

Tenancy Services

Anti-social Behaviour Strategy

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Introduction

The main aim and purpose of this strategy is to outline how tenancy services will tackle and deal with anti-social behaviour. It explains how we will meet the aims and objectives of the service.

The strategy is central to the council's approach to maintaining and enhancing the quality of life for our residents. It stresses that the tenancy agreement is our strongest tool for dealing with nuisance and anti-social behaviour and describes how we will enforce the conditions of tenancy.

The strategy should be read in conjunction with Tenancy Services' Anti-Social Behaviour Summary of Policy and Procedures and the Tenancy Services' Anti-social Behaviour Procedure Manual.

We recognise that anti-social behaviour can seriously affect the quality of life of residents through fear of crime and the long term effects of harassment and victimisation. This in turn can damage the sustainability of communities and can adversely affect our ability to let properties on our estates. Tackling anti-social behaviour is a key activity in regenerating and sustaining our communities.

Our approach makes it clear that anti-social behaviour is not acceptable, will not be tolerated and that we will take firm action to deal with it. We will however try to change behaviour using a variety of approaches and interventions and also give support to those who are willing to change their behaviour.

Equalities Statement

We will treat all customers fairly regardless of their gender, age, race, colour, nationality, ethnic or national origin, disability, marital status, sexual orientation, responsibility for dependants, religious or other beliefs, or any other reason which cannot be shown to be justified.

Operating context

The anti-social behaviour service will deliver a strategy which reflects South Kesteven District Council's overall strategic vision:

"To provide brilliant services to our customers"

To make sure we identify the most important issues and deal with them in the best way, we use a three step approach which we call 'listening, learning and delivering'. These key steps also represent our core values.

- **Listening**

Taking your views into account and demonstrating a real passion for customer service.

- **Learning**

Being open, honest and learning from things that go well and do not go so well.

- **Delivering**
Innovating and making a difference

Definition of anti-social behaviour

Anti-social behaviour is defined in the Crime and Disorder Act 1998 as:

"Acting in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household"

Some examples of anti-social behaviour are:

- Drug dealing/substance misuse
- Animal nuisance
- Abandoned vehicles
- Intimidation/harassment
- Criminal damage including graffiti
- Serious noise problems
- Verbal abuse
- Racial/Domestic abuse
- Parking in an ambulance bay

This is not an exhaustive list and there are other types of behaviour that are considered to be anti-social that we, or another agency, may be able to deal with.

Our aims

The aim of the service is to prevent and act against anti-social behaviour relating to breaches of the tenancy agreement. This will ensure that people living on and around our estates have and respect, the right to quiet enjoyment of their homes, feel safe and secure, and live in a community where clear standards of behaviour are understood.

Our objectives

Our key objectives for the anti-social behaviour service are:

- A) Prevention:** To reduce anti-social behaviour by identifying the causes and putting positive, joined-up solutions in place to prevent incidents in the first place or tackle them as soon as they happen.

B) Enforcement: Demonstrate a commitment to tackling anti-social behaviour on our estates by delivering a rapid, robust and effective response, using the full range of appropriate current legislative powers, which are targeted towards the more serious incidents of anti-social behaviour. Please see appendix 1 for a list of the powers we will use.

C) Rehabilitation: Work with perpetrators of anti-social behaviour who want to change their behaviour by finding ways to help them to sustain their tenancy and keep to the tenancy agreement.

How will we meet our aim and objectives?

We will implement key improvements to meet both our customers' needs and our aims and objectives to tackle anti-social behaviour.

We will do this by:

- Taking a holistic, problem-solving approach to anti-social behaviour:
 - Placing the victims at the centre of the solution
 - Recognising the need to strengthen communities
 - Supporting witnesses
 - Dealing with perpetrators through rehabilitation as well as prosecution.
- Using various methods to prevent anti-social behaviour:
 - Using good neighbour agreements which all of our new tenants are encouraged to sign when taking on a tenancy
 - Using introductory tenancies to help us support new tenants through their first twelve months
 - Signed up to the Respect Standard
 - Using the developed a Service Level Agreement developed with the Lincolnshire Mediation Service
 - Continuing to build on diversionary activities as a preventative measure.
- Ensuring that the range of legislative enforcement tools are used:
 - Acceptable behaviour contracts
 - Anti-social behaviour orders
 - Injunctions
 - Tenancy demotions
 - Extensions of Introductory Tenancies
 - Possession actions.

