

Housing Service Antisocial Behaviour Summary



Stamping out Antisocial behaviour



Introduction

The London Borough of Barking and Dagenham housing service wishes every person to be able to quietly enjoy their home, noting that everyone has a right to their own chosen lifestyle, providing that this does not spoil the quality of life of others. This implies in some cases a limited degree of tolerance of and respect for the requirements and needs of neighbours.

Cases of antisocial behaviour will be dealt with in the appropriate manner taking action which is considered suitable to each individual case. Reporting of anti social behaviour is actively encouraged and will be acted on in an objective and non judgemental fashion.

The London Borough of Barking and Dagenham housing service now has put in place a strategy, procedure and policy to help officers and inform residents, other departments and other interested parties how we will deal with anti social behaviour and how we will continually strive to improve and develop our service.

Our key goals are:

- Listen to our tenants
- Challenge the behavior of perpetrators of anti social behavior
- Support victims and witnesses
- Identify and respond to the causes of anti social behavior and hate crime.

The aim is to improve how we deal with complaints of anti social behaviour. Increase the number of residents who are happy with the outcome of their complaint of anti social behaviour and decrease the amount of reports of anti social behaviour.



Definitions of Antisocial Behaviour (ASB)

We define antisocial behaviour as:

- Conduct capable of causing nuisance or annoyance to any person and directly or which 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 or managed by the Council for an unlawful purpose. (ASB Act 2003-Nuisance and annoyance)



Some acts of ASB are deliberate, with the person(s) responsible being aware that their behaviour will have a negative effect. Some forms, however, can occur as a result of a lack of consideration or awareness of the impact of certain acts, or as a result of conflicting, but legitimate, lifestyles.

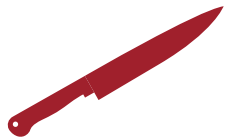


To allow us to focus on the impact of ASB and support victims we divide it into three categories known as the PEN approach:

Personal - designed to identify ASB incidents that the caller, call-handler or anyone else perceives as either deliberately targeted at an individual or group or having an impact on an individual or group rather than the community at large.

Types of behaviour that fall into this category include:

- Hate related incidents and crime
- Violence
- Criminal damage including arson
- Verbal abuse
- Harassment



Environmental - deals with the interface between people and places. It includes incidents where individuals and groups have an impact on their surroundings including natural, built and social environments.

Types of behaviour that fall into this category include:

- Street drinkers
- Drug use and its effects.
- Trespass
- Nuisance from vehicles



Nuisance - those incidents where an act, condition, thing or person causes trouble, annoyance, inconvenience, offence or suffering to the local community in general rather than to individual victims.

Types of behaviour that fall into this category include:

- Noise Nuisance
- Drug dealing or cultivation of drugs
- Prostitution
- Criminal damage to public buildings
- Pets not being kept under appropriate control

Further to the PEN approach there are also two other sets of behaviours to be aware of:

1. Criminal behaviour which is also listed above will be dealt with as such but as a partnership, LBBB may also use specific ASB tools and powers (including legal action) to reduce the effect of this behaviour on local communities.

Types of behaviour that fall into this category include:

- Drug dealing or cultivation of drugs
- Threat or actual use of violence
- Criminal Damage
- Hate Crime

2. Unwanted behavior which is behavior that is unwanted and viewed as unacceptable by the person experiencing it (the complainant). LBBB does not consider behavior in this category to be 'antisocial behavior,' so legal action is unlikely to be appropriate, but services such as mediation are still offered to help resolve this type of complaint and to manage the complainants expectations.

Types of complaints that fall into this category include complaints about:

- Cooking smells
- Normal living noise, for vacuuming and other domestic chores
- Parking issues when there are no parking regulations being broken
- Children playing
- Fencing or boundary disputes



Our promise

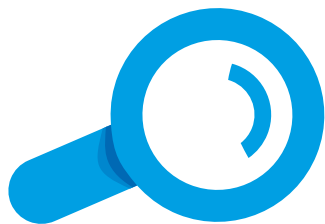
As a promise to our tenants we will make contact with any tenant complaining of ASB within two working days in all cases (unless it is a Category A in which case it will be within one working day please see table below) to establish the nature of the complaint and arrange an interview so that a risk assessment can be completed.

We will discuss what actions we can and are prepared to take and will agree an action plan with the complainant confirming how they will be kept updated and by what preferred means; phone, mobile, e-mail, and so on, and agree on the frequency of updates, for example weekly or fortnightly.



Category	Type of behaviour	Timescale for initial interview
A	Actual Physical Violence/Assault Arson Domestic and/or Sexual Abuse Hate Crime Threat to Life	Within one working day
B	Aggressive, Abusive Behaviour Harassment Drugs -Selling/ Use of Alcohol -Misuse of Noise -Sustained/Excessive Prostitution (Sex Litter) Vandalism Nuisance -Neighbours, Youth Disorder	Within five working days
C	Ball Games Pets Noise -Random/Living	Within 10 working days

Courses of action available:



Having visited the complainant, any witnesses, and the other parties and after considering any other evidence that exists, we will decide on the appropriate course(s) of action and advise the complainant. Generally, we will, depending upon the issues, consider the following actions:



