



<b>Report for:</b>	<b>Housing and Community Overview and Scrutiny Committee</b>
<b>Date of meeting:</b>	<b>7 October 2020</b>
<b>Part:</b>	<b>Part 1</b>
If Part II, reason:	

<b>Title of report:</b>	<b>Anti-Social Behaviour Update</b>
<b>Contact:</b>	Cllr Margaret Griffith, Portfolio Holder for Housing  Author: Ryan Glanville – Tenancy and Leasehold Team Leader
<b>Purpose of report:</b>	To update members on the current arrangements for managing anti-social behaviour across the council
<b>Recommendations</b>	That members consider the report and make comments as felt appropriate.
<b>Period for post policy/project review</b>	12 months
<b>Corporate objectives:</b>	Working in partnership to create a borough that enables Dacorum's communities to thrive and prosper A clean, safe and enjoyable environment Building strong and vibrant communities
<b>Implications:</b>	<u>Financial</u>  Responsibilities have been reviewed to ensure that the General Fund and Housing Revenue Account fund their own cases respectively. Any financial impact will be considered in the budget setting process for 2021/22. Effective management of the service and early and robust intervention in anti-social behaviour cases can prevent legal and court costs.  <u>Value for money</u>  Effective joint working and processes can provide a more consistent and proactive service ensuring that appropriate

	action is taken to reduce court costs and the need for legal interventions, build stronger communities and reduce complaints.
Risk implications	Failure to effectively deal with anti-social behaviour places a reputational risk on the Council which could be held to account through residents raising a Community Trigger or report to the Victims commissioner
Community Impact Assessment	Community Impact Assessments are completed before any new policy decisions are made
Health and safety Implications	Effective management of Anti-social behaviour reduces the risk of physical harm to staff and residents
Consultees:	Layna Warden – Group Manager, Tenants and Leaseholders Fiona Williamson – Assistant Director, Housing Mark Gaynor – Corporate Director, Housing and Regeneration Matt Rawdon – Group Manager, People and Performance Joe Guiton – Team Leader, Community safety and Children
Background papers:	H&C Overview and Scrutiny Committee ASB Policy report July 2019
Glossary of acronyms and any other abbreviations used in this report:	ASB – Anti-social Behaviour CSP – Community Safety Partnership DBC – Dacorum Borough Council ECP – Environmental & Community Protection HOT – Housing Officer – Tenancy

## **1. Introduction**

- 1.1. Dacorum Borough Council (DBC) recognises that the issues 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 DBC will aim to work quickly and efficiently to tackle incidents of ASB.
- 1.2. The purpose of this report is to give a summary of the current arrangements for managing ASB across Dacorum and more specifically in the Tenancy and Leasehold Team. It gives an update to members on the past nine months since the ASB team has joined the housing service and highlights the type of issue residents are experiencing and the number of cases received and also the impact that Covid-19 has had on this. Finally, it summarises the current and future steps being taken to improve the service received by residents and to try to move to a more proactive and victim-led approach.

## **2. Background**

- 2.1. The ASB service has been through a number of changes in the past five years. Historically the housing service would have been responsible for all low and medium level ASB cases that involve council tenants. Cases that involve a significant risk to the community or violence were escalated to the Corporate ASB Team, which were recently based in Environmental and Community Protection (ECP), to work on behalf of housing to resolve or take enforcement action. The Corporate ASB Team also managed any high level cases where the perpetrator is not a DBC Council tenant.
- 2.2. Following a full review of the service in 2018, an action plan was compiled including a number of steps to ensure that anyone reporting ASB experienced a more consistent and effective service. This included the introduction of a new ASB policy that covered the whole council, approval for Housing to allocate Community Protection Warnings and a review of the structure between the Corporate ASB team and Housing.
- 2.3. During this review, it was clear that the majority of cases the ASB team managed were DBC tenants. The separate teams for low/medium and high cases meant that there was a duplication of work at the point of the cases being referred over and residents and tenants were potentially getting a different level of service depending on the team working on their case. In January 2020, after a formal staff consultation, changes were made in the structure for the service and the two ASB Officers moved into Housing to ensure residents are getting a high-level consistent service and value for money.

## **3. Current position**

- 3.1. The two ASB officers have settled well into the Tenancy and Leasehold Team. This change has meant they sit alongside the Housing Officers – Tenancy (HOT) and benefits have already been identified through sharing expertise, attending joint visits to resolve cases earlier and shared understanding with some of the complexities of tenants with vulnerabilities.
- 3.2. Housing Officers – Tenancy continue to deal with all initial enquiries and low/medium level cases when the alleged perpetrator of ASB is a council tenant. A referral is still made to the ASB Officers who deal with any high level cases against DBC tenants. They also deal with any cases involving private tenants or owner-occupiers.

#### **4. Case Load**

- 4.1. At the time of the restructure in December 2019 there were 22 high-level ASB cases open with the ASB team. Of the 22 cases 18 were perpetrated by someone who holds a council tenancy and only four were private cases. While the number of private ASB cases has gone up due to the increase of ASB cases at the moment, the percentage of private to council owned cases still remains at approximately 20%.
- 4.2. The type of cases vary but most commonly will be related to verbal abuse, harassment, intimidation, threatening behaviour, drug use (including noxious smells) and noise nuisance. Depending on the severity of the incident, the ASB Officers have a variety of tools they can use to tackle the behaviour that include Community Protection Warning/Notices that may lead to a fixed penalty notice, injunctions or closure orders. As well as these, they can take direct action against someone's tenancy by initiating possession proceedings.
- 4.3. Cases are increasingly complex with a number of them being open to the ASB officer for years. Where the perpetrator has a vulnerability or disability such as a mental health condition or is involved in substance misuse, any enforcement action must be proportionate and consider our public sector equality duty. Working closely with partners such as the mental health teams, children services and the tenancy sustainment team is vital to identify the best course of action to reduce the nuisance and protect any neighbours and victims.
- 4.4. It is not uncommon for ASB cases to increase over school holidays and as the days get longer and warmer with more people outside bringing in complaints about noise, parties and drunken behaviour and drug related issues. Since March, cases have increased considerably due to the impact of Covid-19 and the need to stay at home, which affects the ability to effectively compare with previous years and see how the changes have affected the number of cases.

