

# **Anti-social behaviour Policy and Procedures**

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# **Anti-social behaviour Policy and Procedure**

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# **Anti-social behaviour Policy**

## **1. Introduction**

Anti-social behaviour is a broad ranging term encompassing an eclectic variety of situations and behaviours which vary in complexity and seriousness.

The aim of this policy and appended procedure is to ensure that a systematic approach is taken by Daventry District Council in the reporting, recording, investigating and monitoring of all anti-social behaviour cases, to ensure that residents are able to enjoy living in their homes and communities without unreasonable interference from others.

## **2. Policy Statement**

Daventry District Council is committed to responding effectively and working in partnership in an attempt to resolve any reports of anti-social behaviour which are reported and ensure that the rights of the public are respected and their security ensured.

## **3. Definitions**

Section 2(1) of the Anti-Social Behaviour, Crime and Policing Act (2014) defines anti-social behaviour as:

- a) "Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person"
- b) "Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises"
- c) "Conduct capable of causing housing-related nuisance or annoyance to any person"

("Housing-related" means "directly or indirectly relating to the housing management" of either a housing provider or local authority. The "housing management" functions of a "housing provider or local authority" include "functions conferred by or under an enactment" and "the powers and duties of the housing provider or local authority as the holder of an estate or interest in housing accommodation.

## **4. Methodology**

It is recognised that each case of reported anti-social behaviour is different and varies in degree of seriousness and complexity. A flexible approach to the management of the case must therefore be adopted, to respond to the issues being reported, the vulnerability of the victim and the seriousness of the issues being reported.

Various agencies have jurisdiction for different issues which are often classed as constituting anti-social behaviour and often a combination of factors are in play in which a multi-agency solution is required.

While some reports may be treated as 'business as usual' by a single agency often a more comprehensive response is required involving various agencies at both local and County level.

Upon receipt of any report of anti-social behaviour the Community Safety Officer will review the report and determine the most appropriate authority to deal with the complaint. In making this determination the Community Safety Officer will consider

the nature of the complaint being made, the vulnerability of the victim and the complexity of the case.

The Community Safety officer will (where possible) discuss the issues identified with the complainant and agree an appropriate way forward. If contact with the complainant cannot be made, then they should be informed by letter that their complaint has been received and that alternative contact arrangements should be made.

With the agreement of the complainant, the Community Safety Officer will liaise with any other agency that may already be, or should be, involved with the case.

In cases involving complex or long standing disputes it may be necessary to convene a multi-agency meeting with the aim of determining who the lead agency will be and clarifying what enforcement or other action is already being considered or taken forward. Legal advice should be obtained by the Community Safety Officer regarding the case, as appropriate.

The Community Safety Officer will coordinate such multi-agency activity ensuring that the complainant is kept informed of progress in the case. However the Officer should not make promises or speak for other agencies as this may lead to a rise in expectations or the transmission of misinformation, which is counterproductive in the long term.

Where statutory action is not appropriate either due to the lack of evidence or the nature of the case being reported, then the Community Safety Officer should work with other relevant partners to consider other creative solutions such as mediation.

Where it is apparent that more than one agency is engaged with the problem identified by the complainant then the case should be referred to the Anti-Social Behaviour Action Group (ASBAG) meeting.

The Community Safety Officer should retain contact with the complainant until an appropriate 'lead agency' is identified and has accepted responsibility for this communication.

## **5. Recording and Information Sharing**

Reports of anti-social behaviour can be received - either verbally, by phone, by email, by on-line reporting form or in writing - from residents of Daventry District or by those wishing to make a complaint about a person who is resident in Daventry District.

Often a report of anti-social behaviour will be made to more than one agency. The Community Safety Officer should determine whether any other agency is already engaged in seeking a resolution to the reported problems.

This should be done by checking the E Cins case management system and where no appropriate record is already in existence such a record should be created. Where a record of the complaint already exists then a report should be added to the case detailing what has been said by the complainant and any advice which has been offered.

In line with the County Anti-Social Behaviour Strategy Group determination, E Cins shall be the case management platform for recording and managing cases of anti-social behaviour. This will enable real time information sharing across a broad range of local and county level agencies that may be involved with the case.

Any partnership agency is encouraged to bring serious or complex cases into the Anti-Social Behaviour Action Group where such cases can be monitored and appropriate multi-agency actions be requested and tasked.

