



Lewes District Council

Anti-Social Behaviour Policy

Version 1

Lewes District Council Anti-social Behaviour (ASB) Policy

1. Scope of the Policy

This policy applies to all those living in Lewes District Council (LDC) properties. In response to the Anti-social Behaviour, Crime and Policing Act 2014 LDC has fully reviewed its ASB Policy and Procedures.

2. Policy summary

This document sets out LDC policy on how we will prevent and manage anti-social behaviour.

Housing Services are committed to providing an excellent ASB service and preventing and tackling cases of ASB. We recognise that this approach is necessary to achieve sustainable communities. These are communities where people want to live and work, without fear of ASB. We acknowledge ASB can adversely affect the quality of life of a local community and disrupt the lives of many residents. We are committed to ensure our procedure supports and protects the victims and allows prompt action against perpetrators.

Housing Services has developed an approach to tackling ASB which builds upon existing good practice, takes into account feedback from residents regarding ASB and ensures joint working with partner agencies.

For the purposes of this policy the definition of anti-social behaviour is taken from the Crime and Disorder Act 1998 and is as follows:

"A manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household"

However, during the focus groups with residents and our subsequent meetings with Tenants of Lewes District (TOLD) it was agreed that it was also important to provide a definition of "acceptable behaviour" The following definition was agreed with tenants during our consultation workshops:

"Acceptable behaviour is behaviour that is considerate, responsible, and reasonable and has regard for our neighbours and how our behaviour may

affect them. It requires respect for our neighbours, our environment and our community.”

These two definitions combined offer a balanced approach between promoting successful communities, but tackling issues of ASB should they arise.

3. Monitoring and review

The ASB policy requires that procedures must be up to date and relevant. The procedure must maintain its compliance with the current Housing and specific ASB legislation, and meet all statutory, regulatory and strategic responsibilities. Feedback on statistical information will be provided to Tenants of Lewes District Council (TOLD) twice a year. There will be a review a year after implementation and then formal review every three years.

4. Multi agency and partnership working and Support for Victims

We take a multi-agency approach working with a wide range of partners to share information and tackle anti-social behaviour in a coordinated and effective way. Housing Services, the Police and agencies such as Social Services, work closely in order deal with incidents of ASB, offer support to victims and look at prevention in some of our neighbourhoods.

The Anti -Social Behaviour, Crime and Policing Act 2014 introduces the Community Trigger .This is designed to give victims and communities a say in how ASB is dealt with. The purpose of the Community Trigger is to give victims the right to request a review of their case to ensure relevant agencies are working together to practically resolve the matter. The trigger also provides a potential safety net to ensure that the most vulnerable have an opportunity to report ASB and agencies can respond appropriately.

5. Victim Orientated and Early Intervention

Built in throughout the ASB procedure is the principal of a victim orientated approach. The emphasis is on risk assessment, early intervention, support, and regular contact with victims and witnesses. All cases are treated in the strictest confidence.

6. The Balanced Approach

The ASB Policy approach is to offer a range of early intervention methods such as mediation, warning letters and appropriate agency referral, which provides opportunities for unacceptable behaviour to be rectified. This is balanced with the need to take urgent legal action, often in conjunction with the Police, in the most serious of cases. The policy commits us to using any of the tools and powers available to us under law and council policy according to our professional judgement. However legal remedies usually take time and if

a case does go to court it will be the court and not the council that decide whether an action like injunction or eviction is justified.

7. Resident Involvement in the ASB Procedure

Housing Services aim to ensure that the approach taken when dealing with ASB is one that communities support. Residents were therefore involved in shaping the ASB procedure, and were also consulted on the draft ASB Policy and Procedure before implementation.

The developed procedure provides a structure and framework for tackling ASB. It offers the framework for Housing Services staff to adhere to, whilst recognising that each case of ASB will have unique characteristics, and will affect individuals in different ways. It allows sufficient flexibility for professional judgement when deciding the most effective cause of action and support.

8. Who is Responsible for assessing and managing cases of ASB?

The Housing Officer is responsible for assessing the urgency and the follow up response required when a complaint of ASB is made. This decision is reviewed with the Senior Housing Officer at regular monthly meetings. Following the assessment of urgency the Housing Officers are then responsible for managing cases of ASB, supported by a Senior Housing Officer. More senior members of management may become involved as required, along with the Council's Legal Services Team.

During an open case of ASB for which Housing Services are responsible, the Housing Officer will remain the lead case worker, responsible for co-ordinating other agency involvement.

9. Recording

It is essential for the efficient management of ASB there is an accurate recording and monitoring of cases. This will help ensure actions are carried out in a timely manner, and performance can be compared and reported on. The policy requires that feedback should be obtained and recorded whenever possible from victims, witnesses and if appropriate perpetrators of ASB. This approach will help to continually improve performance standards and develop a procedure which responds to the needs of residents and the community.

10. Case Closure

There is no set time frame for closing a case; it will be dependent upon the nature of the issues involved. Cases may reach a natural conclusion, and

cases will usually be closed with the agreement of the complainants/witnesses.

In some situations however, case closure may take place without this agreement. If this situation arises a full explanation will be given as to why, and this will not prevent a case being re-opened should it be necessary. The closure of a case will be agreed in consultation with the Senior Housing Officer.

11. Publicity

The decision to publicise outcomes of ASB action will be considered on an individual case by case basis, taking into account the wishes of the complainants and witnesses.

Consideration will also be given as to whether to publicise information internally just to Lewes District Council tenants/residents, or generally to the wider community. It may be possible to anonymise publicised information whilst still delivering a strong message that ASB is not tolerated.

Publicity about action taken is likely to develop the confidence of future complainants and witnesses. It will make it clear that residents, with the support of the landlord, can take back control if they willing to act as witnesses for their community.

In the case of an ASBO or Housing Injunction, publicity is also important so that residents can report breaches if they see them.

It has been agreed with residents to use publicity in the following ways:

- i) Successful outcomes without enforcement
- ii) Effective action with enforcement.

12. Complaints

Any complaints about how a case of ASB has been handled are to be dealt with through the Council's complaints procedure. An outcome of the complaints procedure may be that changes to existing practices are recommended. In this way the effectiveness of the ASB procedure will continue to be under scrutiny.

13. Equality and Diversity

This policy will be carried out in conjunction with the LDC Equality Policy. In short we will ensure that no person or group of persons will be treated less

favourably than any other person or group of persons on account of any diversity strand.

Lewes District Council work with our residents to improve the services we provide. We will consult regularly with our tenants in relation to anti-social behaviour as part of our STAR survey and residents will be involved in future reviews of the service.

14. Discretion

LDC ASB policy and procedure commits us to dealing with ASB in the Lewes District in a way that will always be fair and, in all important respects, consistent across cases of a similar kind. However, our services are constantly evolving and each ASB case we deal with is likely to be unique in some or other aspect. This means that we may occasionally use our discretion to vary our approach from that described in this document. We may do this in any individual case, following appropriate consultation, or we may make any change of approach apply in all subsequent cases, in which case we will formally amend our policy and procedure.

15. Information Sharing

Where appropriate, Lewes District Council will share information with the Police and other key agencies under joint information exchange protocols so that all agencies can carry out their functions and duties in accordance with the Crime and Disorder Act 1998. We will also work to ensure that our residents are encouraged and are able to report incidents confident in the knowledge that they will be recorded and investigated where appropriate. The Council will work within the Data Protection Act which provides a background for the sharing of information and the need for confidentiality and privacy.