

## **Northwards Housing's Policy on Solving Anti-Social Behaviour (ASB) Problems**

The attached policy sets out how Northwards Housing works in partnership with other agencies to solve Anti-Social Behaviour (ASB) problems.

### **Purpose:**

To set out how Northwards Housing solves Anti-Social Behaviour (ASB) problems. To provide clear minimum standards in relation to this area of work.

### **Scope of the policy:**

The policy sets out how Northwards Housing works in partnership with other agencies to solve Anti-Social Behaviour (ASB) problems.

### **Responsibility:**

Overall responsibility for the policy is with the Director of Neighbourhood Services. Each Head of Neighbourhood Services is responsible for performance within their geographical area of responsibility. One of the Heads of Neighbourhood Services has overall thematic responsibility for Tackling ASB and Crime, of which this policy forms part.

### **Performance Standards:**

See section 9 of the policy.

### **Equality /Diversity considerations & Equality Impact Assessment:**

This policy is available in large print, Braille, DVD, CD and in languages other than English. It is also subject to the translation policy for Northwards Housing. This policy and its related procedures have been Equality Impact Assessed and a summary of this is detailed below

EIA undertaken 29th March 2010: no adverse impacts.

### **Generic Impact and risk assessments:**

The policy does not affect any primary risk or create any new risks.

**Information sources and reference documents:**

Manchester Crime and Disorder Strategy 2011-14

**Policy information:**

<b>This policy is linked to:</b>	
<b>This version:</b>	Final Version November 2011
<b>Approved by:</b>	M Stevens
<b>Next review:</b>	November 2014
<b>Lead Officer:</b>	J Wilson
<b>Covalent reference number: To be completed by Business Improvement Team</b>	P-NS-ASB

## **Northwards Housing's Policy on Solving Anti-Social Behaviour (ASB) Problems**

### **1 Manchester's Crime and ASB Strategy**

Northwards Housing contributes to and works within the framework of the Manchester Crime and Anti-Social Behaviour Reduction Strategy 2011-14.

The **Vision** contained in the Strategy is:

In three years' time, crime rates in Manchester will be much closer to the national average, and residents and businesses, both in the city and beyond, will believe Manchester to be a safe place in which to live, work and enjoy.

In order to achieve this, partner agencies are committed to:

- Identifying the ASB issues of most concern to local residents.
- Taking action, using a "triple track approach", to resolve those concerns and to communicate with individuals and the wider community about action that has been taken to resolve the issues they have raised.
- To create neighbourhoods where members of the public feel secure and have confidence in the agencies that serve them.

The "triple track approach" to tackling ASB involves: prevention and early intervention; enforcement; support to tackle underlying causes. The term "triple track approach" covers a wide range of activities which partner agencies undertake to prevent and respond to ASB.

#### **Definition of Anti-Social Behaviour**

Anti-Social Behaviour is any activity that has a negative impact on other people, and includes a variety of behaviour that can affect the quality of people's lives.

In Manchester we use the definition contained within the Crime and Disorder Act 1998, which says:

'acting in an anti-social manner, that is to say, in a manner that caused or was likely to cause harassment, alarm or distress, to one or more persons not of the same household as himself'

We also use the Housing Act 1966 (as amended by the Anti-Social Behaviour Act 2003) definition which is:

'conduct which is capable of causing nuisance or annoyance'.

## 2 Commitments

Northwards will:

- Have a fit for purpose ASB policy in place;
- Take the most effective action to tackle ASB and improve quality of life in local neighbourhoods;
- Ensure tenants and residents are kept fully informed about action taken to tackle ASB;
- Commit to a continuous review of training needs to ensure staff are able to deliver;
- Continually review and implement best practice;
- Work closely with other partners, including attendance at Local Tasking Meetings (LTMs), Partnership Business Group Meetings (PBGs) and other partnership meetings as appropriate;
- Participate in partnership activities and initiatives as appropriate;
- Feed details of ASB problems to Local Tasking Meetings (LTMs) and other partnership meetings as appropriate;
- Ensure that new tenants are made fully aware of their responsibilities under the tenancy agreement;
- Listen to complainants of anti-social behaviour and take all complaints seriously;
- Investigate reports and complaints of ASB to establish the facts and identify perpetrators;
- Challenge ASB through warning interviews and make perpetrators aware of the consequences that will follow if they continue to behave antisocially;
- Make use of the full range of tools and powers to tackle ASB;
- In cases where violence or threatening behaviour is used, seek "without notice" legal orders in order to secure urgent protection for complainants or witnesses;
- Make appropriate referrals to support services.

