

**Tenant Scrutiny Panel**

**Report on:**

**Anti-Social Behaviour**

**October 2016**

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1. **ACKNOWLEDGEMENTS**

The Tenant Scrutiny Panel (TSP) gratefully acknowledges the support, guidance and assistance provided by the members of the Housing Team, including Glyn Jones, Amanda Harper, Andy Wallace, Pam Shah, Charlotte Keedwell, Emily Taylor – and the Resident Involvement team – Justin O’Brien, Sue Ross, Diane Caffrey, Laura Smythe, Steve Everson, and Cllr Roger Bayliss. Many thanks also to Rob Webb for sharing his in-depth knowledge of local authority procedures etc via PEP training.

1. **EXECUTIVE SUMMARY**

The TSP made the decision to inspect the Anti Social Behaviour (ASB) Service as the quality of life of many residents can be affected by ASB, and also because customer satisfaction with how the Housing service deal with ASB has scope for improvement (as reported in the 2015 STAR Survey).

From the investigations of the TSP it became apparent from the information gathered that the current NWLDC policy leads to high expectations of tenants with regard to resolving ASB. Since 2012 to end of 2015 there were 521 complaints of ASB. To give a general idea of the types of complaints reported, noise-related incidents formed the majority of complaints (52.5%). During the same periodmore serious types of ASB - such as threats/violence, drug-related offences etc accounted for only 16 complaints or 0.3% of the total (See Appendix 1). This highlights the fact that the majority of cases can in fact be classed as low level (low risk) reports.

What was clear was that no matter the nature of the complaint, ASB is something that can adversely affect the lives of those who are subjected to it – making it a very important and emotive experience for residents.

1. **OUR PANEL**
	1. The TSP consists of a group of volunteers who are also tenants of NWLDC, each of whom has different skill sets and seeks to improve their skills and value to the group by identifying development needs and attending relevant training.
	2. Each TSP member knows the importance of adopting a flexible attitude and displays a high level of commitment to their voluntary involvement in working with NWLDC to improve Housing services to tenants and streamline processes.
	3. The TSP mission is to be a “critical friend” to the Council, facilitating service improvements for Council tenants.
	4. The TSP uses differing methodologies to analyse data, collect evidence, report on outcomes and make recommendations to NWLDC to enable changes and improvements to be implemented.
2. **OVERVIEW**
3. The topic of anti social behaviour (ASB) is a complicated and subjective one as it is difficult to deal effectively with something that is never the same on any two occasions; ASB therefore elicits different responses each time it is reported. It is also worth mentioning that it is an emotive topic that can invoke fear, anger, anxiety and other intense responses (which can result in health issues) in those who are subjected to incidents of ASB, or feel they are being affected by what they perceive as ASB.
4. The TSP discovered that there is generally a misconception as to what constitutes serious ASB. Most tenants (TSP members included) would think that neighbours who are continuously noisy (dogs barking, loud music, shouting, fighting etc) would be one of the things that fell into the ‘serious’ category. In truth serious incidents are such things as violence, threatening behaviour, hate crimes, discriminatory behaviour / conduct motivated on grounds of race, creed, religion, colour, sexuality or age. This type of ASB would normally result in the involvement of the Police and/or other partner agencies**.**
5. In the view of the TSP the current policy is not robust enough in establishing and clarifying expectations, and allows tenants to believe that every report of ASB will be fully investigated and an acceptable outcome for the tenant is almost guaranteed. Therefore NWLDC needs to change the perception of council tenants as to what constitutes serious ASB and to manage expectations going forward.
6. **REPORT**

The TSP has reported on its findings as factually as possible and without any bias. Our inspection has, on occasion, increased awareness of the complexity of the work conducted by NWLDC and other agencies. However our findings and subsequent recommendations have led us to be critical of certain parts of the process of reporting / investigating ASB, and the policies and procedures in place.

1. **CHOICE OF TOPIC**

This particular topic was initially chosen as the TSP identified that customer satisfaction levels in respect of ASB recorded in the STAR Survey were lower than expected. This prompted discussions with relevant managers and analysis of NWLDC policy, procedures and other documentary evidence.

