Housing Services

Anti Social Behaviour Strategy
2010 - 2015

RESPECT STANDARD FOR HOUSING MANAGEMENT
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FOREWORD

I am pleased to introduce Housing Services’ third Anti Social Behaviour Strategy. Anti social behaviour can cause acute distress to those whose lives are affected by it and Housing Services takes this issue very seriously. As a social landlord, we know that providing a quality housing service goes beyond making sure that our properties are in good condition and that failing to tackle anti social behaviour can have a significant impact on communities.

Addressing the problem of anti social behaviour has been identified as a key priority for our tenants and leaseholders and we have used the findings of consultation with them as the focus of our strategy and worked with members of our Tenants Panel in developing this document.

Over the last seven years, since the introduction of our first Anti Social Behaviour Strategy, we have put in place a range of measures to tackle this problem and this strategy builds on these foundations. It also illustrates our ongoing commitment to tackle anti social behaviour and to ensuring that, with our partners, we provide a co-ordinated and comprehensive approach.

Signed………………………………………………………………. Date…………………
Housing Portfolio Holder

Signed……………………………………………………………….Date……………………
Head of Housing Services

Signed……………………………………………………………….Date……………………
Chair of Tenants Panel
INTRODUCTION

In order to provide a quality housing service, we recognise that we must be effective in tackling antisocial behaviour and addressing the problems it creates. Anti social behaviour can be a destructive force within communities and the lives of significant numbers of our tenants, lessees and their families are blighted by the behaviour of an unreasonable minority. Anti social behaviour can also damage the sustainability of communities and adversely affect our ability to let our properties.

Anti social behaviour also creates an avoidable and unacceptable drain on staff and financial resources that could be channelled towards providing more beneficial services and improvements to our properties and their local environment.

This type of behaviour will not be tolerated and we will tackle it through a variety of approaches and interventions, including giving support to those perpetrators who are willing to change their behaviour.

Purpose of this strategy

This strategy seeks to:

- Identify our aims and objectives in relation to tackling anti social behaviour
- Identify the actions required to meet these aims and objectives
- Set out mechanisms for monitoring and reviewing our performance

This strategy is central to our approach to maintain and enhance the quality of life for our tenants and leaseholders and it builds upon the substantial work already undertaken by Housing Services in tackling this issue over the course of the previous two strategies.

There is also strong support from individual tenants and lessees for the Council continuing to take effective measures to tackle antisocial behaviour and this topic is high on the agenda of representative groups such as the Tenants Panel and residents’ associations.

Equalities statement

In delivering this strategy, we will treat all of our customers fairly and will not unfairly or unlawfully discriminate against any person in any way on the grounds of race, colour, ethnic origin, nationality, gender, sexual orientation, disability, age, religious, political or other belief or status.

What is anti social behaviour?

Although there is currently no single legal definition of what constitutes antisocial behaviour, it is broadly agreed as ‘Behaviour, which impacts negatively on resident’s quality of life in and around their homes’, which can include anything from low level, persistent nuisance to serious violence and other criminal behaviour.

We accept that everyone has the right to lead different lifestyles providing they do not impinge upon their neighbours or cause a general or specific nuisance to others.
For the purpose of this strategy, antisocial behaviour is defined as:

- Conduct which:
  - Is capable of causing nuisance or annoyance to any person; and
  - Directly or indirectly relates to or affects housing management functions of a relevant landlord; or
  - Consists of or involves using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose. (Anti-social Behaviour Act 2003)

- Any conduct (including speech) that causes, or is likely to cause, alarm or distress to one or more persons not of the same household (Crime & Disorder Act 1988).

- Unlawful interference with a person’s use or enjoyment of their land or property, or with their health, comfort or convenience (private nuisance).

- Any act or omission which is a statutory nuisance as defined in the Environmental Protection Act 1990 (statutory nuisance).

- Violence which may be verbal or physical and which includes attacks on property as well as on the person, suffered by individuals or groups because of their colour, race, nationality, ethnic or national origins when the victim believes that the perpetrator was acting on racial grounds and/or there is evidence of racism (racial harassment).

- Deliberate interference with the peace, comfort or safety of any person on grounds of race, colour, religion, sex, sexual preference, disability, ill health or age including incidents of graffiti, damage to property, abuse, threats or physical attacks (harassment).

- Behaviour which impacts negatively on residents’ quality of life in and around their homes.

Examples of anti social behaviour include:

- Noise nuisance
- Vandalism and graffiti
- Intimidation and harassment
- Racial harassment and other hate behaviours that targets members of identified groups because of their perceived differences
- Abandoned vehicles
- Using our properties to sell drugs or for any other illegal purpose
- Littering and flytipping
- Untidy gardens

This list is not exhaustive and other types of behaviour may be classed as anti social and trigger enforcement action by us or another agency.
Tenants and leaseholders obligations

This strategy aims to ensure that residents are able to enjoy their homes without interference or disturbance from anyone else. However, we also expect that our tenants and leaseholders will behave responsibly and reasonably towards their neighbours.

Tenants

The obligations of tenants in respect to anti social behaviour are set out in the Council’s revised tenancy agreement that now refers to secure and introductory tenants and is due to be introduced later this year, following further statutory consultation with tenants. These provisions are as follows:

a) You are responsible for the behaviour of all people, including children, who live in or visit the property. You will be responsible for them in the property, in communal areas (stairs, entrance halls, gardens and parking areas) and in the locality (play areas, streets, community buildings and facilities and all other council estates in Tendring).

b) You must not cause – or allow anyone living with you or visiting you to cause, or to act in a way likely to cause – a nuisance, annoyance or disturbance to anyone.

c) You must comply with any Council notices that prohibit certain activities, for example playing of ball games or allowing dogs to foul.

These specific requirements relating to anti social behaviour are also complimented by a range of other conditions that prohibit or require certain behaviour.

The tenancy agreement is a legally binding contract between the Council and its tenant and we will take all reasonable steps to ensure that it is complied with, including the provision of detailed information about what is and what is not acceptable behaviour at the time the tenancy is first entered into.

The tenancy agreement also specifically prohibits tenants, or anyone acting on their behalf from using or threatening violence against any employee or representative of the Council.

