

Committee:	Executive	Agenda Item No.:	
Date:	*	Status	Open
Category	3. Part of the Budget and Policy Framework		
Subject:	Anti Social Behaviour Policy		
Report by:	Housing Enforcement Manager		
Other Officers Involved	Patch Management Group		
Director	Director of Neighbourhoods		
Relevant Portfolio Holder	Cllr Keith Bowman, Portfolio Holder for Housing Management, Cllr Brian Murray Carr Portfolio Holder for Community Safety		

RELEVANT CORPORATE AIMS

This policy contributes to the following aims.

COMMUNITY SAFETY – Tackling anti social behaviour and its causes. Assisting everyone in feeling safe and secure at home and outdoors,

CUSTOMER FOCUSED SERVICES –Continue to improve the quality and consistency of services received by customers

TARGETS

[Increase percentage of successful Anti-Social Behaviour Contract's \(ABCs\) to 90%.](#)

VALUE FOR MONEY

Please describe how the proposals deliver value for money for the Council and its customers.

THE REPORT

The 2003 Antisocial Behaviour Act required all social landlords, including local authorities as landlords, to produce and make available their policies on Anti Social Behaviour

This report proposes that the Anti Social Behaviour Policy of 2008 is updated and the new policy, attached, is adopted as the new policy and to meet this requirement.

The revised policy has been reviewed through the patch management group and includes a number of changes to build on the success of the previous version of the document. The document also reflects improvements in working relationships with the police.

The main change within the document is an increased focus on the victims of ASB. The reflects a more general national shift in emphasis partially arising from the Pilkington case in Leicester, and the need to learn from the mistakes made in that case.

The other main changes within the documents are:

- a. To update legislation
- b. To clarify how vulnerability is assessed.
- c. To introduce Risk Assessments for vulnerable people as part of the policy, and
- d. Included more detail on information sharing with DCC.

The revised policy will be placed on the internet and be available to customers and other agencies.

ISSUES/OPTIONS FOR CONSIDERATION

Comments of the Director (**Delete from final version if no comments received**).

IMPLICATIONS

Financial: Not directly

Legal: The policy does cover how the Council deal with issues of Anti-Social behaviour which may include taking legal action against perpetrators. It is a legal requirement to have a policy and to make this available.

Human Resources: Not directly.

RECOMMENDATION(S)

That the enclosed policy is adopted by the Council

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

To ensure the Council has adopted an up to date Anti-Social Behaviour policy in place.

ATTACHMENTS: Y
FILE REFERENCE: *please complete*
SOURCE DOCUMENT: *please complete*

Executive reports

Signing off reports – required signatures

As you are aware there has been a review of the arrangements for the way the Executive is administered. One of the changes is that there is now a requirement for Executive reports to be signed off as having been seen by the Portfolio Holder prior to being submitted on the e agendas system. The signature of the Director/Head of Service is also required at this time.

The Chief Executive Officer requires that from the next Executive meeting, scheduled for 8th March 2010, all reports have to be signed off by the Portfolio Holder, Head of Service or Director and author and the slip passed to Democratic Services, before the report is routed by a Democratic Officer to the three Statutory Officers. Report writers are required to complete the attached circulation slip with the relevant signatures and return to Democratic Services.

Unless this form is completed, an Executive report will not be put on the agenda for the meeting.

You should submit your notice of intention for the agenda via the e.agenda system as normal.

A copy of the circulation slip is attached for information, and will be available via the e.agenda system in due course.

Executive meetings will take place in Committee Room 1 from 1st February 2010 and officers attending will sit with their Portfolio Holder. For the 1st February 2010 meeting and all future Executive meetings, the report writer will need to ensure that, prior to the meeting, they have discussed with their Portfolio Holder who will present the report.

It is the Portfolio Holder's decision as to whether or not the Portfolio Holder gives the whole or only part of the presentation at the meeting of the Executive.

The form is attached.

January 2010

This approval form should be used in relation to all Executive Reports other than those relating to Scrutiny Reviews or any other matters raised by one of the Scrutiny Committees.