### **3 Principles and Standards**

We will apply the following principles and standards in dealing with ASB problems:

- We will respond promptly to reports of ASB. We will always acknowledge initial reports of ASB quickly and will meet the complainant within 5 working days. In more serious cases, we will meet with the complainant on the same day wherever possible; or as soon as possible the following working day. By more serious, we usually mean where the complainant has experienced or been threatened with violence.
- We will meet the complainant in a mutually convenient place; this could be at the housing office, in the complainant's home, or somewhere else.
- We will always take complaints seriously and listen to what the complainant has to say about the problem.
- We will always try to understand the problem from the complainant's point of view.
- We will make use of translation and interpretation facilities where appropriate.
- We will clearly document the complaint and keep clear and accurate records of our investigations and actions taken. We will always document contacts with complainants, witnesses and people being complained about.
- We will explain and review the options and agree with the complainant what action is to be taken. The action plan will say what we are going to do at that stage.
- We will give complainants a named contact with responsibility for their case (normally a Neighbourhood Housing Officer); complainants will be provided with this person's office phone number.
- We will listen to and seriously consider any suggestions made by the complainant about what action to take; or any objections to the action we are proposing.
- We will consider the resources and support to be used - see section 4. We will discuss these with the complainant as part of reviewing the options. We will continually re-assess this

throughout the life of the case; and if we are considering any changes we will discuss these with the complainant first.

- We will consider what other agencies we need to involve or consult or seek advice or information from - in particular Greater Manchester Police (GMP), the Council's Directorate for Adults and Children's Services.
- We will assess whether and if so to what extent the complainant is vulnerable (including whether they have some kind of disability); and will take this into account in deciding what support to provide. In doing this we will consider the needs of all household members including any children.
- Where appropriate we will take immediate action, including "without notice" legal action, to prevent further harm and provide protection for complainants and/or witnesses.
- We will undertake appropriate investigations: these will be conducted professionally and to the required level of thoroughness and detail. Investigations will be no more and no less detailed than they need to be to establish relevant facts and enable a solution to be identified.
- Where it is necessary to speak to the person being complained about, we will speak to the complainant first and make sure that they know that we are going to do this (and when) and are comfortable with it. This applies to the initial meeting and any subsequent contacts.
- We will keep complainants informed about the action being taken to investigate and resolve the problem. See section 5.
- Once a case has been opened, we will respond quickly to reports of further problems. We will always acknowledge these and say what action we are going to take.
- If we think a problem can be resolved by direct or indirect dialogue between the parties involved, then we will look to use mediation.
- Incident diaries are one way of gathering evidence about ASB. If we ask complainants or witnesses to fill out an incident diary, we will clearly explain the purpose of this and how the diary needs to be filled out. We will check that the person is able to fill out a diary and understands why they are being asked to complete it. If someone isn't able to fill out a diary we will talk to them about other ways of gathering evidence. We will always look at a completed diary, and we won't file it or set it aside without discussing it with the person who completed it.

- We will provide complainants and witnesses with appropriate support throughout the life of the case, and will take into account their wishes and any vulnerability issues in deciding on what constitutes appropriate support.
- Complainants and witnesses will have their identity kept confidential unless they agree to having it disclosed. Where this could have implications for the kind of action we are able to take, we will discuss this with the person concerned.
- We will only close a case where we are satisfied that the problem is resolved. We will always talk to the complainant before closing a case. We will act quickly to re-open the case if circumstances change (for instance if the problem starts up again).
- We will consider publicising where we have taken action to stop ASB.
- We will communicate clearly and honestly with complainants and witnesses, and involve them in decision-making. If we cannot do something which they are asking us to do then we will clearly explain why and what we are proposing to do instead.
- We will adopt a problem-solving approach at all times. Our overriding objective is to stop harm being done.
- We will treat each case as being unique and deal with it on the basis of the circumstances of that case. We will not adopt a “one size fits all” approach.
- We will be quick and decisive in taking action.
- We will work closely with Police and Council colleagues to deal with problems caused by people living in privately owned properties on estates we manage. We will work closely with other Social Landlords to ensure that problems caused by their tenants which affect Northwards tenants are dealt with effectively.
- We will only take action which we believe is appropriate and justified by the circumstances and evidence. So, for example, we would not start legal action if we believe that the problem can be solved by mediation. If the complainant disagrees with the action being proposed, or with our decision not to follow a particular course of action, then we will listen to and consider their reasons for disagreeing with us. If, having done that, we are satisfied that the course of action which we are proposing is

the correct one, then providing there is no new evidence or change in circumstances, then that will be our offer as to how to resolve the problem.

- Part of the solution in a particular case might include providing support to the person or people causing the problem. We will not however lose sight of the fact that ASB is unacceptable and our job is to stop it. Any action we take must have that objective in mind. Support for perpetrators is appropriate in some cases, but must not get in the way of protecting complainants or witnesses or stopping the ASB. If it is ineffective in resolving the problem then other action must be taken either alongside or instead of the support. Support must never amount to rewarding bad behaviour.
- A complainant who is unhappy with the way we are dealing with their problem can ask for the Local Services Manager to review our handling of the case. If they are still unhappy, they can ask for the case to be reviewed by a more senior manager under Northwards Housing's complaints procedure.