Council Leaseholders

All Council leaseholders are bound by the covenants in their lease agreement. These prohibit causing a nuisance to neighbours and using the property in any illegal or immoral way.

STRATEGIC OBJECTIVES

Housing Services' previous Anti Social Behaviour Strategies have been based on the objectives of Prevention, Enforcement and Community Involvement.

However, during the review and development of this strategy, a comprehensive self assessment was carried out against the commitments in the Respect Standard for Housing Management. This standard forms part of the Government’s Respect agenda, which is a cross government strategy to tackle anti social behaviour and its causes. The standard for housing management is specifically aimed at social landlords to assist them in tackling anti social behaviour in their areas of operation and it is built around six core commitments ensuring that a balanced approach to this problem is taken.
The comprehensive self assessment undertaken together with members of our Tenants Panel culminated in Housing Services signing up to the standard in December 2009 and the revision of this strategy has been based upon the six core commitments of this standard as set out below.

**Accountability, leadership and commitment**

We will make a commitment to the community so that everyone is clear we take issues of anti social behaviour seriously.

**Empowering and reassuring residents**

We will involve our tenants and other stakeholders in the decisions that we make so that we are working in partnership to solve issues relating to anti social behaviour. We will also seek to communicate effectively with our tenants and leaseholders as a means of reassuring them.

**Prevention and early intervention**

We will do all we can to try and prevent anti social behaviour from happening.

**Tailored services for residents and provision of support for victims and witnesses**

We will do our best to deal sensitively with everyone who reports anti social behaviour and will treat each case individually. The support of witnesses to provide evidence of anti social behaviour enables us to take more effective action.

**Protecting communities through swift enforcement**

We have a wide range of powers and actions available to us to tackle anti social behaviour and will use these promptly to protect communities.

**Support to tackle the causes of anti social behaviour**

If we provide support to people who are acting in an anti social manner we can put a stop to their behaviour by tackling the underlying causes.

**GUIDING PRINCIPLES AND POLICY STATEMENT**

To achieve these objectives, we will

- Treat the needs, protection and support of victims and witnesses as paramount whilst at the same time being aware that the perpetrators of anti social behaviour, especially the young and vulnerable, may also require help.

- Work in partnership with our tenants, leaseholders, other stakeholders and external agencies.

- Include measures to prevent and deter antisocial behaviour in other housing policies and strategies.

- Ensure that our measures to combat antisocial behaviour will link with and contribute to, the Council's corporate plans and strategies, especially those aimed at tackling crime and antisocial behaviour.
Use all reasonable measures that are available to us as a landlord to tackle antisocial behaviour involving our tenants and others where their behaviour adversely impacts on Council housing or estates.

Make contributing to tackling antisocial behaviour a key objective for each relevant section of the housing service.

Aim to prevent crime and antisocial behaviour from occurring rather than relying on enforcement.

Facilitate a holistic multi-agency approach to tackling antisocial behaviour.

Take enforcement action that is proportionate to the seriousness of the antisocial behaviour that is encountered and recognise and uphold the Human Rights Act, Disability Discrimination Act, Children Act and Race Relations Act in relation to victims and perpetrators.

Seek to identify and respect issues of equality and diversity and recognise groups and individuals with different or special needs.

Where the victim believes that the antisocial behaviour was racially motivated, follow the “Code of Practice for Social Landlords in Tackling Racial Harassment”.

Aim to intervene early in cases of antisocial behaviour and apply persuasive measures before formal or legal enforcement action is instigated.

Acknowledge that our primary role is to provide good quality, decent and affordable housing and, in view of this, we will use eviction as a measure of last resort.

Regularly monitor and publish details of our performance and review this strategy to incorporate changes to legislation or new powers made available to social landlord

Review and publish our procedures for tackling anti social behaviour

Comply with the Respect Standard for Housing Management

Comply with the Housing and Regeneration Act 2008 through the regulatory framework of the Tenant Services Authority

ANTISOCIAL BEHAVIOUR IN CONTEXT

National legislative context

In recent years, central Government has created a comprehensive framework of legislation designed to tackle anti social behaviour, some of which is specific to social landlords, aiming at equipping them with greater powers.

Anti social behaviour legislation:

Crime and Disorder Act 1998

This legislation introduced a statutory framework for addressing community safety through multi agency Crime and Disorder Partnerships. The Act also introduced Anti Social Behaviour Orders as well as powers to prevent children becoming involved in criminal or anti social activity.
Anti Social Behaviour Act 2003

This legislation broadened the powers and duties of social landlords by requiring them to publish their policies and procedures on anti social behaviour. It also extended the type of injunctions available to landlords and required courts to take better account of the ongoing impact of anti social behaviour on victims, witnesses and the wider community when dealing with applications for possession.

Housing legislation

Housing Acts 1985 and 1996

These acts created new grounds for obtaining possession against anti social tenants responsible for nuisance or annoyance to others in the locality. The 1996 act also introduced an additional ground for possession against tenants convicted of an arrestable offence in the locality of the dwelling house and gave the power for social landlords to establish introductory tenancy schemes and to restrict the rehousing opportunities for people with a proven record of anti social activity.

Homelessness Act 2002

This places a duty on the Council and its partners to work together to prevent homelessness and it also sets out how those with a proven history of anti social behaviour may be treated less favourable if they then apply for council accommodation.

Housing Act 2004

This provided landlords with additional tools to tackle anti social behaviour by allowing them to extend introductory tenancies and withhold consent for secure tenants to mutually exchange. It also allowed landlords to suspend its obligations to complete a right to buy sale.

Housing and Regeneration Act 2008

This act creates a new Family Intervention Tenancy. This tenancy has no security of tenure and can be granted to a new tenant against whom a possession order has been granted on grounds of nuisance or anti social behaviour at their previous address. Termination of the FIT can be done by NTQ where the tenant is offered an internal review.

Other legislation:

In addition to the above specific legislation, there are a number of other acts that impact upon the approach to dealing with ASB

- Children’s Act 1989
- Protection from Harassment Act 1997
- Race Relations Act 1976 and the Race Relations (Amendment ) Act 2000
- Disability Discrimination Act 1995
- Human Rights Act 1998
- Data Protection Act and Freedom of Information Act 2000
- Environmental Protection Act 1990 and Noise and Statutory Nuisance Act 1993
- Police Reform Act 2002

**Regulatory and policy framework**

**Respect Agenda**

In 2006, the Government launched its Respect agenda which aimed to build upon existing legislation and previous initiatives to tackle anti social behaviour and its causes. The accompanying Respect Action Plan stated the key goal ‘to empower individuals and communities, enabling them not to just to feel secure but to be more able to act together to make their neighbourhood safer and better’.