The number of cases over the past six months is below:

	February	March	April	May	June	July
New cases opened	14	19	33	44	36	30

Total open high level	28	25	23	40	44	38
-----------------------	----	----	----	----	----	----

Total open cases	62	80	88	90	86	69
------------------	----	----	----	----	----	----

4.5. Where there is a neighbour disputes, individuals will initially be given advice to resolve the problems themselves and often signposted to the DBC website, which has been recently updated to include useful tips and advice on dealing with noises associated with everyday living such as doors banging, hearing young children playing and sounds omitted from household appliances or DIY tools. Tenants may also be asked to consider mediation or conflict coaching provided by Mediation Hertfordshire as part of the case management process.

## 5. Resident Satisfaction

5.1. Satisfaction in ASB cases has been varied and prompted a number of changes to improve a complainants experience when reporting and dealing with cases. To coincide with the merging of the two teams, the satisfaction survey has been updated to include questions specifically to help monitor and improve the service offered. This will help significantly in shaping the wider service and support the necessity of monitoring individual Officer's performance much more closely. The results of these satisfaction surveys over next few months will also link-in with a review of the Key Performance Indicators that the team reports on for the year 2021/22.

## 6. Covid-19 Impact

- 6.1. Since lockdown in March, the number of ongoing open cases has increased by 45%. The majority of these issues come about as the result of the number of residents who have been at home during the lockdown period. This includes noise from residents who are not used to hearing families or neighbours and an increase in tension and anxiety around the pandemic and worry about family members and employment. There has also been a spike in cases reporting noxious smells, attributed to the smoking of illegal substances. Perpetrators of this type of nuisance would have previously moved away from residential areas to avoid a report being made but that has not been possible during the lockdown. This matches the national picture with many housing providers and charities highlighting the concern of an increase of ASB and Domestic Abuse.
- 6.2. While partners such as the Police have reported a decrease in crime with residents being home, drug related issues have risen, however many of these have been identified and Police raids on Council properties have continued. On the other side of the scale reports of low-level irritations such as parking issues, boundary disputes and household noise has considerably increased. The HOT have given advice about mediation and how to resolve these issues however, expectations have been high leading to higher dissatisfaction in how cases have been resolved.
- 6.3. All new complaints have been responded to within one working day of receiving the report, which is a positive achievement. However, without the ability to tackle the issues through visiting the perpetrator, there is a concern that more serious cases have escalated. There is also a risk that there are other tenancy breaches being left undetected by regular audit visits not being carried out. A review has identified that in some situations ASB cases require essential visits alongside the need to invite perpetrators into the Forum to discuss ASB concerns face to face.
- 6.4. While courts were closed and notices required three months instead of one month before legal action, some victims have been left feeling frustrated that serious cases have not been effectively dealt with. Community Protection Warnings have continued to be used and cases referred to our legal team so at the point where court re-opened cases could be progressed swiftly. Additionally notice periods for ASB have returned to 4 weeks which should reassure residents that swift action can again be taken.

## **7. Next steps**

- 7.1. Having the ASB Officers in Housing has created an improvement in communication between the team and some efficiencies to prevent duplication and share resources. Evidence suggests that having officers who deal with the case from start to finish are more effective at resolving ASB sooner and preventing escalation to require legal remedies. With the team now in Housing the growth bid for an additional HOT to allow us to complete five-year tenancy health checks, will be changed to an ASB Officer and the

three officers together will deal with all cases from initial contact to closure. This will prevent a hand over between one officer to another and victims having to explain the case to a new case officer.

7.2. This in turn will increase the work of the Team Leader who would have six direct reports. The workload and specialism means an additional Lead Officer could be recruited to focus on Tenancy Enforcement. This would coincide with a wider restructure of the team that will clearly differentiate the roles of those managing the tenancies and those who are enforcing breaches associated with anti-social and nuisance behaviour. This will require a small growth in the HRA and be considered in the budget setting process for 2021/22.

7.3. Moving the ASB Officers to housing has brought about more effective partnership working between Community Safety, ASB/Housing and the Police. With involvement in the Community Safety Action Group and monitoring any Community Triggers, a dedicated part-time ASB and Community Safety Officer is being recruited to sit within the Community Safety Team. This post will ensure clearer definition between the responsibility of Housing and Community Safety and manage any private ASB cases, they will also work with partners to deal with nuisance in public spaces and abuse against staff.

## **8. Conclusion**

8.1. The Anti-social behaviour service has undergone a number of reviews and changes over the past five years. The introduction of powers such as the Community Trigger through the Crime and Disorder Act 2014, ensures greater focus on protecting victims and early intervention and changes to the service allows us to meet these obligations.

8.2. The increase in vulnerabilities and complex ASB cases requires careful partnership working with internal and external organisations and requires a balance between support and enforcement action to ensure that proportionate steps are taken.

8.3. Merging the ASB team with housing was the first positive step towards improving customers experience and satisfaction. It also supports the vision for reshaping the wider team. Despite the additional challenges that Covid-19 has posed, the team have adapted well and continue to provide an excellent level of service. Going forward, there will be a greater focus on scrutinising customer feedback in more detail and adapting the ever-evolving service delivery accordingly.