- a. In case of counter allegations further investigation should be carried out
- b. Monitoring (use of ASB Diary Sheets, encouraging reporting)
- c. Referral to Victim Support
- d. Referral to Safer Homes
- e. Consult with ASB coordinator
- f. Case Review with appropriate professionals and agencies (ensuring notes of review are recorded and evidenced on Capita)
- g. Mediation, Community Mediation, Restorative Justice which can be supported by the ASB Team
- h. Good Neighbor Agreement - For all parties to sign in a neighbour dispute.
- i. Acceptable Behavior Contract/Parental Contract Agreement- For perpetrator/ parent or guardian to sign.
- j. Formal letter listing acceptable and unacceptable behavior expected by LBBD (if previous two actions are refused)
- k. Letter drop to encourage reporting in the wider community of ASB
- l. Estate visit with police to reassure tenants and encourage reporting
- m. Written warning to other party in accordance with Conditions of Tenancy
- n. Refer to the monthly ASB Standing Case Conference attended by Police/ Legal/ YOS and other agencies, in order to agree a joint approach. As a result of this a multi agency action plan will be agreed to deal with the matter and advise the complainant accordingly.
- o. Interview other party on Council premises with other agencies present: Police and support services.



- p. Joint visit with Police - Where potentially criminal activity reported and/ or concern for safety.
- q. Where not specifically a 'housing' issue refer to the appropriate agency.
- r. Where the nuisance is severe, involves witnessed threats of violence or violence itself then consideration must be given to the possibility of obtaining an injunction as an immediate response. Where this is considered appropriate the responsible Officer should fill out a legal action justification form and discuss with senior housing officer/ manager and ASB coordinator.*
- s. Where circumstances are appropriate (e.g. the perpetrator is under 18 or is due to be convicted of a criminal offence) we will seek to obtain an ASBO.*
- t. Witness Service for any witnesses who may need to attend court
- u. Other legal remedy for secure tenants, serving of Notice of Seeking possession, demoted tenancy application
- v. Environmental Improvements - lighting, security cameras, removal of planting
 - i. If the perpetrator is an introductory tenant we will consider sanction of extending of introductory tenancy following separate process and if the nuisance is severe serve Notice of Possession Proceedings on introductory tenant.

*In both these instances the law will be changing in October 2014 when the ASB Crime and Policing Act 2014 come into effect. We will amend as appropriate at that time.

Community trigger:



Is a new provision in the Antisocial Behaviour, Crime and Policing Act which received Royal Assent in March 2014?

The community trigger will give victims and communities the right to demand that persistent antisocial behaviour is dealt with.

The community trigger will provide additional accountability to make sure that all agencies work in partnership to meet the needs of victims. It will give victims and the community the right to require agencies to deal with persistent antisocial behaviour and will place new duty on LBBB and the partnership to take action and deal with the issues if they have not already done so.

The focus of a community trigger case review is on bringing agencies together to take a more joined up, problem-solving approach to find a solution for the victim. LBBB and the partnership will have a duty to undertake a case review when someone requests one and their case meets our threshold:

- If an individual has complained to the Council, Police or a Registered Housing Provider (social landlord) about three separate incidents in the last six months and they consider there has been no action taken.
- If five individuals in the local community have complained separately to the Council, Police or Registered Housing Provider (social landlord) in the last six months about similar incidents of anti-social behaviour and they consider no action has been taken.

On receipt of a trigger LBBB partnership will acknowledge receipt within two working days, research and have a case review or take to the monthly, Victim, Offender, Location, Time (VOLT) ASB meeting within 10 working days. If it is upheld there will be a multi agency action plan put into place, the complainant (so) written to agree action plan and the appropriate information recorded onto police and LBBB systems. If it is not upheld the complainant (so) will be written to with an option to appeal through the Community Safety Forum. The activity and actions we receive around the Community Trigger will be monitored by the Community Safety Forum and Safer Neighbourhood Board. For the purpose of the community trigger, anti-social behaviour is defined as behaviour that is likely to cause harassment, alarm or distress to any member of the public.

Safeguarding:



All housing officers will make sure that children at risk and vulnerable adults are referred to our safeguarding procedure if they feel there is sufficient risk or if something comes to light through conversation with a tenant. This is done by using the appropriate alert form and if there is any doubt the housing officer should consult with their manager or the ASB Coordinator.

Ensuring that children and vulnerable adults are protected from harm are shared responsibilities of everybody involved in the planning and delivery of local public services.

Statutory and national guidance outlines these responsibilities in relation to both adults safeguarding and the safeguarding of children and young people. In Barking and Dagenham this is the responsibility of the Adult Safeguarding Board and the Local Safeguarding Children's Board.

Safeguarding Adults referrals may describe a range of different adult protection situations. They can include difficulties between individual service users, tensions between the vulnerable adult and their carers, failures in a service to provide care to an acceptable standard, individual cruelty, negligence or neglect, as well as attempts to deliberately exploit more vulnerable individuals.

There are four levels of response which are designed to support practitioners to assess the seriousness of the presenting concern and decide which level of investigation provides the appropriate and proportionate response.

Confidentiality:

We will be mindful of confidentiality when meeting with any complainant or other party and only refer them to other agencies if they give their permission for us to do so. The exception to this rule is if the officer feels that an adult or child is at immediate risk and needs to rise a safeguarding. If there is any doubt the officer should speak to their manager or the ASB Coordinator.

On completion of all actions we will review the case to ensure that any problem has been resolved satisfactorily and contact the complainant to advise of the results of all actions taken, advise who to contact for any further incidents and agree that we are closing the case down. An outcome letter from Capita will either be sent in post or preferably emailed to complainant listing agreed actions and results including how to complete the online ASB satisfaction survey.

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