- Working with perpetrators in order to try and break the cycle and re-occurrence of anti-social behaviour with a view to creating a sustainable tenancy This includes working with other agencies and local communities in order to consider the impact to the communities' well being when rehabilitating perpetrators of anti-social behaviour
- Increasing public involvement and empowerment in tackling anti-social behaviour
 - Seeking feedback from customers and involving them in the development of our policies and procedures.
 - Ensuring customers are involved in monitoring and reviewing the delivery and performance of the anti-social behaviour service.
 - We will work with healthy communities and others in supporting diversionary activities for children and young people. Such as fair play football and dance.
- Supporting community partnerships and residents to produce and implement local anti-social behaviour strategies and support local people to take local action.
- Publicising action and initiatives.
- Developing our support arrangements for witnesses and victims.
- Developing our internal and external partnerships to promote responsible citizenship:
 - Supporting local community groups in schemes which combat illegal activities such as fly-tipping, vandalism and graffiti.
- Increasing public confidence in partnership measures to tackle anti-social behaviour. Continuing our partnership work with the Police Community Support Officers. PCSO's have a wide range of powers including on the spot fines for vehicle licensing offences and littering and dog mess. We work with Police, education and social services to develop Youth Inclusion Support Panels to provide support to vulnerable and at risk young people, following a comprehensive referral and assessment process.
- Providing cleaner and safer environments to reduce anti-social behaviour.
 - Ensuring our caretaking service continues to support the communal areas on our estates by cleaning blocks of flats, removing fly-tipping and graffiti.
 - Working with our tenants to educate them to have respect for the environment in which they live.
 - Working closely with the council's community safety team to ensure a joined-up approach is taken when dealing with anti-social behaviour across the South Kesteven District

- Working with our environmental protection and street scene teams to tackle environmental nuisance.

Obligations of our tenants

We expect all our tenants to comply with the terms of their tenancy agreement.

Tenants are responsible for the behaviour of themselves, their friends, and relatives, and any other person living in or visiting the property (including children).

Usually, if tenancy conditions are broken we will inform the tenants and warn them. But, sometimes we may take immediate action, without warning, depending on the circumstances of the case.

Witness Support

Witnesses are very important to us. In many cases action could not be taken without the help of people continuing to report nuisance. We understand that for victims of anti-social behaviour who are collecting evidence to help us then this can be a frightening and distressing time.

We will do all we can to support our witnesses throughout the process by:

- Taking complaints seriously
- Dealing with complaints as quickly as possible
- Discussing the action we are taking with witnesses
- Keeping witnesses informed throughout the case
- Giving hearsay evidence whenever possible. This means that an officer from tenancy services will give evidence on behalf of the person who has complained, without having to reveal their identity
- Working closely with other agencies to see what other help can be given, such as family support
- Providing information in the appropriate format and offering translation services where required – for example signing interpreters, induction loops, large print format, audio CD, language line and alternative language format

In the more serious cases we can take extra steps to make people feel safe and more secure in their home. This can include:

- Additional door security
- Window locks
- Spy holes
- Letterbox covers
- Security lights
- Installation of cameras
- Smoke alarms
- Connection to the council's helpline alarm system

Working in partnership with others

We recognise that we cannot deal effectively with anti-social behaviour on our own. The key to success is to develop effective partnerships. We already work with a range of agencies and other teams within South Kesteven District Council such as:

- Police
- Fire Service
- Social Services
- Youth Offending Service
- 0-19 Universal Children's Services (including – Connexions, Education Welfare, Youth Service, Sure Start, Barnados – leaving care support)
- Addaction
- SKDC – Community Safety Team
- SKDC – Street Scene Team
- SKDC – Healthy Environment Team
- Local Doctors, Hospitals and Clinics

When necessary we may ask other specialist agencies to help us deal with specific problems e.g. drug, alcohol and mental health as people affected by these issues are often vulnerable and experience has shown they can also be victims of anti-social behaviour.

Confidentiality

Any information given to us will be treated in confidence. We will not discuss with any other tenant or neighbour, information unless those involved have agreed to this.

However, some information may be shared with agencies e.g., the police or fire service, if this is for the purpose of reducing crime and disorder. All information exchanged is shared in line with the Crime and Disorder Act 1998, the Data Protection Act 1998 and the Freedom of Information Act 2000.

Publicity

Publicity is essential if local communities are to support us when tackling anti-social behaviour. We will always issue a press release of our successful court cases to the local media including the names of the perpetrators who caused the anti-social behaviour.

Monitoring this strategy

The use of effective monitoring tools is important not only to help staff performance but also to assess whether we are dealing with anti-social behaviour effectively. To help us do this we use a housing management database to record all complaints of anti-social behaviour effectively and to track their progress.

We also use customer satisfaction surveys to obtain the views of both complainants and perpetrators after a case is closed.

The following performance indicators are also produced on a monthly basis:

- % of ASB cases successfully resolved per month
- Number of ASB cases opened by category per month
- Number of occupancy checks attempted per month
- % of occupancy checks successful per month
- Number of ASB complainants who receive monthly feedback on current cases

We will also use the tenants' magazine, Skyline, to inform about our performance.

This strategy will be reviewed annually against developments in legislation, local circumstances, recognised best practice and feedback from customers.