#### **4 Resources and Support**

We will use appropriate resources and sources of support in dealing with ASB problems, including:

##### **Specialist case management and legal advice**

This is currently provided by our Community Safety Team and Manchester Council's Solicitors.

##### **Specialist Mediators**

This is currently provided by Mediation Manchester on the basis of a Service Level Agreement (SLA). Mediation can be direct (where the parties talk face to face) or indirect (where a trained mediator "shuttles" between them).

##### **Professional Witnessing**

This is where we use a specialist company to witness noise or other nuisance, including out of normal office hours. Northwards Housing staff can also act as professional witnesses.

##### **Covert Surveillance**

In certain cases we can use covert surveillance to gather supporting evidence. This has to be reasonable and proportionate and for a specific time period, and has to be carried out in accordance with the Regulation of Investigatory Powers Act (RIPA).

We would normally consult with Greater Manchester Police (GMP) before using covert surveillance; and any usage has to be authorised by a designated senior officer of Manchester City Council.

### **Northwards Wardens**

In addition to supporting a range of preventative and confidence-building initiatives, the Northwards Wardens support ASB problem-solving in a number of ways including: providing support and reassurance to complainants and witnesses, in particular those who are vulnerable; professionally witnessing nuisance; and carrying out "out of hours" visits and checks ; and providing information about action taken. Northwards Wardens also have powers to issue Fixed Penalty Notices for littering, dumping rubbish and dog fouling.

We also work closely with a range of partner agencies, including Greater Manchester Police (GMP) and Manchester Council staff from a number of departments including Children's Services, the Directorate for Adults and Neighbourhood Services. We do this through formal structures such as Local Tasking Meetings and also through continuous day to day contact between staff at all levels.

In considering an ASB problem we will look at all the resources and sources of support at our disposal and deploy the right ones to provide a fast and effective solution to the problem.

## **5 Keeping Residents Informed**

We will keep complainants informed about the action being taken to investigate and resolve their problem. This includes, as a minimum, contacting complainants weekly and recording that contact and what action was taken as a result of it. Written communication will be clear and understandable.

## **6 Prevention and Early Intervention**

Our work is not restricted to responding to reports of ASB problems. We also work proactively with partner agencies to prevent ASB and intervene early where ASB is likely to occur. In doing this we will always have in mind that the overriding objective is to prevent ASB and to protect and support communities.

## **7 Environmental Issues**

Clean and well cared for neighbourhoods contribute to people's feelings of safety and perceptions of ASB.

We will work with together with other agencies to improve neighbourhoods and deal with environmental issues such as graffiti,

vandalism, dog fouling and dumped rubbish. This will include: carrying out walkabouts and estate inspections with residents to identify local issues and concerns; contributing to clean-up campaigns and other activities designed to encourage communities to become more involved in looking after their local environment; and taking enforcement action against people responsible for environmental problems.

## **8 Hate Incidents**

Hate incident is any anti-social or criminal act that the victim, or anyone else believes, is motivated by the offender's prejudice against or hatred of them for example because of their:

- Race, colour, ethnic origin, nationality or national origin;
- Religion or belief (including lack of belief);
- Gender or gender identity;
- Sexual orientation;
- Disability (including physical disability, sensory disability, learning disability or disability due to mental health);

A victim of a hate incident does not have to be either a member of a minority group or someone who is generally considered to be a 'vulnerable' person.

Hate incidents may take many forms, including but not restricted to:

- Physical assault, damage to property, offensive graffiti, arson;
- Verbal threats, offensive letters, abusive or obscene phone calls;
- Intimidation or malicious complaints;
- Offensive leaflets and posters, abusive gestures, rubbish-dumping outside a person's home or through their letterbox, bullying at school or at work.

We will not tolerate hate incidents. We will work with partners, in particular Greater Manchester Police and use the tools and powers available to protect victims and bring perpetrators to justice. We have a specific Hate Incident Policy, and will refer to this in dealing with hate incident reports.

## **9 Managing Performance**

We manage performance by:

- Carrying out regular reviews and case audits;

- Carrying out sample surveys of complainants;
- Asking questions about ASB in our customer satisfaction survey;
- Analysing complaints and other sources of feedback;
- Being mutually accountable with our partners through Manchester Crime and Disorder Reduction Partnership (CDRP) structures, such as Local Tasking Meetings (LTMs) and the Partnership Business Group (PBG).

We will ensure that staff are properly trained in order to deliver the standards of service set out in this policy.

## **10 Reviewing this Policy**

This policy will be reviewed fully in line with reviews of the Manchester Crime and ASB Reduction Strategy.