An Information Sharing Protocol exists to enable partners to share confidential and sensitive personal data appropriately within this meeting.

Should an initial call of anti-social behaviour be received through the call centre, and there is no member of the Community Safety Partnership team available to take the call, the call handler should refer to the call script relevant to the issue being reported and then pass on the complaint to the Community Safety Partnership team.

In dealing with any report of anti-social behaviour a risk assessment should be undertaken if one has not already been completed by a partnership agency. This risk assessment forms part of the E Cins case management system.

## **6. Implementation and Communication**

Managers are responsible for communicating this policy and procedures to relevant employees at team meetings at appropriate intervals. This policy and procedure is available on DAVNET.

## **7. Training and Awareness**

Regular communication, training and awareness are important to ensure that all relevant employees understand our commitment to reducing anti-social behaviour and understand their responsibilities and role in the process. It is the responsibility of managers to ensure that all Council employees are aware of their responsibilities as enshrined in the Crime and Disorder Act.

## **8. Monitoring, Review and Evaluation**

This policy will be monitored and reviewed every three years by the Community Partnerships Manager, taking into consideration legislative changes and developments in good practice, to ensure it meets the needs of the Councils, all employees, and members of the public. Any changes to the policy will be in consultation with the appropriate bodies.

Any employee who wishes to make comments or suggestions about the development of the policy can do so by contacting the Community Partnerships Manager.

# **Anti-social behaviour Procedures**

## **1. Timescales**

As reports of anti-social behaviour vary in complexity and seriousness, it is not possible to outline timescales regarding outcomes and resolutions but as a point of principle it is recognised that early resolution will in most cases prevent escalation and result in the greatest level of customer satisfaction.

In seeking to achieve this resolution a broad range of tactical, legal and informal interventions should be considered these considerations will vary on a case by case basis.

## **2. Community Trigger**

Where the locally agreed threshold is met (at least three complaints in the previous six months), victims (or a person acting on behalf of the victim) are able to request a review of their case, prompting the relevant bodies and responsible authorities to come together in a joined up, problem-solving approach to find a solution.

All partners that deal with reports of anti-social behaviour need to ensure that they are doing appropriate and agreed risk assessments for victims from their initial complaint.

Assessing the level of response required at this stage should prevent the community trigger from needing to be used. We have developed a locally agreed Community Trigger process for Northamptonshire which can be found in Appendix B.

## **3. Dealing with Witnesses**

Where a case is likely to proceed to court witness statement should be sought if complainants have witnessed the anti-social behaviour incident(s). Diary sheets shall be issued to witnesses for ongoing cases where appropriate by the relevant lead agency.

Witnesses should be informed that they will be required to attend court to give evidence, should the matter proceed to that stage.

Where witnesses are reluctant to provide evidence due to fear of intimidation or violence, a professional witness service and other evidence gathering processes should be considered.

In appropriate cases the services of VOICE should be considered where such support for witnesses is available.

## **4. Taking Action**

The Community Safety Officer will work with the various statutory and other lead agencies to ensure that appropriate action is taken against any alleged perpetrators.

Where appropriate the advice of the Legal Services department will be obtained to evaluate any evidence which exists.

## **5. Support for Complainants and Perpetrators**

If the perpetrator or complainant is known to have any vulnerability such as mental health or has drug or alcohol issues, contact shall be made with the relevant support agency by the lead agency. Such referrals should be added to the E Cins case log for the information of relevant partners and to provide an audit trail of interventions.

Throughout the evidence gathering process the case progress should be monitored in the Anti-Social Behaviour Action Group meeting and the relevant case kept updated on E Cins.

## **6. Court Proceedings**

Attendance at court can be seen as stressful occasion for witnesses. If the complainant agrees to give evidence at court, every effort will be made to support them and any other witnesses by the relevant lead agency and other services such as VOICE.

## **7. Conclusion of Case**

Following the investigation of a complaint, the complainant should be informed of the outcome of the investigation.

This should be communicated to the complainant by the relevant lead agency and a record added to the E Cins case confirming this. At this point the case will also be discharged from the Anti-Social Behaviour Action Group meeting if relevant.

If the complainant is not satisfied with the closure of their case or how their case has been managed and a resolution cannot be reached, they shall be advised of the Lead agencies complaints procedure and dealt with accordingly.