



CORPORATE ANTI-SOCIAL BEHAVIOUR POLICY

MARCH 2016

Three Rivers District Council Corporate Anti-Social Behaviour Policy

1. Purpose

Three Rivers District Council recognises that all forms of anti-social behaviour (ASB) can have destructive and negative consequences on peoples lives and is a real concern of people in Three Rivers. The Council is committed to reducing and preventing ASB across the district. One of the Strategic Objectives of the Council is: “to reduce anti-social behaviour and crime” under the aim of “we will work with partners to make the district a safer place”.

This policy sets out:

- The Council’s definition of ASB
- The Council’s aims in responding to ASB
- The Council’s values in relation to ASB
- Responsibilities within the Council for responding to ASB
- Who the policy applies to
- The Council’s approach to responding to ASB
- How the Council will work in partnership to address ASB
- Role of Social Housing Providers
- Role of Hertfordshire Constabulary
- Role of Health and Social Care Services
- Customer engagement for ASB
- The Council’s use of enforcement actions for ASB
- Performance indicators for ASB
- Data protection measures for ASB
- Training commitments for ASB

2. Definition

The Council’s definition of anti-social behaviour is:

“Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person”

(ref: Crime and Policing Act 2014).

Some examples of this behaviour include (but are not limited to):

- Harassment or intimidation
- Verbal or written abuse
- Criminal damage and vandalism
- Neighbour nuisance
- Noise nuisance
- Graffiti
- Nuisance behaviour caused by drinking or substance misuse
- Nuisance from vehicles
- The repair of vehicles on the street for money
- Abandoned vehicles

- Fly tipping
- Litter
- Uncontrolled animals
- Bonfires
- Hate behaviour targeted at individuals or groups on the grounds of race, sexual orientation, religious beliefs, gender reassignment or disability
- Nuisance caused by domestic abuse, health or social care needs.

Anti-social behaviour (ASB) can be difficult to define and there are some types of issues that would not constitute ASB. For instance, some behaviours that individuals perceive as being 'anti-social' are unavoidable and consideration must be given to how to effectively deal with these types of issues to try to secure a positive outcome. The type of issues that may not constitute ASB include:

- Living or domestic noises e.g. a baby crying, ordinary conversation levels through walls, noise from children playing in a garden, everyday domestic activity such as vacuuming, toilets flushing or using a washing machine
- Children playing in the street or communal area
- Young people gathering socially (unless they are being intimidating)
- Being unable to park your car outside the owners/tenants house
- DIY and car repairs unless they are taking place late at night
- Civil disputes between neighbours e.g. shared driveways.

The Council's officers must therefore consider what constitutes ASB on a case by case basis and determine the appropriate response.

3. The Council's aims in responding to Anti-Social Behaviour

In dealing with incidents of ASB, the council will seek to:

- Stop the ASB
- Encourage residents to resolve their own differences in a reasonable manner
- Provide a framework for supporting both the complainant and perpetrator
- Work in partnership with other agencies to tackle ASB
- Target repeat victims by prioritising areas or individuals affected by repeated ASB
- Take early and effective action against perpetrators when they fail to engage with support
- Introduce preventative measures
- Monitor the effectiveness of action taken
- Escalate enforcement action if the ASB is not modified or ended, using a multi-agency approach in more complex cases
- Support witnesses through the lifetime of a complaint of ASB and beyond.

4. The Council's values in relation to ASB

Three Rivers District Council believes that:

- Everyone has the right to enjoy a peaceful and secure environment in which to live, free from intimidation and ASB
- Everyone has the right to their own chosen lifestyle providing this does not impact adversely on the quality of life of others
- There must be tolerance and respect of difference including differences of ethnic origin, race, religion, gender, age, sexual orientation, gender reassignment, marital or civil partnership status, disability or maternity/pregnancy.

5. Responsibilities in the Council for responding to ASB

Customer Service Centre:

- To receive report and direct to the relevant service department or other relevant agency
- To maintain scripting to direct enquiries appropriately.

Community Partnerships Unit:

- To oversee and review the Corporate ASB Policy
- To manage and support the Community Safety Partnership structures that deliver joint agency responses to ASB
- To manage and respond to individual cases not covered by housing providers, Environmental Health or Environmental Protection
- To refer cases to other agencies where appropriate
- To oversee the Community Trigger – the process by which the public can ask Community Safety Partnership agencies to collectively review their responses to ASB complaints.
- To maintain procedures for its responsibilities.

Housing Services:

- To manage and respond to ASB cases involving: noise nuisance, bonfires, high hedges, and nuisance caused by lighting.
- To manage and respond to housing needs and homelessness issues in relation to ASB.
- To maintain procedures for its responsibilities.

