

Anti-social Behaviour Review report

Introduction

The Customer Scrutiny Panel (CSP) formerly the Residents Excellence Panel was tasked in the first quarter of 2022 to undertake a scrutiny review of Anti social behaviour. The remit, in summary, was as follows:

- To review if the existing ASB policy encompasses current legislation and best practice.
- To understand if Rooftop housing is applying best practice in managing ASB incidences and follow through monitoring of ongoing ASB incidences.
- To review how Rooftop communicates and cooperates with external stakeholders such as local Policing teams and Local Councils ; and to review how stakeholders accept and apportion responsibilities.
- To review, from the customers perspective how effective communications are between Rooftop Housing and customers.
- To review if specific customer groups are being treated fairly and equitably.
- To review the scope of the ASB Enforcement officer role and how they interface with customers and Housing officers.

Methods

The methods that will be used as part of the review are as follows

- Desk top review
- Interview relevant Heads of Service and other staff involved in the ASB service
- Interview ASB enforcement officer and Wychavon Community safety partnership officer
- Interview Police Hate crimes officer
- Interview customers who have recently suffered with ASB. Review two completed ASB cases anonymized.
- Meeting staff at similar organisations to look at their approach to ASB

The review was conducted in two broad categories. The first was a customer survey of all the applicable customers that had reported ASB. Customers were then contacted via telephone and asked to answer several survey questions (Please see attachment 1 for the telephone survey results). Secondly a range of in person interviews with selected Rooftop officials was conducted.

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Summary of In person Interviews

Please see ASB Interview Summary sheets on page 4 below

Note. These in person interviews are more subjective than the telephone surveys in attachment 1. They do, however give insights into the workings of the internal and external ASB processes.

Summary of telephone based review

Please see attachment 1 ASB Scrutiny Review – Survey results

Several interesting points have been highlighted by this survey.

Issues surrounding customer satisfaction and lack of communication about their cases have come to light. Unfortunately, a large number of QL records had to be excluded from the survey because for several reasons cases weren't correctly lodged.

Review of Rooftop Anti social behaviour policy and procedure

Please see attachment 2 Commented copy of the draft Anti-Social Behaviour policy

Conclusions

Generally the processes work well, but in some cases operational shortcomings have hampered the efficient delivery of a timely and satisfactory conclusion to some antisocial behaviour cases.

Overall Rooftop staff seemed satisfied with the way the antisocial behaviour processes, both internal and external, worked. Police and Community safety partnership liaison seem to work satisfactorily with regular meetings now ongoing in Wychavon. Operational cooperation is regarded to be better in Wychavon than Gloucestershire, where different processes are used. Some degree of improvement in working relationships in Gloucestershire was needed.

Some of the above views are, in some cases at odd with the perception of some customers, as evidenced by the results of the telephone surveys.

We have noted that poor communications were a source of dissatisfaction with a number of customers surveyed e.g. 25% of respondents. Therefore we have aimed some of our recommendations to addressing this issue.

As QL is a fairly new system to Rooftop there have been some shortcomings in its operation by Rooftop staff. In this context QL is a vital tool in the successful management of antisocial behaviour cases. We have made some recommendations towards improving the functioning of QL. Primarily, improving case tracking, escalation and customer communications.

Helping customers manage the stress and anxiety that occurs with dealing with antisocial behaviour needs to be improved. In this regard and on reviewing the draft antisocial behaviour policy we have made several suggestions as to how the process can be operated in a more supportive manner for customers. We look forward to seeing changes in the final version of the antisocial behaviour policy.

The Customer Scrutiny Panel is grateful for the work of Matt Strata and for his support and guidance in preparing the telephone based surveys and the analysis of the results.

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Recommendations

- Improve the accuracy of case input onto QL. Better user training and improvement of input dialogue. Training to include the front desk staff.
- Addition of automated case escalation if case seems to be dormant e.g. automated reminder after 4 weeks to be escalated to line manager and QL team.
- An improved staff training on ASB case management. Possibly add ASB management to induction training.
- Improvement in communications to ensure regular updates to customers from the on set of case progression.
- A detailed review into evidence gathering policy and external stakeholder communications in order to streamline and speed up evidence gathering. To include the Police and Community safety partnerships.
- Improvement in adherence to action plan key tasks and milestones within QL
- Setup and maintenance of an external support register, to improve support for customers suffering from the stress and upset due to ASB
- Generate a short form leaflet to inform customers of the key aspects of dealing with ASB.
- An internal review into how best Rooftop Group can use the community trigger process, with a view to improving the working partnership between the Police and other stakeholders.