Agenda Item

EXECUTIVE

DATE OF MEETING:-

DEADLINE DATE:-

REPORT TITLE :-

Signature of Portfolio Holder:-

Date

Signature of Head of Service or Director:-

Date

Signature of Author:-

Date

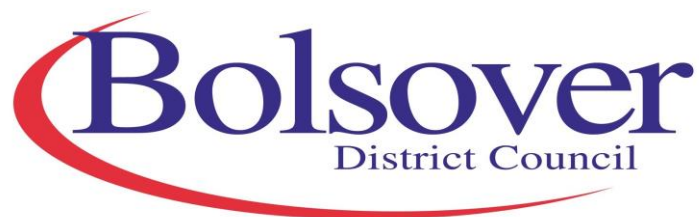
Please amend below as applicable

- a) The Portfolio Holder will introduce the report and the Author will present
- b) The Portfolio Holder will fully present the report
- c) The Author will fully present the report.
- d) Other - please advise

BOLSOVER DISTRICT COUNCIL

Anti Social Behaviour Policy

June 2008
Revised February 2013



This Policy addresses the following Corporate Aims :



COMMUNITY
SAFETY



CUSTOMER
FOCUSED SERVICES



ENVIRONMENT



SOCIAL INCLUSION

Bolsover District Council Equalities Statement

Bolsover District Council is committed to equalities as an employer and in all the services provided to all sections of the community.

□ The Council believes that no person should be treated unfairly and is committed to eliminate all forms of discrimination in compliance with the Equality Strategy.

□ The Council also has due regard to eliminate racial discrimination and to proactively promote equality of opportunity and good relations between persons of different racial groups when performing it's functions.

This document is available in large print and other formats from any of the Council Offices or by contacting the Chief Executives Directorate on 01246 242323. Please bear in mind we will need a few days to arrange this facility.

If you need help to read this document please do not hesitate to contact us.

Our Equality and Diversity Officer can be contacted via [Email](#) or by telephoning 01246 242407.

Minicom: 01246 242450

Fax: 01246 242423

CONTROL SHEET FOR ANTI SOCIAL BEHAVIOUR POLICY

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Anti Social Behaviour Policy
Current status – i.e. first draft, version 2 or final version	Draft
Policy author	Housing Enforcement Manager
Location of policy – i.e. L-drive, shared drive	L drive
Member route for approval	Portfolio holder for Community Safety
Cabinet Member (if applicable)	Councillor Murray Carr
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	Community Safety Partnership, Environmental Health Department
Final policy approval route i.e. Executive/ Council /Planning Committee	
Date policy approved	
Date policy due for review (maximum three years)	
Date policy forwarded to Strategy and Performance (to include on Intranet and Internet if applicable to the public)	

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Introduction

The Anti Social Behaviour Act 2003 requires Social Landlords to publish a statement of policies and procedures with regard to anti social behaviour for all residents throughout the district. This document meets this legal requirement and is designed to give a clear statement of our approach to Anti Social Behaviour (ASB) including our commitment to eradicate anti-social behaviour, support witnesses and use available legal remedies

This Policy has been developed in line with the Derbyshire wide ASB Protocol which sets out the principles and broad processes of multi- agency working to tackle ASB.

Scope

The purpose of this policy is to ensure Bolsover has fair, transparent and consistent standards in relation to addressing Anti Social Behaviour that occurs within the District. It aims to be comprehensive, clear and accessible to all, so that it is clear how we will deal with all complaints of ASB. It also sets out the standard of behaviour expected of tenants, their households and any visitors to their home.

The Policy also ensures that the victim is at the heart of the approach in tackling ASB

Multi- agency working

The Council is already familiar with multi-agency working to take enforcement action against perpetrators of Anti Social Behaviour. Agencies with responsibilities for tackling ASB and agencies responsible for supporting victims and witnesses of ASB, need to work together to identify and then reduce the risk of harm for all victims and witnesses of ASB but particularly the most vulnerable.