As part of this initiative, a Respect Standard for Housing Management was introduced, aimed at social landlords to recognise landlords who provide a good service and to give landlords who are trying to improve something to aim for.

This standard comprises the following six core commitments:

- Accountability, leadership and commitment
- Empowering and reassuring residents
- Prevention and early intervention
- Tailored services for residents and provision of support for victims and witnesses
- Protecting communities by swift enforcement
- Support to tackle the causes of anti social behaviour

Following a detailed self assessment against these commitments, we signed up to this standard in 2009 and have used these as the foundations for this strategy.

**Tenant Services Authority regulatory standards**

From April 2010, the Tenant Services Authority took over the regulation of all social housing in England.

The Tenant Services Authority has introduced six national standards which form the centrepiece of their new regulatory regime. Each standard describes the outcomes that the TSA want to see delivered and the specific requirements that they expect all providers to comply with.

The standards are as follows:

- Tenant involvement and empowerment standard
- Home standard
- Tenancy standard
- Neighbourhood and community standard
- Value for money standard
Governance and financial viability standard

With the exception of the Governance and financial viability standard, all of these standards will apply to all housing providers.

Where registered housing providers fail to meet the required standards and consequently fail to show any improvement they will face formal enforcement action from the Tenant Services Authority. This action ranges from the issue of penalty fines to directing a transfer of management.

The Neighbourhood and Community Standard covers the issue of anti social behaviour and this states that ‘Registered providers must work in partnership with other agencies to prevent and tackle anti social behaviour in the neighbourhoods where they own homes’ The specific expectations in relation to anti social behaviour are:

- Registered providers shall publish a policy on how they work with relevant partners to prevent and tackle anti social behaviour in areas where they own properties.

- In their work to prevent and address anti social behaviour, registered providers shall demonstrate:
  - That tenants are made aware of their responsibilities and rights in relation to anti social behaviour
  - Strong leadership, commitment and accountability on preventing and tackling anti social behaviour that reflects a shared understanding with other local agencies
  - A strong focus exists on preventative measures tailored towards the needs of tenants and their families
  - Prompt, appropriate and decisive action is taken to deal with anti social behaviour before it escalates, which focuses on resolving the problem having regard to the full range of tools and legal powers available
  - All tenants and residents can easily report anti social behaviour, are kept informed about the status of their case where responsibility rests with the organisation and are appropriately signposted where it does not
  - Provision of support to victims and witnesses

The cross cutting Tenant Involvement and Empowerment Standard also states that, by no later than 1 April 2011, registered providers will have established local standards or ‘offers’ in relation to anti social behaviour where tenants want them. Local offers should include commitments on standards for performance, how performance will be monitored and reported, how tenants will be involved in scrutinising performance, what will happen if local standards are not met and what the arrangements for the review of these standards will be.

Whereas the adoption of the Respect Standard for Housing Management had previously been voluntary, the Government has announced that a revised Respect Standard, due to be published later this year, will be binding on all social landlords.
Community Safety Partnerships Minimum Standards

All CSPs have been challenged to set, publicise and monitor progress against minimum standards on anti social behaviour and these will be taken into account when determining local offers with our tenants in respect of anti social behaviour.

Inspection and Comprehensive Area Assessment

The Tenant Services Authority and the Audit Commission will be working closely together to ensure that registered housing providers deliver and effective anti social behaviour service that meets tenants' needs and expectations as well as the requirements of national and local standards relating to anti social behaviour. Where the regulator identifies poor performance or has cause for concern in relation to the delivery of this service, the Audit Commission can be requested to carry out either a short notice or full inspection of the landlord.

As a registered housing provider, the Council will not only be assessed on an individual organisational basis but is also collectively accountable, with its partners, to achieving local priorities across the local area that are assessed as part of the Comprehensive Area Assessment.

There are 8 indicators in the current performance framework that are relevant to anti social behaviour and these are largely based on levels of perception and understanding of anti social behaviour and satisfaction with services that aim to tackle and reduce ASB. These are as follows:

- Perception of anti social behaviour
- Dealing with local concerns about anti social behaviour and crime by the council and the police
- Perception of parents taking responsibility for the behaviour of their children in the area
- Satisfaction with the way the police and the local council dealt with anti social behaviour
- Satisfaction of different groups with the way the police and the local council dealt with anti social behaviour
- Understanding of local concerns about anti social behaviour and crime by the police and the local council
- Perceptions of drunk or rowdy behaviour as a problem
- Perceptions of drug use or dealing as a problem

Although the remit of this strategy is limited to tackling anti social behaviour within council owned properties and estates it will impact upon residents perceptions in relation to these indicators.

Local context

To achieve success it is essential that Housing Services’ Antisocial Behaviour Strategy is not viewed or operated in isolation. Measures to combat antisocial behaviour must link with and contribute to the Council’s corporate and community priorities and other Housing Services’ strategies, policies and practices.
Corporate Plan

The Tendring Life Corporate Plan 2010-2016 sets out the Council's long term aims to shape and develop Tendring with the vision that by 2016 Tendring will be a vibrant, healthy and attractive place to live, work and visit.

This plan contains priorities themed under the headings of Our Prosperity, Our People and Our Place and relevant to this strategy is the action to ‘Remain a low crime area and reduce the fear of crime’

Sustainable Communities Strategy

The Sustainable Communities Strategy looks ahead to what the district could be like in 2016 through the actions of the key organisations represented on the Local Strategic Partnership.

This strategy contains six strategic themes, each underpinned by a number of objectives, and the ones relevant to this strategy is as follows:

Keeping the District one of the safest parts of the country

- Tackling both the incidence and causes of crime to protect the public
- Dealing with hotspots and persistent offenders
- Reduce fear of crime
- Preventing young people becoming victims of crime
- Tackling alcohol and drug abuse and anti social behaviour
- Taking a neighbourhood approach
- Engaging with the community to gather intelligence

Tendring Crime and Disorder Reduction Partnership

The Tendring CDRP has identified 3 key strategic themes to reduce crime and the fear of crime in the District and to improve community safety.