1. **METHODOLOGY**
2. Training course with Rob Webb to look at ASB legislation etc.
3. Reviewed all relevant NWLDC Housing policy documents provided in respect of Anti Social Behaviour reports with particular emphasis on the ASB Policy.
4. Interviewed Housing officers to ascertain whether they had any concerns with regard to reporting ASB.
5. Met with NWLDC Anti Social Behaviour Officer (Community Safety) to discuss the issues.
6. Attended a TSP workshop to identify and agree priorities for the inspection.
7. Compiled and issued questionnaire to send to tenants who had reported ASB incidents within the past two years.
8. Reviewed the ASB policies and procedures of other housing providers for comparison purposes
9. Scheduled several TSP working meetings as required to review new information and status of report.
10. **AIM OF THE EXERCISE**

To investigate why customers were reporting lower satisfaction levels in respect of how ASB was addressed, and identify recommendations to improve how NWLDC deliver ASB services to tenants.

1. **FINDINGS**
2. The Housing Service’s Anti Social Behaviour policy is currently not up to date with current legislation i.e. The Anti-Social Behaviour, Crime and Policing Act, which came into force in 2014. The Act aims to put victims first and streamlined the previous 19 powers, replacing them with 6 new powers which enable agencies to provide a quick response. The Act also empowers victims and communities to have a say in the outcome of their reports via The Community Trigger. (See Appendix 2)
3. There is a partnership of agencies (Joint Action Group - JAG) that meets on a monthly basis to agree a joint agency approach to high risk cases.
4. The highest number of complaints were noise-related incidents (52.5%). Most of these cases could be classified as low level / risk.
5. The Housing Service uses Sentinel, which is a system shared by the police and councils across Leicestershire for recording reports of ASB. However the system is not a case management system in that it simply records data. The use of an appropriate case management system to keep track of actions and developments could potentially impact positively on tenant views of how well NWLDC deals with complaints.
6. Based on interviews and surveys with NWLDC tenants and staff it is clear that communication with complainants is inconsistent. (Appendices 3A, 3B and 3C)
7. The current relationship between the Housing Service and its internal and external partners – e.g. Environmental Health, Social Services and The Police - is not as strong and effective as it could be.
8. Expectations of tenant and non-tenant complainants are very high. This results in a high level of dissatisfaction when the Housing Service fails to reach the desired and possibly unrealistic outcomes desired by the complainant.
9. **RECOMMENDATIONS**
10. NWLDC undertake a full and in-depth review of the current housing policy on Anti Social Behaviour to bring it up to date with current legislation e.g. the Anti-Social Behaviour, Crime and Policing Act, which came into force in 2014. The review needs to be conducted in partnership with the Community Safety Team, the Police and any other partnership agencies.
11. Ensure that the policy is realistic, specific and objective and manages the expectations of all customers.
12. Build into the policy what may be seen as **not being** anti social behaviour – e.g. one-off complaints of low level noise against neighbours of many years.
13. Signpost which complaints should be addressed by whom, e.g. in cases of violence then the Police should be the first point of contact and for lower level cases encourage complainants, where appropriate, to try and resolve the issue themselves
14. Guidance for officers in respect of noise which may or may not be classified as ASB between the hours of **11.00 pm and 7.00 am**, taking into account what is being reported and that any response needs to be reasonable and proportionate. For example:
	1. Dogs barking, music playing etc.
	2. Complaints that are attributable to human health issues
	3. Noises attributable to neighbour working times, shifts etc.
15. Review and tighten policy which currently says ‘all incidences of ASB will be investigated’. Officers should be given the option to use their discretion to simply record an incident on the ASB system without taking any further action, dependent upon circumstances.
16. Ensure that, once agreed, the Council adopts a communications strategy to promote the new NWLDC ASB policy/procedures via all available media with the aim of changing tenant perception as to what constitutes ASB
17. Issue a guide to all NWLDC tenants classifying types of ASB / what is not ASB and who the first point of contact should be in each case.
18. Develop an ASB toolkit that can be used by all council staff when dealing with ASB cases.
19. Encourage and achieve closer and improved partnership working between the local Police, Environmental Health and other agencies/ the Housing Service when dealing with cases of ASB.
20. Submit draft of new policy to Tenant Scrutiny Panel and The Landlord Services Working Group.
21. NWLDC should identify and purchase a suitable and effective case management system for ASB cases.

Janet Higgins, Chair, On behalf of the Tenant Scrutiny Panel

NWLDC/TSP/2016 Reports/ASB – Anti Social Behaviour Report