To achieve this Bolsover District Council is involved in the ASB Victims First Project. The purpose of this project is to build on our strong partnership working to:-

- Ensure the victim is at the heart of our approach to tackling ASB
- Provide a consistent multi agency approach to the identification of vulnerable and repeat ASB victims
- Improve the service for ASB victims, especially the most vulnerable
- Improve ASB case management for victims and offenders through ICT

The Council believes that effective solutions to Anti Social Behaviour are not the responsibility of a single agency or organisation. The Council is committed to work with partners to address anti-social behaviour. These partners include but not limited to;

- The Community Safety Partnership and its statutory partners
- Town and Parish Councils
- Multi Agency Teams
- Residents and tenants
- The Police
- Social Services
- Schools
- Community Groups
- Local businesses
- Victims and witnesses
- Youth Offending Teams
- Leisure Services
- Parenting Practitioner
- County Council
- Registered Social Landlords
- Private Landlords

The Law

In addition to the Housing Acts and Anti Social Behaviour Act 2003, a number of legislative powers have been introduced that have impacted on the way local authorities should deal with anti-social behaviour. This document is designed to be compatible with those legal requirements affecting the Council, including but not limited to:

- Children Act 1989
- Environmental Protection Act 1990
- Noise Act 1996
- Regulation of Investigatory Powers Act 2000
- Homelessness Act 2002
- Local Government Act 2000
- Data Protection Act 1998
- Crime and Disorder Act 1998
- Human Rights Act 1998
- Equality Act 2010
- Clean Neighbourhoods and Environment Act 2005
- Violent Crime Act 2006
- The BERR Statutory Regulators' Compliance Code
- Criminal Justice and Immigration Act 2008
- Crime and Security Act 2010

Definitions

A legal definition of behaving in an anti-social manner is found in Section 1(1) of the Crime and Disorder Act 1998. It defines ASB as:

'acting in an anti-social manner as a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the complainant'.

For the purpose of our duties under the 1996 Housing Act (s.218A), ASB is any conduct which:

Behaviour which is capable of causing nuisance or annoyance to any person and which directly or indirectly relates to or affects the housing management functions of a relevant landlord.

Behaviour which is capable of causing nuisance or annoyance to any of the following:

- 1. A person residing in housing accommodation owned or managed by the relevant landlord.*
- 2. A person visiting the housing accommodation or otherwise engaged in lawful activity in or in the locality of the housing accommodation.*
- 3. A person employed by the relevant landlord wholly or partly in connection with its housing management functions.*

In these definitions:

A 'relevant landlord' could be a local authority, registered social landlord, or housing action trust.

The housing management function of the landlord covers any activity that the landlord would undertake in the day to day running and strategic management of their properties. This could include:

- Maintenance and repairs
- Rent collection
- Estate management

Matters that might 'indirectly' affect the housing management function include environmental clearance and refuse collection and other services that enable the efficient operation of the housing service.

It is also important to note that the anti-social behaviour could be either:

- by a tenant of a relevant landlord, affecting other tenants, owners, or

- others lawfully using a property or facilities in the local area
- by an owner of a property, or tenant of another landlord, in the local area, affecting tenants of a relevant landlord

Anti-social behaviour may or may not constitute criminal activity. The key factor in deciding whether particular behaviour is anti-social or not, should be the impact of that behaviour on others.

Common forms of anti-social behaviour and neighbour nuisance include, but is not limited to:

- Noise nuisance
- Intimidation and harassment
- Aggressive and threatening language and behaviour
- Actual violence
- Hate behaviour that targets members of identified groups because of their perceived differences
- Using housing accommodation to sell drugs, or for other unlawful purposes
- Damage or threats of damage to someone else's property
- Interfering with the right of someone else to live in their home

Principles

Bolsover District Council is committed to tackling Anti Social Behaviour. Anti Social Behaviour has been given a high priority by the Council which is reflected in both the vision and the Corporate Aims of the Council, the vision states:

“To enhance and improve the wealth profile, well-being and quality of life for the communities of Bolsover district”.

The Community Safety aim states:

“Ensuring that communities are safe and secure”.

The Policy reflects that the Council is working with its partners to deliver the Corporate Aims which support this vision

Bolsover District Council believes that individuals have the right to live the way they want to as long as it doesn't affect the quality of life of other people around them. This means being tolerant and accepting, and respecting the needs and choices of other people.