Environmental Protection:

- To manage and respond to ASB cases on public, private or Council land involving: litter (excluding private land), fly tipping, graffiti removal, abandoned vehicles, or drugs paraphernalia.
- To manage and respond to ASB cases involving uncontrolled animals.
- To maintain procedures for its responsibilities.

6. Who does this policy apply to?

People living, working or socialising within the Three Rivers District.

7. The Council's approach to responding to ASB

The Council's approach in dealing with ASB takes into account a number of aspects from prevention to rehabilitation. As each case of ASB is unique, so is the way in which we handle each complaint, and our actions will depend upon the nature, frequency and severity of each case.

We will support victims and witnesses of ASB in a number of ways including:

- Taking all complaints of ASB seriously
- Seeking to intervene early to prevent further ASB
- Taking enforcement action where necessary
- Offering support to complainants and witnesses of ASB
- Keeping complainants informed throughout the process
- Protecting confidentiality
- Referring to specialist support agencies
- Improving safety measures
- Using professional witnesses where necessary
- Using surveillance equipment where necessary

We will consider whether the alleged perpetrators behaviour is a result of a health, mental health or disability. We will offer support and rehabilitation to alleged perpetrators where we have identified a need for a referral to a relevant support agency.

The Council recognises the significant impact of domestic abuse on victims (including children). We will prioritise the referral of such cases to domestic abuse support services in order to safeguard victims.

The Council recognises the impact of hate crimes such as racial harassment, sexual or homophobic harassment, religious or cultural harassment, or disability based harassment. We will prioritise our response to such cases. This will include the offer of referral to relevant support services.

8. How the Council will work in partnership to address ASB

The Council is the lead authority for Three Rivers Community Safety Partnership. Within this role:

- We will manage and support inter-agency ASB casework discussions to ensure joint action plans are agreed and monitored between relevant agencies including the Council, County Council, Health Services, The Police, the Fire Service and Housing Providers
- We will share data with other agencies within our agreed information sharing protocols and our responsibilities under the Data Protection Act, seeking consent to do so when required
- We will receive and manage requests for the Community Trigger on behalf of the Community Safety Partnership.

9. Role of social housing providers

The Council recognises that housing providers have powers to address ASB caused by tenants or leaseholders, their household members and their visitors, through tenancy and lease enforcement and ASB legislation. The Council will signpost all relevant cases to housing providers for a response. Where such cases have escalated the Council will ensure they are discussed by the Community Safety Partnership and joint action plans put in place.

10. Role of Hertfordshire Constabulary

The Council works closely with the Police to address crime and ASB in Three Rivers. Where individual cases include acts of a criminal nature, the Council will signpost such cases to the Police, providing a joint response where appropriate, without jeopardising any criminal investigation. The Council will also work collaboratively with the Police to monitor and investigate ASB. Police Neighbourhood Teams, including Police Community Support Officers, provide people with reassurance, can patrol hotspot areas, and can support enforcement action taken to tackle ASB. The Police can also provide a response out of hours, including an emergency response where cases have escalated. They will not provide a response to noise nuisance.

11. Role of Health and Social Care Services

Statutory and voluntary health and social care services can provide support to both victims and perpetrators of ASB. This may be for reasons connected with mental health, drug and alcohol use, safeguarding of children or adults at risk of abuse, or providing early help to families in need, or adults with complex needs. The Council will work within established multi-agency guidance (including the Early Help Guidance, Children's Safeguarding Guidance, Adults Safeguarding Guidance, and the Mental Health Concordat) to ensure that relevant victims and perpetrators of ASB are offered access to appropriate health and social care services to address such needs. Where relevant these agencies will be involved in multi-agency casework management.

12. Customer engagement for ASB

Individual services that respond to ASB within the Council will:

- Undertake customer satisfaction surveys and case reviews to identify and implement improvements to our services
- Organise resident meetings when required to discuss ASB in hotspot areas
- Provide information on our website to help understand our services.

13. The Council's use of enforcement actions for ASB

Where appropriate the Council will take enforcement action using available legislation to deal with ASB. We will maintain a current list of enforcement and other actions available on our website.

14. Performance indicators for ASB

The Council will set, monitor and report on performance in relation to ASB within individual services, at a corporate level, and within the Community Safety Partnership.

15. Data protection measures for ASB

To comply with its duties under the Data Protection Act the Council will:

- Keep all records of ASB cases in accordance with the data protection act
- Normally advise customers when we need to share data with other agencies, explain the process and seek their consent to do so
- Share information with other relevant agencies such as the police, children's services, adults services or mental health services without consent, in certain situations, in order to:
 - prevent crime or disorder, or
 - safeguard children or adults at risk of abuse, or
 - protect an individual's health and wellbeing.

This will be done within the relevant legislative framework and agreed local guidance.

16. Training commitments for ASB

The Council will provide staff in relevant departments with the appropriate training to deliver ASB services and will refresh this when required.

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