These are:

- Reducing the incidence of anti-social behaviour and increase public reassurance;
- Reducing the level of volume crime (including vehicle crime, criminal damage, domestic burglary and violent crime and arson);
- Reducing alcohol and drug misuse within the community.

Tendring District Council’s Children and Young People Strategy

One of the strategic themes included in this document is to ‘Reduce crime and disorder committed against and by young people’

Housing Strategy
The Council’s current Housing Strategy contains a strategic objective to tackle anti social behaviour and the fear and incidence of crime.

The Housing Anti Social Behaviour Strategy aims to contribute towards all of these objectives in relation to the Council’s housing stock and estates.

**WORKING IN PARTNERSHIP**

Working in partnership is essential if anti social behaviour is going to be tackled effectively and the Respect Standard for Housing Management strongly emphasises the need for this.

As well as this strategy linking to other corporate strategies and plans, we have taken steps to ensure that we are proactively involved in partnerships that help us to tackle anti social behaviour and its causes via a multi agency approach.

**Involving tenants and leaseholders**

We are committed to involving our tenants and leaseholders in the delivery of our services and have established a range of ways to facilitate their involvement that are reviewed annually.

The main involvement mechanism is our Tenants Panel and they have contributed to, agreed and monitored performance in relation to the previous two Anti Social Behaviour Strategies. Prior to the review of this strategy, the Tenants Panel elected a number of representatives to form the Anti Social Behaviour Sub Group whose members have had a significant role in the development of this strategy and the self assessment carried out in relation to the Respect Standard for Housing Management.

In addition to the role and involvement of the Tenants Panel, we carry out the required STATUS survey every two years and have carried out during the course of each previous strategy a dedicated crime and anti social behaviour survey. Surveys are also sent to all tenants ending council tenancies to establish their reasons for this as well as to all who report complaints of anti social behaviour to assess their satisfaction with the service provided. We use the findings from all of these feedback mechanisms to shape and improve our service and to identify any trends.

**Other partners to the Strategy**

As well as working closely with tenants and leaseholders, we are also committed to working in partnership with other stakeholders and recognise that this is essential if anti social behaviour is going to be tackled effectively. The Respect Standard for Housing Management also highlights the need for partnership working. By working together we can achieve more and reinforce the message that anti social behaviour is taken seriously and that action will be taken to tackle this. Partnership working takes place at an individual case level as well as at operational and strategic levels.

Our key partners include other Council departments, such as Environmental Services and external agencies such as the Police, Fire & Rescue Service, Social Services, NHS Mental Health Team, Education Welfare Service, Essex Racial Equality Council, Victim Support and with other social landlords within the District.

To assist the arrangements for working in partnership, we have:

- Identified and agreed partners from within other Council departments, engaged in consultation about how best to utilise their services and expertise and where appropriate agreed protocols on joint working and service level agreements.
Identified and agreed external partners, engaged in consultation and agreed protocols on joint working including entering a data sharing protocol with Essex Police and other social landlords under the umbrella of the Crime and Disorder Reduction Partnership.

Held joint training sessions and workshops attended by officers, tenant representatives with other partners and agencies such as the Police, other social landlords, Victim Support and the Essex Racial Equality Council.

Worked with other social landlords and agencies through membership of the Crime and Disorder Reduction Partnership and its sub group the Tendring Anti Social Behaviour Management Group.

Agreed a protocol with the Anti-social Behaviour Co-ordinator for processing complaints about nuisance and anti-social behaviour received by the Home Office “It's your call” antisocial behaviour reporting line.

**ANTI SOCIAL BEHAVIOUR IN TENDRING**

Our Estates Management team, who are primarily responsible for dealing with complaints of anti social behaviour record all incidents of anti social behaviour that are reported to them. These are recorded in four categories according to the seriousness of the complaint and the types of complaints recorded over the last three years are as follows:

<table>
<thead>
<tr>
<th>Category of complaint</th>
<th>2006/7</th>
<th>2007/8</th>
<th>2008/9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Serious behaviour where there is considered to be an immediate threat of violence or major disorder</td>
<td>0</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Behaviour of a serious nature affecting more than one property or having serious impact on an individual tenant</td>
<td>9</td>
<td>1</td>
<td>11</td>
</tr>
<tr>
<td>Less serious behaviour amounting to neighbour or general nuisance</td>
<td>558</td>
<td>534</td>
<td>566</td>
</tr>
<tr>
<td>Other less serious behaviour or minor breaches of the tenancy agreement</td>
<td>441</td>
<td>407</td>
<td>455</td>
</tr>
<tr>
<td>Incidents where the victim believes it was racially motivated or where there was evidence of racism</td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1009</td>
<td>947</td>
<td>1036</td>
</tr>
</tbody>
</table>

In 2008/9, Housing Services carried out the mandatory STATUS survey amongst all of its tenants living in general needs housing. The same survey was also carried out with residents of sheltered housing, although the responses to this survey were not required to be submitted for the purposes of informing the National Indicator relating to overall tenant satisfaction.

Generally, the survey of general needs tenants revealed that satisfaction with the area is high, with 82% of tenants stating that they are very or fairly satisfied with their neighbourhood as a place to live.

Respondents were also asked to rate how serious they thought a range of problems were in their area. This showed that rubbish and litter and car parking were the most widespread problems, with 28% of respondents respectively saying that these were a very big or fairly big
problem. Disruptive children and noisy neighbours were the next highest reported problems, with 22% of respondents and 20% respectively stating that this was a very or fairly big problem.

The responses to this question are illustrated in the graph below:

Problems in neighbourhood

![Graph showing problems in the neighborhood]

Of those responding to the survey, only 15% said that they have reported any complaints of anti-social behaviour in the 12 months prior to the survey.