To deliver this the Council will:

- Encourage and help individuals to solve their differences wherever possible. This is often the easiest way to solving a problem, as often people do not realise they are causing a nuisance. We will get involved and work with people and other agencies to tackle anti-social

- behaviour quickly and efficiently.
- Deal firmly but fairly with anti-social behaviour, to discourage such behaviour and to encourage and support others to come forward as witnesses.
 - Where possible try to ensure that troublesome families or individuals receive support to help them to modify their behaviour and then to act against those families or individuals who continue to cause a nuisance.
 - Commit to making sure our neighbourhoods are peaceful, safe and secure places to live. Recognising that anti-social behaviour can have a severe effect and accept our responsibility to help tackle any problems in a timely manner.
 - Take appropriate and prompt actions within our powers when dealing with any disruptive tenants and other people causing a nuisance or harassment in our neighbourhoods and homes.

Policy Statement

Policy Aims

The Council will:

- Allow residents to have quiet enjoyment of their home and communities
- Take all reasonable steps to ensure that all our tenants fully comply with their obligations under the terms and conditions of their tenancy
- Respect confidentiality
- Respond to requests, normally within 10 working days, in an effective, sensitive and consistent way
- Investigate thoroughly and take timely, effective action if required
- Encourage customers to help themselves where this is appropriate
- Maintain regular contact with complainants and work with other agencies to provide support packages if necessary
- Not tolerate unlawful discrimination and harassment
- Deal with all cases of harassment in a sensitive and professional manner always taking a victim-centred approach.
- Create the environment where people feel able to report incidents which are racially motivated
- Ensure staff are trained to deal with anti-social behaviour
- Work effectively with partners in dealing with and preventing anti-social behaviour.

Obligations of Council Tenants

When tenants sign their tenancy agreement, they agree to the conditions contained within the agreement. The standards of behaviour which are expected, not only from the tenant but any other people who occupy or visit the property, are detailed in the agreement.

Where appropriate, the action taken could result in tenants losing their security of tenure, their home, or being subject to an injunction which might lead to their arrest or even imprisonment. However, in many cases such

action may not be appropriate and other measures will be considered.

The major conditions relating to anti-social behaviour contained within the tenancy agreement upon which tenants are managed, are:

- Nuisance
- Nuisance by family and visitors
- Harassment
- Damage to property
- Theft and illegal use of premises.

Vulnerable Perpetrators

Issues of vulnerability, for example disability, mental health problems or drug and alcohol abuse, will always be considered. In such cases the relevant provisions of the Equality Act 2010 and other relevant legislation will be applied, seeking the intervention and support of partner agencies as appropriate.

For the ASB Policy, the definition of vulnerable is:-

“a victim of ASB is vulnerable if the conduct in question causes an adverse impact on their quality of life. Adverse impact includes the risk of harm; deterioration of their health, mental and or emotional wellbeing; or an inability to carry out normal day-to-day routine through fear and intimidation”.

Juvenile Perpetrators

The Council will always ensure that actions taken against juvenile perpetrators are compliant with our responsibilities under the Children Act and other legislation. It will seek to provide support and intervention in liaison through Derbyshire County Council Children’s Services and other relevant youth services and the District’s Senior Parenting Practitioner.

Receiving Anti Social Behaviour Complaints

For the purposes of this policy a complaint is a request for service made to the Council to deal with the actions or situation of tenants and residents of Bolsover District Council, members of their households and visitors to tenant’s homes.

Complaints will be accepted from:

- Neighbours
- Families or friends of neighbour
- Local Councillors
- Tenant representatives
- Other staff from the authority.
- Members of Parliament
- Advice agencies such as the Citizens Advice Bureau

- Solicitors
- Other partner agencies working in the District.

Anti Social Behaviour complaints may be made by letter, in person, by telephone or by email. There is no requirement for a complaint to be put into writing.

Reporting Progress

The Council will agree with the complainant the stage at which they wish to be kept informed. This could be on a weekly or monthly basis. Even if there is nothing to tell the complainant, contact will still be made with them to give them an update until the case is closed. This contact may be verbal or written, depending upon the case or needs of the complainant.

