



Report for:	Cabinet
Date of meeting:	10 September 2019
Part:	1
If Part II, reason:	

Title of report:	<b>Anti-social Behaviour Policy</b>
Contact:	Cllr Margaret Griffiths, Portfolio Holder for Housing Cllr Julie Banks, Portfolio Holder for Neighbourhood Delivery  Author/Responsible Officers Layna Warden – Group Manager (Tenants and Leaseholders) Emma Walker – Group Manager (Community and Environmental Protection)
Purpose of report:	To provide details of the councils approach to dealing with Anti-social Behaviour and introduce a new policy combining both Housing and Environmental and Community Protection services
Recommendations	That the Anti-social Behaviour Policy as set out in the report be approved
Corporate Objectives:	<ul style="list-style-type: none"> <li>• Working in partnership to create a borough that enables Dacorum's communities to thrive and prosper</li> <li>• A clean, safe and enjoyable environment</li> <li>• Building strong and vibrant communities</li> </ul>
Implications:	<u>Financial</u>  There are no direct financial implications arising from this policy but it is expected that court and legal costs should be reduced
'Value For Money Implications'	<u>Value for Money</u>  By Environmental and Community Protection and Housing departments working closely through one joint policy a more consistent and proactive service can be provided ensuring that appropriate action is taken to reduce high court costs, build communities and reduce complaints.

Risk Implications	This is an opportunity for the Council to develop a more coordinated approach to effectively managing Anti-social Behaviour. This policy sets out our duties as a Local Authority and Landlord and the intention of this report is to comply with legislation and therefore avoid the risk of non-compliance.
Community Impact Assessment	Community Impact Assessment is attached at Appendix 3
Health And Safety Implications	There are no direct Health and Safety implications arising from this policy
Monitoring Officer/S.151 Officer Comments	<p><b>Deputy Monitoring Officer:</b></p> <p>Social landlords are required by law to have policies and procedure in place for dealing with anti-social behaviour. Approval of the updated policy will ensure that the Council meets its obligations.</p> <p><b>S.151 Officer</b></p> <p>There are no financial implications arising directly from the recommendations in this report.</p>
Consultees:	<p>Fiona Williamson – Assistant Director (Housing)  Mark Gaynor- Corporate Director (Housing and Regeneration)  Dave Austin – Assistant Director (Neighbourhood Delivery)  CMT – Corporate Management Team  RAOG - Responsible Authorities Officers Group  Lindsey Walsh – Team Leader (Tenancy and Leasehold)  Nicola Lobendhan – Team Leader Anti-social Behaviour  Amy Dalton – Community Safety Lead Officer  Usman Mohammed – Litigation Barrister</p>
Background papers:	Appendix 2 - Anti-social Behaviour Action plan
Glossary of acronyms and any other abbreviations used in this report:	<p>ASB – Anti-social Behaviour  CSP – Community Safety Partnership  DBC – Dacorum Borough Council</p>

## **1. Introduction**

- 1.1. Dacorum Borough Council recognises that the problems created by Anti Social Behaviour (ASB) need to be dealt with in a robust but proportionate manner. Residents are entitled to live in a quiet and peaceful environment, so when appropriate the Council will aim to work quickly and efficiently to tackle incidents of ASB.
- 1.2. This report introduces a single council wide ASB policy set out in full at Appendix 1. This will apply to tenants and residents (regardless of tenure), their family members and other occupants and visitors. This report outlines the key elements of the policy and gives members an overview of the approach taken by all teams when managing residents or tenants who are victims or perpetrators of ASB.

## **2. Background**

- 2.1. The Housing Team are responsible for all low and medium level ASB cases that involve council tenants. Where cases involve a significant risk to the community or involve violence these are escalated to the Corporate ASB Team to work on behalf of housing to resolve or take enforcement action. The Corporate ASB Team also manage any high level cases where the perpetrator is not a DBC Council tenant.
- 2.2. There is a responsibility on the Local Authority to effectively deal with ASB from residents and tenants and to protect the community. The Anti-social Behaviour, Crime and Policing Act 2014 updated a number of tools and powers to enable relevant officers to achieve this.
- 2.3. Over the past two years, new Group Managers have started in the posts that manage the teams who deal with ASB. Additionally a restructure to Resident Services moved the corporate ASB Team to a new Environmental and Community Protection service. The Service Level Agreement (SLA) between the two services has been reviewed and Group Managers have been involved in some complaints and cases that have been escalated to MPs and investigated by the Ombudsman.
- 2.4. These changes prompted a review to gain better understanding of the processes and experiences of residents in ASB cases. The Council's Performance and Innovation team carried out an analysis of cases and carried out a focus group with officers who are involved in some way in dealing with ASB or supporting residents who are victims.
- 2.5. A number of recommendations from this review have been taken forward as part of an Action plan as set out in Appendix 2. This was created in partnership between Housing, Environmental and Community Protection, Community Safety and Legal services.
- 2.6. One of the key recommendation from this review was to align the working practices across all teams and in particular, through one joint policy. Bringing the separate policies for Housing and Environmental and Community Protection into one working document will improve consistency and prevent legal challenge. Where cases pass between teams it will ensure it is clear which document applies.