As well as the information gained from the STATUS survey in 2007/8 we carried out a second comprehensive crime and anti-social behaviour survey to ascertain both the incidence of and perception of crime and anti-social behaviour. The findings from this and comparative information from the survey carried out in 2003/4 are set out below:

Safety in the daytime

Respondents were asked ‘How safe do you feel walking around your local area alone in the daytime?’. 81% said that they felt very or fairly safe, with only 6% saying that they felt fairly or very unsafe. 7% said that they never go out alone.
Safety after dark

Respondents were then asked ‘How safe do you feel walking around your local area alone after dark?’. 37% said that they felt very or fairly safe and 19% said that they felt fairly or very unsafe. 33% said that they never go out alone.

Fear of crime

To gauge the perception of crime and anti social behaviour, respondents were asked which, if any, of a given list of crimes did they fear would happen to them in their local area in the next year and which, of these, were they most worried about. The three crimes that the highest number of respondents said that they were worried about were damage to their property (home or car), their home being burgled or broken into and bogus callers. These were the same as in the 2003/4 survey although the order of these items did vary from this survey.

However, in the 2007/8 survey the same percentage of respondents that said that they were worried about bogus callers also said that they were not worried about any of these crimes.

Burglary was the crime that the highest number of respondents said that they were most worried would happen to them in the next 12 months.
Incidence of crime

To assess the actual incidence rather than the fear or perception of crime, respondents were asked to state how many times, if any, they had been a victim of a range of crimes in the last 12 months. The majority of respondents, 87% indicated that they had not been a victim of any of the crimes listed. However, 6% said that they had once been a victim of one of these crimes, 4% responded 2 or 3 times and 3%, 4 or more times.

Damage to property and anti social behaviour were the two incidents that the highest number of respondents said that they had been the victim of.

Within the lifetime of this strategy, we are proposing to repeat the survey of the full tenant and leaseholder base to update information about the current incidence of crime and disorder and the fear of crime within the broader housing stock. The results of the new survey will also serve as a measure against which the Housing Service can judge its past performance in tackling anti-social behaviour compared to the benchmark data obtained in the previous tenant crime and disorder surveys carried out in 2007/08 and 2003/4 during the lifespan of each previous strategy.

HOW DO WE DEAL WITH COMPLAINTS OF ANTI SOCIAL BEHAVIOUR?

We aim to improve the safety, environment and living conditions of our tenants and leaseholders and their families and the communities in which they live, by combating antisocial behaviour and racial harassment and implementing measures that address the causes of anti social behaviour and the problems it creates.

To do this, we will…

♦ Interview or visit all new tenants to make sure that they understand the conditions of their tenancy agreement that relate to the care of their home and the behaviour of themselves, their family or visitors to their property.
♦ Treat complainants sympathetically, take all complaints seriously and in the first instance always assume that the complaint is justifiable.
♦ Treat any complaint in a confidential manner, and keep any information provided confidential unless consent is obtained to do otherwise.
♦ Acknowledge and respond to complaints in writing within 10 working days (or in appropriate cases by telephone within 24 hours or e mail within 5 working days), and provide a unique reference number, which will be used to identify the complaint in any correspondence throughout the investigation.
♦ If a complaint requires a personal visit by an officer we will respond in accordance with the following priorities and time scales:
  ♦ For serious behaviour where there is considered to be an immediate threat of violence or major disorder – Within 1 working day.
  ♦ For behaviour of a serious nature affecting more than one other property or having serious impact upon an individual tenant – within 7 working days.
  ♦ For less serious behaviour amounting to neighbour or general nuisance – within 14 working days.
For other less serious behaviour or minor breaches of the tenancy agreement that require officer intervention – within 21 working days.

- Clearly inform complainants how we intend to deal with their complaint and tell them of the measures that are available to resolve their complaint and provide a realistic expectation of the likely outcome.
- Keep complainants fully informed of progress at appropriate stages in the investigation and on completion, or advise them if no further action can be taken.
- Be sensitive and supportive and offer assistance to complainants who act as witnesses.
- In appropriate cases seek reconciliation by offering independent mediation.
- Provide complainants with an opportunity to comment on the action taken to resolve their complaint and the outcome.
- Follow the Code of Practice for Social Landlords on Tackling Racial Harassment.

We also request that those reporting anti social behaviour comply with the following:

- Not retaliating to any incident of antisocial behaviour to which they may be subjected.
- Keep an accurate record of the date, time, nature and consequences of any incident including the names of any witnesses.
- Report crime, serious antisocial behaviour or vandalism to the Police at the time it is occurring or discovered, or as soon as possible and obtain an incident number.
- Follow any advice that is given.
- Act as a witness, if necessary, in any legal action that we take.
- Let us know if we fail to meet any of our standards.

Satisfaction with service provided

The STATUS survey carried out in 2008/9 also included, for the first time, questions relating to how complaints of anti social behaviour are dealt with. The 15% of respondents who said that they had reported a complaint of anti social behaviour in the 12 months prior to the survey were asked to answer a series of questions about the quality of service provided.

The majority of tenants reporting anti social behaviour found that getting hold of the right person was easy, 65% with 20% finding it difficult. Once staff had been contacted, 70% of tenants found our staff to be helpful, with 13% saying that they were unhelpful. 51% of respondents stated that staff were also able to deal with their problems.

Respondents were also asked to rate their satisfaction with various aspects of the service provided once they had reported a complaint of anti social behaviour and the results are set out below:
We aim to use this information to improve the service we provide but it is sometimes difficult to meet the expectations of those who report anti social behaviour to us both about the action that is available to us and the length of time that this may take.

ENFORCEMENT AND INTERVENTION OPTIONS TO TACKLE ANTI SOCIAL BEHAVIOUR

Due to the high profile of anti social behaviour at a national level, there are a range of tools and powers available to social landlords to deal with anti social behaviour. Legislation has been enacted specifically to provide landlords with the powers, either individually, or in partnership with other agencies, primarily the Police, to combat crime and disorder that occurs within their stock and to tackle wider issues of nuisance and anti-social behaviour.

A summary of the tools and powers that are currently available is given below:

- Access to housing lists: exclusions and ineligibility
- Acceptable Behaviour Contracts
- Anti Social Behaviour Orders
- Demotion Orders
- Drug Intervention Orders
- Family Intervention Projects
- Individual Support Orders
- Injunctions for anti social behaviour
- Introductory tenancies
- Mediation
- Mutual exchange refusal
- Parenting contracts
- Possession proceedings and eviction
- Suspension of the Right to Buy
- Tenancy agreement and terms

Our approach is to use the more formal enforcement measures, particularly possession proceedings, as tools of last resort in circumstances where other measures have been exhausted or where the situation is so serious that an immediate response is required.