The complainant will also receive the name and contact details for the case officer who is dealing with the ASB complaint.

Support Package

The Council will offer and undertake referrals to other agencies who can deal with specialist issues such as domestic violence, victim support and home security.

Support will be provided at every significant stage. This support could be when legal papers are served on the perpetrator, giving advice and assistance if the local press are involved, and escorting the witness to court so they feel as safe as possible throughout the process.

The support package will be tailored to meet the needs of the case and the individual.

'Vulnerable Victims and Witnesses'.

The Council will undertake a victims and witness assessment to ensure that victims and witnesses are fully supported in line with ASB Victims First Multi Agency Guidance. To do this we will use a risk assessment matrix tool (RAM) which will enable agencies to identify the most vulnerable, or those suffering the most harm as a result of ASB.

The RAM is designed to be used as a guide to indicate vulnerability, or risk of harm and should be considered alongside Officer's professional judgement. The RAM does not remove the obligation for the agency receiving the report of ASB to take appropriate action, in accordance with their existing ASB policy and procedures.

Support to witnesses and victims.

The level of fear and intimidation that victims and witnesses are living with cannot be underestimated. To work effectively trust and confidence must be

established. This support is needed to ensure successful prosecutions.

Victims will be advised of the self referral process of support available from Victim Support Derbyshire.

The safety of victims and witnesses will always come first. The Council will endeavour to ensure that no witness is left exposed and has been protected through any enforcement action being taken.

The RAM gives an indication of the level of risk of harm or the victim's susceptibility to harm. The package of support will vary from case to case, depending on the level of risk and the individual's personal circumstances. All elements of a support plan should be communicated to and agreed with the victim at all stages of the process, as this will provide both protection and reassurance. Likewise the victim should be regularly updated about any action taken against the perpetrators.

After investigating a case, the ASB Team may decide that legal action is necessary. All cases where legal action is decided will be referred to an "Orders Group Meeting".

Orders Group Meeting

Upon instruction from the ASB Team, the meeting is called to discuss the case, which has been designated in need of legal action. This will include, but is not limited to all Anti Social Behaviour Order applications and ASB Injunction applications.

Any agency involved with the proposed recipient of legal action will be invited to attend the meeting to contribute their views. A consensus will be taken at the meeting in regard to progressing legal action and the quality and strength of evidence presented. Records of the meeting will be kept and stored accordingly. All publicity relating to legal action regarding ASB will be agreed by the Orders Group.

Publicity

It is important to ensure that any publicity relating to Anti Social Behaviour is necessary, appropriate, proportionate and contemporaneous. A decision regarding the publicising of Anti Social Behaviour Orders and Injunctions will be made at the Orders Group meeting. The group will agree the type, distribution and timescales of the publicity.

All publicity will be approved by the Council's Communications Officer.

Recording Equipment

The Council recognises that it may be necessary to use recording equipment to gather evidence of Anti Social Behaviour. Wherever possible all requests for cameras and other recording equipment to gather evidence for ASB

should be referred to the ASB team, who will make the decision on the necessity and priority of the deployment of the equipment. However, in relation to the investigation of alleged noise nuisance under the Environmental Protection Act 1990 the Council's Environmental Health Department may use noise monitoring equipment without the Anti Social Behaviour Team's knowledge.

Anyone utilising covert or overt recording equipment will comply fully with the Regulation of Investigatory Powers Act (RIPA) and the Data Protection Act 1998.

Racial Harassment and Hate Crime

Racial harassment and Hate Crime includes not only physical attacks on persons and damage to property, but also verbal abuse and any other form of behaviour which deprives people of the peaceful enjoyment of their homes and lives.

A hate crime is any criminal offence that is motivated by hostility or prejudice based upon the victims:

- race, colour, ethnic origin, nationality or national origins
- religion or belief
- gender or gender identity
- sexual orientation
- disability
- age

Hate crime can take many forms including:

- physical attacks – such as physical assault, damage to property, offensive graffiti, neighbour disputes and arson
- threat of attack – including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate and unfounded, malicious complaints
- verbal abuse or insults - offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace

The Council's definition of a hate crime is:

- Any incident, which constitutes a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hate.