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ASB Interview Summary sheets

1 Are there any aspects of your relationship with the Gloucestershire/ Wychavon Community Safety partnership that you feel could be improved?	Relationships are good	As a statutory member of a CSP we are grateful that RHG are members of the Community trigger process	Relationship is good. Restoration of multi agency meetings	Not Answered	Generally relationships were seen to be good
2 Are there any aspects of your relationship with the Gloucestershire/ Wychavon Police that you feel could be improved?	Rooftop has a very good relationship. May take longer in Gloucestershire to establish a network of contacts	As an external partner agency, we have a good working relationship with our local policing teams.	To get a data protection sharing agreement with Gloucester police, that would speed up comms	Not Answered	Generally relationships were good. Some problems with communications and working agreements in Gloucestershire
3 Are there any aspects of your relationship with Rooftop Housing Group (RHG) that you feel could be improved?	Takes a long time to get evidence. We have an information sharing agreement	From a community safety perspective, I am happy with the engagement we have	I don't think so	We have a good working relationship with RHG.	Overall a good working relationship, but evidence gathering needs to be improved
4 Other than the above relationships, how do you think the Community Trigger process is working and how could be improved?	Good process- often RT not notified. Need to focus on internal reporting	The ASB Case Review process has been reviewed and. The RHG have been fully involved	Gloucester have a similar process. As far as is known Gloucestershire don't use the Community Trigger process	Not Answered	Rooftop not always notified. Process under external review. Gloucestershire uses a different process
5 How effectively do you think the RHG engage with the other partners involved in the Community trigger process?	Rooftop communicates very effectively	involvement with other partners will be during the formal ASB meeting. Meetings have always been positive	No answer	Not Answered	Engagement is seen to be good
6 In your experience which types of ASB are most prevalent in your area: -	Threats of violence - Suspected drug using/dealing - Criminal damage - Noise nuisance - Fly tipping	Criminal damage, Suspected drug using/dealing, Domestic abuse and Noise nuisance	Domestic abuse, Actual violence, drug using/dealing , Alcohol related nuisance, Criminal damage	Noise nuisance and alcohol nuisance	Criminal damage, suspected drug abuse, and domestic abuse seem to be the top issues

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<p>7</p> <p>Have Neighbourhood officers (NO) received ASB training?</p> <p>Do you feel confident in the effectiveness of the training provided?</p>	<p>Criminal and civil - QL training - Solicitors offer free training - Training is clear but needs more structure</p>	<p>Question not relevant to external interviewees</p>	<p>In house and external, plan to setup refresher training. Induction training is informal on the job. Staff have QL training</p>	<p>Question not relevant to external interviewees</p>	<p>Internal training needs more structure. Induction training is informal on the job. Needs to be reviewed</p>
<p>8</p> <p>Typically, how do NOs receive initial ASB complaints?</p> <p>Telephone Via the App Other Please specify</p>	<p>By Telephone</p>	<p>Question not relevant to external interviewees</p>	<p>Didn't answer question</p>	<p>Question not relevant to external interviewees</p>	<p>Mostly by telephone</p>
<p>9</p> <p>Is it possible for the NOs to respond within the time allocated by the procedure for urgent ASB cases (one day) and Non urgent ASB cases (5 working days)?</p>	<p>Needs clarification of timing criteria</p>	<p>Question not relevant to external interviewees</p>	<p>Depends on availability of staff. Response times have improved as they have got used to the system</p>	<p>Question not relevant to external interviewees</p>	<p>Response times my vary due to staff availability. Clarification of timing criteria needed.</p>
<p>10</p> <p>Regarding recording an ASB case on QL. Does a regular update method and frequency of contact actually happen?</p> <p>Do No's endeavour to keep complainants updated on a regular basis regardless of whether they are Rooftop Tenants or POO's, also how do Rooftop engage with Parish Councils where appropriate?</p>	<p>Regular updates do happen but questions about it being done better Parish council evidence mostly hearsay - not really useful</p>	<p>Question not relevant to external interviewees</p>	<p>Question missed off interview will follow up</p>	<p>Question not relevant to external interviewees</p>	<p>Regular updates do happen but needs improvement. Private owner occupiers are notified. Parish council engagement not seen as useful</p>