In addition to the action that we can take, the Council's Environmental Service has powers to take action in respect of noise nuisance and flytipping and we will refer appropriate cases to them for enforcement action to be taken.

Where appropriate and in consultation with the Tenants Panel, approval will be sought from the Housing Portfolio Holder to introduce revised policies enabling the swift implementation of any additional powers or measures made available to social landlords by future legislation.

A guiding principle of this strategy will be to consider the use of all reasonable measures available to landlords to combat antisocial behaviour. However, this aim will need to be tempered by using only those measures, especially enforcement action, that are proportionate to both the extent and seriousness of the antisocial behaviour and that as a small housing authority the Council can afford to resource.

Constraints on financial and staffing resources and the size of the Council's housing stock will not permit unbridled use of all the measures, all of the time. This approach accepts that because of limited staffing and financial resources there may be occasions when the full range of measures available will not be able to be used.
# PRIORITIES FOR ACTION

## Strategic priority one: Accountability, leadership and commitment

We will make a commitment to the community so that everyone is clear we take issues of anti social behaviour seriously

### Achievements to date:

- Housing Services have had an Anti Social Behaviour Strategy in place since 2003 that contains clear strategic objectives and associated targets that were developed in consultation with tenants, leaseholders and representatives from other agencies.
- Dedicated budget established in the Housing Revenue Account to expend on direct measures to tackle anti social behaviour.
- Robust policy is in place regarding abuse towards staff, members and tenant representatives in delivering their functions and relevant cases have been publicised.
- Dedicated Estates Management team have primary responsibility for responding to complaints of anti social behaviour and there is a clear link between the strategy and other Council and housing strategies and policies.
- Close working relationship with the Community Safety Team and the Tendring Crime and Disorder Reduction Partnership and other agencies employing service delivery protocols.

### Our plans for the future

1.1 Publicise revised Anti Social Behaviour Strategy and adoption of Respect Standard to ensure residents are clear about the standards we have signed up to.

1.2 Agree performance standards with tenant representatives and publicise the outcome.

1.3 Review and agree standard for responding to complaints of anti social behaviour particularly in relation to categories of anti social behaviour and response times.

1.4 Review and agree procedures relating to anti social behaviour in consultation with tenant representatives.

1.5 Confirm status of data sharing protocol with local Police.

1.6 Carry out a further self assessment following publication of the revised Respect Standard for Housing Management.

1.7 Review performance against actions and performance indicators relating to anti social behaviour on a quarterly basis with members of the Anti Social Behaviour Sub Group and tenant scrutiny panel respectively as well as qualitative feedback received through satisfaction surveys (ASB complainants, former tenant and new tenant surveys).
Strategic priority two: Empowering and reassuring residents

We will involve our tenants and other stakeholders in the decision that we make so that we are working in partnership to solve issues relating to anti social behaviour. We will also seek to communicate effectively with our tenants and leaseholders as a means of reassuring them.

Achievements to date:

Production of an annual dedicated anti social behaviour newsletter that publicises the use of enforcement tools, illustrates these through the use of case studies and includes details of how to report anti social behaviour. A feature on anti social behaviour is also included in the annual report sent to all tenants and leaseholders.

Victims come first approach has been adopted and is reflected in operational procedures and publicised for residents

Local Community Award system is in place to recognise residents who have taken a stand against anti social behaviour

Tenants have been involved in setting local priorities through survey feedback and through the ongoing involvement of the Tenants Panel and their representatives elected to have a more detailed involvement in our policy relating to anti social behaviour

Promotion and funding of diversionary projects / activities for children and young people

Our plans for the future

2.1 Carry out a further comprehensive crime and anti social behaviour survey and engage with members of the Tenants Panel in agreeing any required actions

2.2 Instigate a programme of reality checking in relation to grounds maintenance standards, appearance of communal estate areas, standard of communal cleaning, environmental problems and condition of voids property following the provision of prior training for tenant representatives.

2.4 Pilot a Respect your Neighbourhood agreement

2.5 Contribute to relevant multi agency days, events or initiatives

2.6 Revise the procedure for sending out welcome letter and tenant involvement information for new tenants

2.7 Implement a pilot scheme to introduce information points in communal areas of flats
Strategic priority three: Prevention and early intervention

We will do all we can to try and prevent anti social behaviour from happening and will act quickly to tackle it when it does.

Achievements to date:

All tenants are visited or interviewed at the start of their tenancy and provided with a clear explanation of what behaviour is expected of them and what enforcement action will be taken if they do not keep to the terms of their tenancy agreement

Implemented an annual programme of improvement works to prevent / deter anti social behaviour

Revised tenancy agreement includes robust clauses re the responsibilities of tenants and the action that will be taken against them of they break the terms of this agreement.

Case management processes enable most appropriate intervention to be identified and implemented

Review of allocations scheme and emerging choice based lettings scheme have taken anti social behaviour issues into account.

Our plans for the future

3.1 Sustain interest with other agencies into the feasibility of joint funding neighbourhood wardens

3.2 Implement introductory tenancies and revised tenancy agreement and amend procedures accordingly

3.3 Revise the information provided to prospective tenants with specific reference to highlighting the fact that anti social behaviour will not be tolerated

3.4 Make effective use of demoted tenancies

3.5 Review and agree the sign up procedure for new tenants and those transferring from one property to another

3.6 Review of the management and maintenance of garage areas to ensure that these do not become a target for anti social behaviour

3.7 Extend the use of CCTV as part of environmental improvement schemes

3.8 Continue an annual programme of improvement works to prevent and deter anti social behaviour, including the upgrading of communal door entry systems.

3.9 Raise awareness of the issue of illegal subletting and set up a dedicated means for tenants to report this

3.10 Confirm procedure for taking up of references prior to offer of tenancy in relation to choice based lettings.
Strategic priority four: Tailored services for residents and provision of support for victims and witnesses

We will do our best to deal sensitively with everyone who reports anti social behaviour and will treat each case individually. Without the support of our witnesses to provide us with evidence of anti social behaviour we cannot take action.