Bolsover District Council will not tolerate racial harassment or hate crime in any form.

Bolsover District Council aims to abide by the Good Practice Standards for social landlords on tackling racial harassment as published by the ODPM in

'Tackling Racial Harassment: Code of Practice for Social Landlords (2001)'.

This includes:

- Preventing racial harassment
- Recognising incidents of racial harassment
- Responding to incidents of racial harassment quickly and effectively
- Acting appropriately to support victims and witnesses
- Having clear procedural commitments to respond to incidents of racial harassment
- Developing a clear message is sent to perpetrators that racial harassment will not be tolerated in any form
- Reporting and monitoring all racist and hate crime incidents.

Mediation

Mediation, as a way of resolving conflict can be very effective. The Council will consider and offer mediation to appropriate and suitable cases.

This will usually be undertaken in the early stages of a case involving low level nuisance or ASB. However, it may also be appropriate in circumstances where more serious nuisance is alleged over longer periods.

Domestic Violence

Domestic violence will not be tolerated and the Council recognises that it is an issue not just restricted to partner or former partner abuse, but also occurs in other intimate relationships. Working with the Police, Domestic Violence Outreach Worker and other agencies to use existing legal remedies, including where appropriate, the Housing Act provisions to evict perpetrators of domestic violence the Council will :

- Ensure the victim is supported
- Refer to the Domestic Violence Outreach Worker
- Provide safe housing if necessary
- Re-house victims if appropriate
- Work together with other specialist agencies and victims to secure a positive outcome
- Work with the Police Domestic Violence Unit if specific enforcement action is to be undertaken.

Parenting

The Council will seek to provide education for parents to empower them to deal with the behaviour of their children as this is accepted as a successful method of dealing with problems relating to low level ASB.

The Council will also seek to support parents where it has taken action against children committing ASB.

Working in Partnership

Bolsover District Council does not work in isolation. The Council is part of the wider community and will share the problems and challenges of that wider community. Anti-social behaviour is a complex subject and it is unlikely that the causes or solutions to it will lie solely within one organisation.

The Council will work together with residents and local agencies such as the Police, Community Safety Partnership, Social Care, Neighbourhood Wardens, Youth Offending Teams, Education Services, Health Services, Drug and Alcohol Services, other landlords and Probation Services.

The Anti Social Behaviour Team will arrange multi agency case conferences for complex cases. This will ensure that the all the relevant agencies have an input into resolving the case.

Confidentiality

Any information provided to the Council will be treated in confidence in line with the Data Protection Act 1998. It will not be passed to the potential perpetrator, without the permission of the person who provided the information.

The Council will accept information anonymously and will investigate this information as far as is possible. Anonymous information can be difficult to substantiated and investigate. However, it can be used to build a picture of particular issues of ASB or support other evidence.

Sharing of information with other agencies

The Council is under a duty to act in order to reduce crime and disorder and will share information where it is necessary in order to achieve this objective. The guidance from the Information Commissioner makes it clear that the Council does have the necessary powers to share information in order to tackle Crime and Disorder.

Information may be shared with other signatories to the Derbyshire Partnership Forum Information Sharing Protocol if this is authorised under the Crime and Disorder Act.

The Information Sharing Agreement for Anti Social Behaviour in Derbyshire

forms part of the Derbyshire Partnership Forum (DPF) Information Sharing Protocol. The purpose of this Information Sharing Agreement is to co-ordinate and facilitate the sharing of information between partner organisations, who have a duty, or specific objective, of working with the perpetrators and victims of anti-social behaviour, with the aim of reducing the harm caused by anti-social behaviour.

Sharing information with tenants and the wider community

Sharing information can help the Council and agencies with whom they work in reassuring tenants and other residents that action is being taken. This may take the form of local media coverage or targeted leafleting.