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<p>11 Do the NOs develop an action plan on QL, if appropriate to the case?</p>	<p>QL is the action plan - could do with automatic reminders in QL to keep the workflow going</p>	<p>Question not relevant to external interviewees</p>	<p>Usually come later in the process also depends on type of case. low level incidents don't generally require a plan</p>	<p>Question not relevant to external interviewees</p>	<p>QL is the action plan - could do with automatic reminders in QL to keep the workflow going. Action plans come later in the process</p>
<p>12 What form does the risk assessment take and who participates in producing it?</p>	<p>Done by NO's on a case by case basis</p>	<p>Question not relevant to external interviewees</p>	<p>More serious ASB risk assessment for safety. Police may get involved. Possibly moving victims away as a last resort.</p>	<p>Question not relevant to external interviewees</p>	<p>Only used for more serious cases. Police may be involved.</p>
<p>13 Is awareness of support services in the area always a given?</p>	<p>Most parties do not partake in mediation - RT trust the NO's. to manage this</p>	<p>Question not relevant to external interviewees</p>	<p>GDAS, Nelson trust, women's support centre. Police probation officer or GP's as well.</p>	<p>Question not relevant to external interviewees</p>	<p>Involvement with external support services seems to be inconsistent. May need some form of external support register.</p>
<p>14 Regarding witnesses attending court, is the NO aware of their responsibilities in this area? Does the NO regard witness support in court as being within their role.?</p>	<p>NO's attend court appearances and support witnesses up to the point they go into court</p>	<p>Question not relevant to external interviewees</p>	<p>Up to the tenant, we can offer support and work closely with the tenant.</p>	<p>Question not relevant to external interviewees</p>	<p>No's do provide support where appropriate</p>

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15 Do you feel adequately trained and supported to support the above activity?	Varies with individual NO's experience. Rooftop has a Tenancy enforcement Officer that will handle high level ASB cases.	Question not relevant to external interviewees	Question missed off interview	Question not relevant to external interviewees	Varies with individual NO's experience. Rooftop has a Tenancy enforcement Officer that will handle high level ASB cases
16 In the circumstance of the Community Trigger process. What do you think can be changed in the process to improve compliance?(<i>Note: There is anecdotal evidence that Rooftops have not cooperated in the past, in some cases.</i>)	Not aware of any cases in the past.	The process has been by all partners. It is a voluntary process. We encourage applicants to use their own complaints process	Not applicable Process not used in Gloucestershire	Not Answered	This question needs further examination. Current response not coherent . Ties into question 17 below.
17 Is a community protection notice used in appropriate cases?	Issued by police/Local authority - Confidentially issues can cause communications issues - residents feeling that they aren't being kept informed.	RHG are asked to approach us for a CPN. We then evaluate each case on it'd merits.	CPN only in Wychavon Closure orders and Public Spaces Protection Order are used in Gloucestershire	Not Answered	Yes, but only in Wychavon. Gloucestershire uses a different system
18 Is there a record of what percentage of incidents are resolved successfully?	A report can be generated. May need further work to generate a regular report.	For our own internal use of CPW >95% are resolved without having to go to a CPN.	Covered by QL	Not Answered	Report can be generated within QL
19 Do solutions, other than criminal or civil prosecutions, have any bearing on achieving a constructive outcome to an ASB incident? For example, these may 19. 19. Cont	Defined as legal and non legal remedies e.g. Acceptable behaviour contracts - Tenant needs to report recurrences	We found that mediation isn't an effective solution. We will always signpost persons onto support agencies	Alternatives are available, it depends on the nature and severity of the incident. Sometimes a civil action is	Not Answered	Acceptable behaviour contracts are used. Mediation services regarded as not being very effective.