### Achievements to date:

- Variety of means exist for customers to report anti social behaviour, including a dedicated phone line and email address
- Service standard in place for responding to complaints of anti social behaviour and satisfaction with service provided is monitored through individual feedback forms and via STATUS survey.
- All relevant staff are aware of the procedure to follow when they receive a complaint of anti social behaviour and this is supported by the Council's appraisal system.
- Procedures are in place to ensure that full explanations and support are provided to any witness that has to attend court
- Witness support measures are in place in conjunction with other agencies and regular liaison takes place with the Crime Reduction Officer as and when necessary

### Our plans for the future:

1. Investigate feasibility of receiving reports of anti social behaviour via text messaging
2. Produce information about the tools available to tackle anti social behaviour and the support that is offered to witnesses
3. Review and agree procedures for keeping complainants informed and supported during and at the resolution of their complaint, taking into account good practice guidance in relation to casework management
4. Provide regular joint staff / tenant training on remedies for tackling anti social behaviour
5. Investigate options for the replacement of the existing anti social behaviour recording database and options for recording complainants and perpetrators profile

Strategic priority five: Protecting communities by acting quickly

We will act swiftly to implement effective measures to combat antisocial behaviour when reported by individuals or that affects the wider community.

### Achievements to date:

- Full range of enforcement measures are utilised as appropriate to the severity of the anti social behaviour
- Policy and procedures reflect the fact that eviction is to be used as a measure of last resort and
that other enforcement actions will be taken initially to change behaviour / stop the tenancy breach

Use and outcomes of various enforcement tools are monitored to assess their effectiveness

Service standard and policies specify response times for various categories of anti social behaviour

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**Our plans for the future**

5.1 Implement introductory tenancies as an additional means of enforcement

5.2 Sustain interest with other agencies into the feasibility of joint funding neighbourhood wardens

5.3 Provide information to tenant representatives and the wider tenant population regarding the use and outcome of enforcement measures

5.4 Carry out benchmarking to compare performance with other social landlords

5.5 Investigate requirements for gaining accreditation via Housemark’s ASB accreditation service

5.6 Investigate and evaluate the use of closure orders

5.7 Investigate issues and options for tackling anti social behaviour in our sheltered housing schemes

5.8 Agree with tenant representatives the standards for enforcement action in relation to the contents of internal communal areas

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**Strategic priority six: Support to tackle the causes of anti social behaviour**

If we provide support to people who are acting in an anti social manner we can put a stop to their behaviour by tackling the underlying causes

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**Achievements to date:**

Procedure and referral mechanisms are in place for dealing with vulnerable residents, for example referral to floating support.

Family intervention projects are in operation and referral processes in place

Promotion and funding of diversionary projects / activities for children and young people

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**Our plans for the future**

6.1 Produce information about the support that is available in the district

6.2 Review and strengthen child protection arrangements and awareness amongst Housing staff
6.3 Monitor initiative for providing intensive floating support via partner agency

6.4 Investigate and evaluate the use of Family Intervention Tenancies

POLICIES AND PROCEDURES

To support the implementation of its antisocial behaviour strategy it is a key priority that the Housing Service should regularly review and publish its policies and procedures for responding to, investigating and resolving complaints, of nuisance or antisocial behaviour.

The Antisocial Behaviour Act 2003 also introduced section 218A of the Housing Act 1996 which places a legal duty on Local Authority landlords to carry out this process.

In accordance with these regulations and the ODPM guidance note, “Antisocial Behaviour: Policy and procedure - Code of guidance for local housing authorities and housing action trusts – August 2004” the Council’s Housing Service published its statement and summary of policies and procedures on the dedicated ASB section of the Housing web site in December 2004.

The revised procedures included service standards that relate to the following:

- Providing a variety of straightforward means by which complaints of antisocial behaviour can be submitted and information provided including that relating to racially motivated incidents;
- Setting and publishing standards for categorising, recording and monitoring complaints of antisocial behaviour;
- Setting and publishing response times for appropriate stages of the investigation process and referral for action;
- Standardisation of letters and forms; and compliance with plain language standards;
- An appraisal of measures available for differing types of nuisance or antisocial behaviour and the anticipated time scale thereof;
- Assistance and measures in support of witnesses;
- Target action and out comes.

It is proposed that a review of the policy, procedures and the service provided to tenants reporting nuisance or antisocial behaviour will be carried out to coincide with the implementation of the revised Housing Antisocial Behaviour strategy.

The revised policy, procedures and service standards will be published on the dedicated Housing ASB section of the Council’s Web site and in the dedicated ASB tenant newsletter.

Subsequent reviews will be undertaken every two years or in the intervening period if there are significant changes in legislation or operational procedures. Future reviews will also include investigation into extending the means by which tenants can report antisocial behaviour via the internet and electronic service provision.
DELIVERING THE STRATEGY

Resources

The current staffing resources available to implement the antisocial behaviour strategy rest primarily with the Housing Service but are supplemented by staff in other Council departments who are predominantly specialist in nature, for example Solicitor, Environmental Health Officer, Building Surveyor etc.

The staff in the Housing Service are under the direct control and direction of the Head of Housing Services. Other key staff outside the department are either engaged on a quasi consultant basis (Technical Services, Solicitor etc) or offer services direct to the public which should include and be equally accessible to Council tenants and lessees. Either in-house or external contractors carry out other prime services such as, removal of abandoned vehicles, dog warden and pest control services, cleaning of graffiti, estate and communal cleaning and ground maintenance.

The section that primarily deals with tackling antisocial behaviour within the Housing Service is Estate Management which, consists of the Estate Manager, Senior Estate Officer, two area Estates Officers and an administration assistant.

As well as carrying out investigative, evidence gathering and enforcement duties to tackle antisocial and nuisance behaviour, these housing staff also carry out a full range of other estate and tenancy management duties. Duties include; transfer and termination inspections, signing up new tenants, estate inspections, communal cleaning and risk management administration and inspection, administration of the garage waiting lists, the letting and repair of garages, the administration of non-operational leased assets and property and land management services.

The Council also has a Corporate Community Safety Team. The team is comprised of the Community Safety Manager, Community Safety Officer, an Antisocial Behaviour Co-ordinator and a TenBAC Coordinator (Tendring Business Against Crime). The Community Safety Officer and Antisocial Behaviour Co-ordinator work under the umbrella of the Responsible Authorities Group (RAG), which is part of the Crime and Disorder Reduction Partnership.