### **3. The National Context**

- 3.1. There have been a number of legislation changes introduced by the Anti-Social, Police and Crime Act 2014. The act introduced simpler, more effective powers to tackle anti-social behavior that provide better protection for victims and communities.
- 3.2. The powers introduced by the 2014 Act are deliberately local in nature. Those who work within and for local communities are best placed to understand what is driving the behaviour in question, the impact that it is having, and to determine the most appropriate response.
- 3.3. The powers introduced by the act are designed to be flexible to ensure that local agencies have the tools they need to respond to different forms of anti-social behaviour. The guidance sets out the legal tests that must be met before each of the powers can be used.

### **4. The Local Context**

- 4.1. The Tenants and Leaseholders team manage the 10,400 council homes owned by DBC. The average number of live ASB cases per 1000 properties in 2018/19 was 7.04% with a total of 352 cases managed by the team over this year. This has varied from 57-80 cases open to the Housing team at any time.
- 4.2. The nature of these cases range from noise complaints, issues with parking and environmental behaviour and pet problems through to drug related problems, verbal and physical abuse and aggression. Often there are underlying issues that Housing Officers will work with partner agencies including the Police and support services to try and resolve.
- 4.3. Currently the corporate ASB team have 25 cases that have been considered High Level and escalated from the Housing Team. An SLA between the Housing and Environmental and Community Protection team covers the financial arrangement for the ASB Team to provide a specialist service on behalf of the Housing Service.
- 4.4. An additional 11 cases are currently open to the ASB team involving private residents. Last year there were 33 case dealt with by the ASB Team that were not DBC Tenants. Other cases involving Housing Association Premises are taken on if Housing Association have exhausted all avenues available to them as landlords.
- 4.5. Performance of the teams are monitored in a number of ways. This includes ensuring all cases are acknowledged within 1 working day of receiving the report and satisfaction surveys on completion of the case. Additionally case reviews are completed with all officers on a monthly basis.
- 4.6. A number of non-legal remedies like verbal or written warnings are used in the first instance with Housing Officers referring many cases to Mediation Herts to resolve disagreements between neighbours. Other options include good neighbour agreements and conflict coaching to prevent cases from escalating.

4.7. A number of legal remedies have been taken over the past 12 months, with four Closure Orders granted since the beginning of 2019. This demonstrates a considerable increase in drug-related issues but also the ability for the Council to take swift and appropriate action to effectively resolve these problems for the wider community.

## **5. Draft Policy**

5.1. In partnership with a number of departments a key focus has been to finalise the attached draft ASB policy. This policy replaces the previous separate policy documents to ensure a joined up approach between the departments. The policy clearly sets out our commitments:

- No one should have to tolerate ASB
- Reports of ASB will be treated seriously and dealt with professionally
- ASB will be dealt with firmly, fairly and proportionately
- We will work with partners in order to deliver an effective, value for money ASB service across the community
- We will provide a high quality service that meets people's identified needs

5.2. The policy has been developed with input from both Housing and Environmental and Community Protection Department with significant input from both Legal Services and Community Safety Officers.

5.3. This policy was approved at Corporate Management Team on Tuesday 11<sup>th</sup> June 2019 and was sent to RAOG for comments from our partner organisations. Feedback was also received from the Housing and Communities Overview and Scrutiny Committee and these have informed the draft policy.

## **6. Conclusion**

6.1. It is important that we have robust policies to support our ability to address ASB in Dacorum.

6.2. If approved this ASB Policy will replace any existing relevant policies in Housing and Environmental and Community Protection. It will be due for review in 2 years and all procedures will follow from this document to ensure front line officers uphold the commitments and detail set out in this document.

## **7. Recommendations**

7.1. That the Anti-social Behaviour Policy as set out in the report be approved