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Appendix 1 – tools available to tackle anti-social behaviour

Non-legal action:

Mediation

Mediation is a process in which an impartial third party - the mediator - helps people in dispute to work out an agreement. Mediators aim to get the people in dispute to meet face to face in a neutral setting and listen without taking sides - the aim is for the people in dispute to reach an agreement which everyone will accept and keep to.

Mediation can only work if everyone wants it to, and it works best if used before the issue becomes entrenched. The mediators cannot force people to resolve their conflicts and it is an entirely voluntary process.

Warning letters

Warning letters are sent to the perpetrator of anti social behaviour to outline their behaviour and ask for an improvement. The warning letter highlights each breach of tenancy and the consequences for failing to put an end to the anti social behaviour.

Acceptable behaviour contracts

An acceptable behaviour contract (ABC) is an individually written agreement between a perpetrator, the council and the police. An ABC normally lasts for six months and is an agreement identifying acts that the perpetrator will stop doing to put an end to anti social behaviour.

Parenting contracts

Parenting contracts are a supportive measure offering a structured and balanced way for agencies to work with parents on a voluntary basis to improve the behaviour of a child or young person up to 17 years old.

If an ABC is being considered for a young person, a parenting contract which reflects the ABC's requirements also needs to be considered.

Family intervention projects (FIPS)

Problem families can disrupt the quality of life of whole communities and make the lives of residents around them miserable. They also put themselves at risk of losing their home, their children or having enforcement action taken against them.

Family intervention projects work hard with families to stop this happening by challenging and helping them to change their behaviour. A single key worker is assigned to each family to challenge the root causes

of their behaviour by laying down ground rules and giving intensive support to each family member.

Positive projects for young people

Various positive projects for young people are provided in partnership with the healthy communities team. These initiatives provide a diversion for challenging young people and encourage good behaviour and social cohesion.

Good neighbour agreements

This is a voluntary agreement between landlord and tenants which:

- Reinforces the tenancy agreement
- Reassures tenants and residents that local anti-social behaviour concerns will be addressed
- Presents a statement of desirable or positive behaviour and what it means to be a good neighbour

Extensions to introductory tenancies

All new tenancies granted by South Kesteven District Council are introductory tenancies lasting twelve months. If, during the first 9 months of the introductory period, there are concerns about rent arrears or anti-social behaviour, the tenancy can be extended by a further six months. Tenants have the right to request a review of this decision.

Legal action:

Injunctions

An injunction is an Order of the Court, which either requires someone to do something or stops someone from doing something. Injunctions can have a power of arrest attached.

Undertakings

The same process applies for undertakings as injunctions. An undertaking has the same effect as an injunction, but the perpetrator does not have to admit to the allegations and the power of arrest is not attached to it.

Notice to quit

A notice to quit (NTQ) is a written document served by a landlord on a non-secure tenant or by the tenant on a landlord, which has the effect of bringing the contractual tenancy between them to an end.

The notice must be in writing, delivered at least 4 weeks before the notice period ends (or 1 month if rent is paid monthly) and must bring the tenancy to an end at the end of a full rent period.

Notice of seeking possession

A notice of seeking possession is a legal warning served on secure tenants which acts as the bridge between previous informal action and taking legal action, giving the tenant an opportunity to amend their behaviour. It needs to inform the tenant what they have done wrong in enough detail for them to understand the implications of their actions and that their behaviour gives rise to grounds for possession.

Notice of possession proceedings

A notice of proceedings for possession is served on introductory tenants. It must give notice that the landlord intends to apply for possession, must outline the grounds for this possession and allow the tenant the right to appeal.

Demoted tenancies

A demotion order terminates the existing tenancy and replaces it with a demoted tenancy. This is a less secure type of tenancy, removes some of the rights of a secure tenancy and gives the tenant a serious warning that should their behaviour continue they run the risk of losing their home.

A demotion is useful where the landlord has concerns that if not checked the anti-social behaviour may escalate or they wish to give a strong warning to the tenant but also want to continue to work with them to change their behaviour.

Anti social behaviour orders

An anti-social behaviour order (ASBO) is a community-based order, which can be obtained by the police or the local authority against an individual who acts in an anti-social manner. The minimum duration is two years. The purpose of an ASBO is to allow people to live free from fear and intimidation. They are used to target activities that ruin the lives of individuals, families or communities.

Parenting orders

Parenting orders are a supportive measure designed to help parents and carers improve their parenting skills to prevent problems in their child's behaviour and steer them away from becoming involved in anti-social behaviour. A parenting order is not a punishment but a positive way of bolstering parental responsibility and helping parents develop skills so they can respond more effectively to their children's needs

If parents fail to comply with the terms of a parenting contract which is a voluntary agreement, parenting orders can be used to make the terms of the contract compulsory.

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