The Community Safety team forms a strategic focus for tackling crime and disorder through the Council’s corporate crime reduction and community safety strategies and policies and its statutory membership of the Crime and Disorder Reduction Partnership. The Community Safety team also acts as the link to the Responsible Authorities Group which, is chaired by the Council's Chief Executive.

On a day to day basis the Community Safety Team is a means of information sharing for the Housing Service and enables an additional route for joint working with other external partners and stakeholders, primarily the police. Strategically the Housing Service’s functions in tackling antisocial behaviour within the Council’s own stock and the Housing Antisocial Behaviour Strategy, link with and contribute to, corporate crime reduction measures.

The Council’s Antisocial Behaviour Co-ordinator is an important resource that is available to the Housing Service and provides advice on direct actions such as the implementation of Anti Social Behaviour Orders and enables direct and formal linkages to the Police.

The extent of the staff resource available to implement the antisocial behaviour strategy is constrained by the size of the Council and the number of housing staff justified by the size of the housing stock.
The aim is therefore to implement a strategy that makes best and most efficient use of the existing staff resources and operates within current financial constraints. Also wherever possible, to implement measures to prevent antisocial behaviour from occurring before enforcement becomes necessary.

Provision will also continue to be made from within existing resources to train staff and tenant representatives to ensure that they are fully aware of measures available for tackling antisocial behaviour and good practice carried out elsewhere locally and at governmental level. This process will include continuing membership of benchmarking organisations such as “Housemark”.

**Monitoring, evaluation and reviewing**

We are committed to involving our tenants and tenant representatives in setting measurable targets and monitoring and reviewing our performance in achieving them. We will also ensure that our performance against the targets set is published in a variety of media.

Performance against the key objectives of the Housing Antisocial Behaviour Strategy will be submitted for review on a quarterly basis by members of the Anti Social Behaviour Sub Group and annually for review by the Tenants Panel. Details will also be provided by the dedicated anti social behaviour newsletter that is produced annually for the wider tenant population.

The Tenants Performance and Scrutiny Panel will be responsible for reviewing performance against agreed local performance indicators across the whole range of Housing Services but will involve members of the Anti Social Behaviour Sub Group as appropriate.

In relation to its performance on dealing operationally with complaints of nuisance or antisocial behaviour the Housing Service will identify quantitative data regarding activity and qualitative data, by measuring individual tenant satisfaction in the manner in which complaints about antisocial behaviour have been dealt with and the outcome.

It is recognised however, that good qualitative performance may be more difficult to demonstrate because antisocial behaviour cases are often complex and levels of satisfaction are often subjective and based on the complainant’s expectations, which are not always reasonably achievable in terms of time scale or outcome.

Qualitative performance information will also be obtained through the programme of reality checks and tenant led inspections to be introduced as one of the actions of this strategy.

Performance in tackling antisocial behaviour will be monitored monthly in the Housing Service “Management Information Return” and targets and performance will be included in the Personal Performance plans of individual officers and discussed at annual appraisals. (MDPP)

Performance on combating antisocial behaviour will be measured using the following indicators which were agreed by members of the Tenants Performance and Scrutiny and will be subject to quarterly monitoring by this group

**Qualitative Performance Indicators**

<table>
<thead>
<tr>
<th>Qualitative Performance Indicators</th>
<th>79%</th>
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<tbody>
<tr>
<td>Complaints involving anti social behaviour resolved as a percentage of cases investigated where the officer can demonstrate that the outcome was satisfactory relative to reasonable expectations</td>
<td>79%</td>
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</table>
Tenants responding who are satisfied or better with the way their complaint was dealt with 78%

Percentage of anti social behaviour complainants responded to within agreed maximum timescales by category:

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
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</thead>
<tbody>
<tr>
<td>a) Serious</td>
<td>91%</td>
</tr>
<tr>
<td>b) Affecting more than one property or serious impact</td>
<td>85%</td>
</tr>
<tr>
<td>c) Neighbourhood or general nuisance</td>
<td>80%</td>
</tr>
<tr>
<td>d) Less serious behaviour / minor tenancy breach</td>
<td>80%</td>
</tr>
</tbody>
</table>

Proportion of new tenants visited or interviewed during first 2 weeks of occupation 81%

Quantitative Performance Indicators (Activity Figures)

In addition to the performance indicators listed above, the following information will also be recorded and monitored, subject to review by the Tenant Performance and Scrutiny Panel:

Number of recorded complaints of anti social behaviour by category.

(a) Serious with immediate threat of violence or major disorder
(b) Behaviour affecting more than one other property or serious impact
(c) Behaviour amounting to neighbour or general nuisance
(d) Other less serious behaviour or minor breaches of tenancy requiring officer intervention

Number of cases referred to formal mediation

Injunctive activity

(a) Referred to court
(b) Injunctions obtained

Notice to Quit (stand alone for anti social behaviour or asb linked to rent arrears)

(a) NTQ issued
(b) Referred to Court
(c) Possession obtained
(d) Eviction obtained

Notice of seeking possession for antisocial behaviour or asb inked with rent arrears)

(a) NOSP issued
(b) Referred to Court
(c) Possession obtained
(d) Eviction obtained

Number of Acceptable Behaviour Contracts entered into

Antisocial Behaviour Orders against or involving tenancies

(a) Sought in partnership with the Police
(b) Obtained in partnership with the Police
Number of incidents of antisocial behaviour where victim believes that the perpetrator was acting on racial grounds and/or there was evidence of racism

Abandoned Vehicles
(a) Section 41 Notices issued
(b) Number of vehicles removed

**Additional means of monitoring**

We will also use the information that we receive from the mandatory biannual STATUS survey to monitor our performance in relation to the following:

- Satisfaction with area as a place to live
- Percentage reporting anti social behaviour in the 12 months prior to the survey
- Satisfaction with various aspects of the service we provide, including the advice and support provided, speed with which the complaint was dealt with and the final outcome

We will also use the information we receive from the Crime and Anti Social Behaviour, in consultation with members of our Tenants Panel to identify any actions that we need to take to address issues raised.