This action may also act as a deterrent to others whose nuisance behaviour imposes on the quality of life of others. It can also provide tenants and residents with information they need to allow them to report any breaches of Anti Social Behaviour Orders or injunctive measures which may be served upon perpetrators.

Personal data will not be disclosed to tenants or the wider community unless agreed at the Orders Group.

Closure of Cases

The Council will ensure that the ASB complainant is kept fully informed of action taken and when satisfied that no more can be done for a complainant then they will be advised, in writing, when the case is closed.

A case may be closed for a number of reasons:

- a. Action that has been taken has resolved the matter
- b. If, after a reasonable amount of time, there has been no further problems.
- c. There is no evidence of nuisance being caused.

The decision to close a case lies with the case officer. On occasion this may be contrary to the opinion of the complainant.

In order to try to continually improve the services we provide we issue all ASB complainants with a customer satisfaction form in order that we seek their views on the improvements we can make to improve the service we deliver.

Appeals

If an ASB complainant, or their representative, is unhappy that a case has been closed they have the right to appeal against this decision. The appeal should be received in writing. The appeal will be considered by an officer who is senior to the officer who decided to close the case.

The outcome of the appeal will be confirmed in writing within 10 working days. If a complainant is dissatisfied with the way his/her complaint has been

handled by the Council then he/she would have the option of making a complaint under the Corporate Complaints Procedure.

There can be no further appeal to reopen a case unless substantial new evidence or information comes to light.

Repeated Complaints

The Council will not consider a simple re-instatement of a previous ASB complaint as a new complaint. Where a matter has been closed or a decision has been made that no action can be taken then the complainant will be required to provide the Council with significant additional new evidence in order to re-open the matter or review the decision. Such evidence will include a number of further incidents or a serious incident.

The decision to re-open the matter will normally be made within 14 days of receiving a further complaint.

Malicious Complaints

If the Council discovers that a complaint has been made maliciously they will, wherever possible, seek to take legal action against the complainant to ensure that such behaviour is not repeated. In addition future complaints will not be considered unless they are addressed to Customer Services.

Vexatious Complaints

The ASB Team will follow the corporate procedure in relation to vexatious complaints as detailed in the Corporate Complaints Procedure.

Staff Training and Development

The council are committed to training our staff and will ensure that all staff dealing with anti-social behaviour are aware of the contents of this policy and procedures.

Refresher training and updates for changes in legislation or good practice changes will also be provided.

Responsibility for implementing the Policy

The responsibility for the deployment of this policy rests with

Initial acceptance of complaint – Contact Centre

Initial investigation – Community Services

Initial investigation of nuisance at a private sector property – Environmental Health (e.g. Noise nuisance)

Further investigation – Housing Department and ASB Team or Environmental Health

Initiating legal action – ASB Team or Environmental Health

Undertaking enforcement action – ASB Team and Legal Department or Environmental Health and Legal Department
Closure of cases and appeals – Community Services, Housing, ASB Team or Environmental Health.

More Information

Other Policies relevant to tackling ASB may be viewed on the Council's Website, including;

- Fly Tipping Policy
- Nuisance Vehicles Policy
- Graffiti Policy

Policy: Anti Social Behaviour Policy, Lead Officer: Deborah Whallett

	Action	Date completed	Comments
1	Inform DoS/SMT rep of policy, see appendix B		
2	PMWGPMG agree draft policy		
3	LO completes EIA	21/01/08	
4	LO submits draft policy and EIA to ESDG	30/01/08	Slight amendments made to policy incorporating comments of ESDG
5	PMWGPMG consider ESDG comments and agree draft policy		
6	LO submits draft policy to DoS /SMT rep for discussion at SMT.		
7	PMWGPMG consider SMT comments and agree draft policy		
8	LO submits draft policy to SPO for discussion at PPMG.		
9	PMWGPMG consider PPMG comments and agree draft policy		
10	LO submits draft policy to Scrutiny committee.		
11	PMWGPMG consider Scrutiny Committee comments / recommendations and agree draft policy.		
12	LO submits draft policy to Executive Committee.		
13	PMWG agree departmental procedures. Implement Policy		
14	Implement Policy		
14	PMG agree departmental procedures.		