figure exceeds 10 properties, where appropriate the Council will seek to introduce a local lettings policy with the RSL in an attempt to create a 'balanced' community at the first letting stage. These local lettings policies will be individually agreed for each scheme but typically could include an overall percentage of each applicant type (homeless, transfers and general), restrictions on child density and an agreed percentage of those who are working. RSL's will also be encouraged to use Introductory or Probationary Tenancies on these schemes.

Other prevention measures

The Council uses a range of other measures to help prevent anti-social behaviour on our neighbourhoods. Some have already been mentioned elsewhere in this document.

These measures include:

- Use of the Devon Mediation service
- Encouraging the use of Acceptable Behaviour Contracts
- Establishing 'good neighbourhood agreements', particularly on new schemes
- Engaging with support services and agencies
- Liaison with local Youth Offending Teams and the Probation Service
- Involvement in Community Action Days/Weeks
- Encouraging Resident Involvement at a neighbourhood level
- Provide examples of cases in Insight to show actions we have taken.

Resources

Dealing with anti-social behaviour can often be a time consuming job. Each report requires investigation. Some may require the co-ordination of other services and agencies such as mediation, Social Services and Police while others will require lengthy court action. Often witness statements must be taken and evidence carefully collected. Dealing with such behaviour can also be expensive and place pressure on internal budgets.

The Council recognises that sufficient resources must be available to effectively tackle the issue of anti-social behaviour. The Council also subscribes to the Devon Mediation Service to help resolve neighbour disputes at an early stage. Our commitment to working in partnership with a

wide range of statutory and voluntary agencies ensures staff time is made available to make a positive contribution.

Staff resources are also important. Currently, to deal with anti-social behaviour the Council employs one Tenancy Services Manager, two Neighbourhood Housing Managers, 4 Neighbourhood Housing Officers and an Anti-Social Behaviour Case Manager. Together they tackle a range of management and tenancy issues across our general needs and older persons properties as outlined previously in this document. They also play a major role in tackling anti-social behaviour at both an operational and strategic level.

It is recognised that this policy may raise expectations among residents that more will be done to tackle anti-social behaviour. Certainly, the policy requires a pro-active role for housing staff. As a result the Council employs a Housing Specialist solicitor who works along side the Neighbourhood Management staff providing an invaluable direct, easily accessible source of advice for tackling these problems and ensuring a consistent application of this policy and consistent approach to witness statements, Court forms and the overall presentation of cases.

Health and Safety Issues

Dealing with anti-social behaviour can often raise a number of important health and safety issues. This includes the personal safety of staff when dealing with the perpetrators of anti-social behaviour.

The Council has adopted a Lone Working policy for staff working across the city and dealing with customers in their homes on a regular basis. The issue of personal safety is also addressed in the Council's Health & Safety Plan and both the Corporate and service level risk registers. This should ensure the Council is aware of staff whereabouts when they are out of the office and that staff regularly contact the office to report on progress.

The Council will also have a corporate flagging system available through the intranet called the **Employee Protection Register**. This highlights those tenants who may cause a problem to staff should they have contact with them and will show details of the likely problem – history of violence, large dog etc – to help staff to assess the likely risk to themselves should they have to contact them. The system has a built in review period for residents included on the register to enable managers to reassess the on-going risk to staff. Residents will be removed from the register where no further risk is posed.

The Council has a customer profiling exercise that seeks to identify individual needs, record them against their tenancy and help us to tailor our services accordingly.

Incidents of threatening or violent behaviour against staff will be reported immediately and the Council will not hesitate to take appropriate action. Staff are our most important resource and should be safe in the knowledge that they will be supported should they be subjected to such behaviour.

Training

It is important that if Exeter City Council is to increase the effectiveness of its response towards incidents of anti-social behaviour that housing staff have regular training on the latest in best practice and legislation.

Training will be programmed into the Annual Training Plan and will be accessed through the various professional bodies and through local training facilitators such as the Devon and Cornwall Training Forum and Chartered Institute of Housing.

Staff will be expected to maintain their knowledge of current issues through the housing press and will be copied any relevant information that details current developments.

General awareness training of the issues surrounding anti-social behaviour and the Council's policies and procedures will also be given to other relevant staff across the organisation, for example Customer Services staff.

The Council will also ensure it plays an active role in responding to consultation documents where new proposals and recommendations are made for dealing with anti-social behaviour and its causes.

Monitoring Anti-Social behaviour

Exeter City Council recognises that it is important to effectively record and monitor incidents of anti-social behaviour. Such systems help to establish trends across neighbourhoods and patterns of behaviour by certain tenants. Information collected by this means will contribute towards Neighbourhood Action Planning and influence the Council's strategic response.

To assist in this collection of data the Council uses the Capita software package that logs reported incidents of anti-social behaviour, tracks each case as it progresses, details the action taken and assists in the overall management of the case.

Reporting incidents of anti-social behaviour

The Council's Housing Unit produce a quarterly 'digest' of information that details the unit's performance across a wide range of its services. Once again, this information will help establish trends over a period of time to assist with long-term planning of resources.

In terms of anti-social behaviour the information reported will include:

- 1) Number of estate inspections undertaken
- 2) Incidents of Anti-social Behaviour across split into the range of anti-social behaviour categories. For example, drugs, violent behaviour, car repairs, noise nuisance etc
- 3) Outcomes to action taken. For example, referral to floating support, mediation used, ABC, legal notices served etc.

The digest will show the figures for the previous quarter and a cumulative total of the current year.

As a case is closed we will write to confirm this with the complainant and ask them to complete a satisfaction survey form (**Appendix 11**). This will enable us to learn valuable lessons and continually improve how we deal with reports of ASB.

The future

Over the coming months the Government has indicated that we will see changes to existing legislation, as well as a major overhaul of the existing tools and powers available to social landlords. This policy will be reviewed in line with any changes once details are fully understood and considered.