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include mediation services and or counselling			enough to curb ASB		
20 In your view, which of the above alternative solutions are most effective?	Legal are always the most successful, work with Police and CBO's are the most effective	Answer as above	Answer as above	Not Answered	Legal remedies are most successful

Attachment 1 ASB survey results



Adobe Acrobat Document

Attachment 2 Draft ASB policy Commented copy



Commented copy of Rooftop Group draft ,

Author	Title of policy
Head of Housing	Anti-Social Behaviour
Section	Updated: April 2022
Housing	



1 Policy statement

- 1.1 Our Mission is to build Great Homes and support Successful Lives by being a Better Business. It is why we exist and guides everything that we do.
- 1.2 This policy outlines our approach to dealing with Anti-Social Behaviour (ASB).
- 1.3 The policy has been updated to consider the powers introduced by the ASB Crime and Policing Act 2014 and the Police and Crime Act 2017.
- 1.4 We will, in accordance with the Regulator of Social Housing's Neighbourhood and Community Standard:
- 1.4.1 Work in partnership with other agencies to prevent and tackle anti-social behaviour in the neighbourhoods where we own homes.
- 1.4.2 In addition, we will specifically intervene and where appropriate take enforcement action, where ASB is being practiced by anyone living in or visiting a property owned by us and this includes all rented tenants, leaseholders and shared owners; and where we have sold homes, where we can still enforce appropriate covenants, if required. Where our homeowner covenants are not enforceable or appropriate and where other homeowners are involved, we will provide appropriate advice and guidance which may include contacting the police or the local authority.

2 Statutory and Regulatory context

- 2.1 This policy has been developed to take into account a range of relevant UK and English legislation and regulation including:
- Housing Acts 1985, 1988 & 1996
 - Civil Evidence Act 1995
 - Crime & Disorder Act 1998
 - Anti-social Behaviour Act 2003
 - Anti-social Behaviour, Crime and Policing Act 2014
 - Police and Crime Act 2017 • The Regulator-for Social Housing's Neighbourhood & Community Standard.
 - Home Office ASB, Crime and Policing Act 2014 Statutory Guidance for frontline professionals
- 2.2 Copies of the original and amended legislation can be found at www.legislation.gov.uk ; copies of the Regulator of Social Housing's Standards can be found at www.gov.uk/government/organisations/regulator-of-social-housing and the Home office statutory guidance can be found at [here](#)

3 Policy Intent

- 3.1 We will, in accordance with the Regulator's specific expectations set out in the Neighbourhood and Community Standard:

Commented [MN1]: This is rather a large chunk of text, consider simplifying and reformatting to improve readability.

- 3.2 Publish a policy on how we work with relevant partners to prevent and tackle antisocial behaviour (ASB) in areas where we own properties.
- 3.3 In our work to prevent and address ASB, we will demonstrate:
- That tenants are made aware of their responsibilities and rights in relation to ASB.
 - Strong leadership, commitment and accountability on preventing and tackling ASB that reflects a shared understanding of responsibilities 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 ASB 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 ASB, 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.

Commented [MN2]: How is this to be done?
Note: the CSG is preparing a tenant leaflet.

Commented [MN3]: What do you mean in this context, would this mean, for example, security advice ?

Commented [MN4]: No mention of emotional support or advocacy between the tenant and external support agencies

Commented [MN5]: More detail is needed as to exactly what support will be provided. Anecdotal evidence suggests that without support victims are less willing to come forward, hence hindering the successful completion of an ASB incident. (See also comment MN4 above)

4 Anti-Social Behaviour

4.1 Anti-social behaviour (ASB) is a broad term used to describe day to day incidents of crime, nuisance and disorder – from litter and vandalism to public drunkenness, aggressive dogs to noisy or abusive neighbours. For the purpose of this procedure, Rooftop will use the term as defined in section 1 of the Crime and Disorder Act 1998 and extended by the ASB, Crime and Policing Act 2014 as being:

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

Commented [MN6]: ?

