

EXETER CITY COUNCIL

**SCRUTINY COMMITTEE – COMMUNITY
4 SEPTEMBER 2012**

**EXECUTIVE
18 SEPTEMBER 2012**

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

1. PURPOSE OF REPORT

- 1.1 To seek approval for the Council's amended Anti-Social Behaviour (ASB) Policy and Procedures for tackling anti-social behaviour on the Council's housing estates.

2. BACKGROUND

- 2.1 The current anti-social behaviour policy and associated procedures have been in place since 2009. The Anti-Social Behaviour Act 2003 requires us to review these policies and procedures regularly and we have committed to carry out a comprehensive review every three years.

- 2.2 The latest review has taken the following into account:

- Changes in legislation. The Government White Paper "Putting Victims First: more effective responses to ASB."
- Ensuring the policy statement complies with the requirements of the Anti-Social Behaviour Act 2003.
- The Chartered Institute of Housings, Respect ASB charter for housing.
- Consultation outcomes with tenants through our Status Survey 2012 and focus groups with tenants looking specifically at how we dealt with reports of Anti-Social Behaviour (ASB).
- The views of the Editorial Board with regards to the wording of the suite of ASB letters.
- Staff feedback via a working group of those staff involved in tackling ASB as part of their day to day responsibility.
- 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 policies and procedures have been revised. A copy of the revised document *Anti-Social Behaviour - Statement of Policy and Procedure* 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 sets out how the Council will deal with anti-social behaviour and harassment on its estates and includes sections on dealing with racist incidents, domestic abuse and providing support and protection for witnesses.

- 2.5 Investigating reports and tackling anti-social behaviour is one of a number of activities carried out by the Neighbourhood Housing Officers. They are supported by the ASB

Case Manager and Housing Solicitor who provide advice and support and take over responsibility for cases where require legal action is required.

- 2.6 Between April 2011 and March 2012, 740 new cases of anti-social behaviour were reported to the Neighbourhood Housing Team, with an average of 146 cases open at any one time. For the same period, the following legal actions were taken, demonstrating the Council's robust and pro-active approach to tackling anti-social behaviour:

Injunction Orders	20
Possession Orders	6
Demotion Orders	1
Evictions	7
Acceptable Behaviour Contract's	34
Extension of an Introductory Tenancy	9
Mediation	4

3. TENANT CONSULTATION

- 3.1 The Housing Service Customer Satisfaction Survey 2012 stated that 70% of our tenants were satisfied with the way that anti-social behaviour was being addressed by the Council, with just 11% dissatisfied. However, overall satisfaction with the anti-social behaviour service was down on the figures from 2008. This is disappointing, particularly given that satisfaction in all other areas of landlord services has improved.
- 3.2 A focus group of tenants who have received the anti-social behaviour service met with an independent facilitator to review the Policy, specifically at what worked well and what needed improving. The Tenants' Editorial Board were also asked to comment on the suit of standard letters that are used to respond to various stages of the anti-social behaviour escalation process.
- 3.3 An Equality and Diversity Impact Assessment was carried out and will be published on the Council's website.

4. REVISIONS FOLLOWING CONSULTATION

- 4.1 The table below sets out the focus group's two main areas of concern. They were keen to point out that they felt these issues were particularly a problem during the early stages of the complaint and expressed far more satisfaction at the way the complaint was dealt with when the complaint escalated towards any formal legal action. 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
There was an issue raised about Neighbourhood Housing Officers in relation to what action we can take and how we deal with reports of ASB.	Regular in-house training has commenced to ensure that staff remain fully briefed regarding this policy and procedure. There will also be further external training for staff around customer care and managing expectations.

The focus group stated that communication particularly at the early stages of the complaint or for low level non-serious ASB were poor. The issues raised related to the way we communicated what we did, rather than what we actually did.	Again this is a training issue the procedure clearly states that a plan of action should be agreed with the complainant and regular contact maintained whilst the complaint is open and being investigated and action taken.
Editorial Board	Outcomes within the ASB Policy and Procedure
The Editorial Board reviewed the standard letters that staff use to address issues of ASB.	Various changes have been made to the letters to ensure that plain English is used enabling clients to have a far better understanding of the ASB process.

4.2 Apart from the revisions raised in 4.1 the review of the ASB policy and procedure has not led to any major changes in policy as it was considered fit for purpose. However, it has been an opportunity to update the contact details of agencies and groups the Housing staff work with to tackle ASB and as a reminder to staff of the commitment the Council has to deal effectively with reports of ASB and what is expected of them as part of this commitment.

5 STAFF CONSULTATION

5.1 Following the completion of the previous governments highly regarded 'Respect' Initiative, the Chartered Institute of Housing, in conjunction with Housemark and the Social landlords Crime and Nuisance Group, have devised a Respect ASB Charter of their own. Using the good practice guidelines detailed within the charter, the strengths and weaknesses of our current procedures have been analysed. The results were largely very positive and the analysis concluded that the existing policy and procedures contain the necessary tools for us to address the many varied incidents of ASB that we experience in our neighbourhoods. It was also evident that the Respect Charter contains challenges that we need to aspire too. We have since become a signatory to this new Respect ASB Charter for Housing.

6. PUTTING VICTIMS FIRST: MORE EFFECTIVE RESPONSES TO ASB – HOME OFFICE WHITE PAPER

6.1 After a much anticipated consultation response, the Home Office has published details of the reform to the antisocial behaviour (ASB) toolkit. Social housing providers play a vital role in tackling ASB and have been successful in resolving the majority of cases through early intervention with disruptive residents. However, in the minority of cases there is a need for tough action and making sure that housing providers have the right tools to do that job is essential. The toolkit aims to replace 19 complex existing powers with six simple ones, providing more clarity for the judiciary and for officers on the ground. As part of the consultation, victims were asked what they wanted to see happen. Victims had three requests; first, they want their problem to be taken seriously. Second, they want an efficient service and a quick response. And third, they want the problem to stop and for it not to happen again.

6.2 Tenant feedback would suggest that our responses to issues that require legal proceedings are sufficient and working efficiently. We have developed an excellent working relationship with the courts and believe that approach is fully understood and appreciated. The suggested changes to legislation will not have a significant effect on the way that we currently deal with cases requiring court intervention.

7. RECOMMENDED:

- 7.1 That the revised Anti-Social Behaviour – Statement of Policy and Procedure is adopted.

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S:LP/PA/Cttee/912SCC1
21.8.12

**Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling the report:**

None