4.2 Those who may be affected by the conduct include, but are not limited to:

- Tenants and leaseholders of Rooftop and their visitors.
- Owner occupiers, private rented tenants or any person suffering harassment, alarm or distress.
- Any other person lawfully carrying out their work for Rooftop, or any commissioned contractor.

4.3 We expect our customers not to commit, or allow their family, other household members, visitors or pets to commit acts of ASB towards any person reasonably entitled to be in the vicinity of any of our properties, including Rooftop staff and contractors.

Commented [MN7]: Add: undertaking their lawful duties and responsibilities ?

4.4 In addition, our tenancies, licences, leases and conveyances set out in varying degrees of detail what we also consider to be ASB, such as causing a nuisance or annoyance to other people.

5 Categorising ASB

We put all incidents of anti-social behaviour reported to us into categories, assessing both the risk and seriousness of the alleged behaviour, and the impact it

is having on the victim. If an incident is made up of several types of anti-social behaviour, we will treat the most serious part of the complaint first.

Commented [MN8]: Does this mean a requirement for a formal risk assessment in every case? If so, then some housing officers have implied that a risk assessment isn't necessary in every case. Which is it?

Anti-social behaviour may or may not amount to a criminal act. What is important in defining anti-social behaviour is the effect of the behaviour on others. The 2014 Act defines ASB in three different categories-

Personal - behaviour that targets a particular individual or specific group or is aimed at having an impact on a particular individual or incident rather than a community at large.

Nuisance - individuals or incidents that cause trouble, annoyance, inconvenience, offence or suffering to people in the local community in general, rather than targeted at an individual.

Environmental - incidents and inconsiderate actions which impact on the surroundings including the natural, built and social environments. Anti-social behaviour may or may not amount to a criminal act. What is important in defining antisocial behaviour is the effect of the behaviour on others.

Commented [MN9]: Repeat of second paragraph above. Is this intentional?

We will also differentiate between serious and less serious ASB when deciding what priority to give our response.

Serious	Less Serious
Racial Harassment	Graffiti
Hate Crime	Parking Dispute
Domestic Abuse – including Mental, Psychological, Financial or Emotional Abuse	Begging
Sexual Harassment	Vandalism
Actual Violence	Abandoned Vehicles
Threats of Violence	Boundary and Hedge Disputes Animal nuisance (dog barking, dog fouling)
Suspected drug using/dealing*	Rubbish Dumping
Verbal Abuse	Litter
Alcohol related nuisance	Spitting, urinating in the communal area
Using, owning or storing an illegal or unlicensed firearm or weapon	Playing ball games close to someone's property (that is causing a nuisance.)
Intimidation	
Dangerous Dogs	
Criminal Damage	
Noise Nuisance	

6 Our approach to resolving ASB

In our approach to resolving ASB we will:

- Expect a reasonable amount of tolerance between neighbours and will seek to make a fair evaluation on whether complaints are reasonable. We consider that an important factor in sustaining communities is the recognition and acceptance by our residents that the initial responsibility for resolving disputes with others lies with them.
- Investigate complaints that involve one of our tenants, leaseholders or shared owners, this could be a tenant, leaseholders or shared owner complaining

Commented [MN10]: I disagree, this isn't always possible as the complainant may be justifiably unable to influence the perpetrator because of threats of violence or other means of intimidation. I'm concerned that recognition of these facts haven't been emphasised in this document.

about another tenant, leaseholder, owner-occupier or private tenant. We also investigate complaints made by tenants of other landlords, leaseholders, owner-occupiers, private tenants about one of our tenants causing a nuisance within the vicinity of their home.

- Investigate complaints if anti-social behaviour is being caused by a visitor to our tenant's, leaseholder's, shared owner's property. Action can be taken against the tenant, leaseholder, shared owner if we believe they knowingly permit a family member or visitor to cause a nuisance whilst visiting or residing at their property or do nothing to prevent further incidents providing that the law, tenancy conditions or leasehold or shared owner covenants permit this.
- Agree an action plan with the complainant when the initial complaint is made and we will review this regularly to ensure that the complainant is kept up to date with the progress of the investigation. This action plan will agree what is expected of you, us and any other parties. You may be asked to keep a record of incidents and report them on a regular basis.
- We will agree and set realistic targets and expectations at the first point of contact and throughout.
- Investigate anonymous complaints as far as we can; however we will not be able to provide feedback to the complainant or gain further information. Therefore, this will limit the amount of action we are able to take. If complainants wish to remain anonymous in the event of Court proceedings, we may use professional witnesses or CCTV where a case warrants it.
- Consider any Safeguarding matters and will make appropriate referrals without consent or knowledge of any parties if we believe certain thresholds have been met.
- Not move either the perpetrator or the complainant (except where there is exceptional circumstances), we will work with all parties to resolve the ASB/nuisance behaviour.

Commented [MN11]: Are these responsibilities made clear to the tenant via the tenancy agreement or other communications?

Commented [MN12]: Again, no mention of support for the complainant.

Commented [MN13]: And monitor progress ?

Commented [MN14]: Could you clarify this somewhat. The first sentence implies complete anonymity. The second sentence implies that the identity of the complainant is known to Rooftop.

Commented [MN15]: I'm concerned that this may cause transparency issues. I think that a bit of further explanation would give helpful context to this.

7 When you make a complaint of ASB we will:

- Acknowledge you within 2 working day for serious cases of anti-social behaviour, although in these cases we would strongly recommend that you contact the Police first.
- Agree actions to be undertaken and explain that any further reports will be recorded against our internal housing management systems. We will ensure the customer is aware that any record they wish to make may be used and given as evidence, with their sought permission.
- If applicable, arrange an interview with you within 1-5 working days depending on the seriousness es of the anti-social.
- Carry out an initial assessment of victim and witness vulnerability, risk, and harm on opening a case of ASB to determine case allocation and complete a full assessment at the initial discussion you have with your allocated case officer.

Commented [MN16]: I have run into a situation recently whereby a visit to the complainants property was for reasons of anonymity. Could you add some words of explanation, to say that an interview at a Rooftop office or other suitable venue would be offered as an alternative.

- If you report an incident to our out of hours service, the details will be passed to the appropriate housing officer who will endeavour to contact you within 1-5 working days depending on the seriousness of the anti-social behaviour.
- Complete a Proportionality Assessment (Justification Prior to Legal Action to include Equality Act 2010) which will help to ensure that we appropriately respond to the alleged perpetrator e.g. if there is a possibility of mental illness. This will be signed off by a manager responsible for dealing with ASB cases.
- Send a satisfaction survey to the complainant on closure of their ASB case to continually monitor satisfaction and look to make improvements to the way we manage and address ASB.

Commented [MN17]: How will this be determined?

8 Tackling ASB through non-legal action

8.1 We will make every attempt to resolve anti-social behaviour through non-legal means in the first instance, as we recognise early intervention can stop anti-social behaviour from escalating.

8.2 Mediation

8.2.1 We will make referrals for mediation between parties to resolve the situation amicably. Mediation requires consent from both parties and a willingness to resolve the dispute. The complainant and the alleged perpetrator would be expected to comply with Rooftop's request for mediation. Failure to comply may result in either the case being closed or the case being escalated to legal action, depending on the circumstances of the case.

Commented [MN18]: If the perpetrator refuses to comply where does this leave the complainant?

8.3 Restorative Justice

8.3.1 We will also, where appropriate, make referrals for Restorative Justice (RJ). RJ requires consent from both parties and an admittance of guilt from the alleged perpetrator or other party. The aim is to facilitate a meeting between the offender and victim that allows the offender to understand the harm they have caused; to try and make amends for their actions and reduce the likelihood of repeat behaviour. We strongly encourage the use of RJ as a means of achieving closure and resolution.

8.4 Warning Letters

8.4.1 We will issue warning letters, where appropriate and in some cases, this can be sufficient to bring the anti-social behaviour to an end.

8.4.2 This can be where the alleged perpetrator is either unaware of the harm their actions are causing to others or where the mention of possible legal consequences, such as the possible loss of their home, is sufficient to bring anti-social behaviour to an end.

8.4.3 Such letters will be carefully worded according to the circumstances of the case and available evidence at the time of writing.

8.5 Referral to support services

8.5.1 In some circumstances, other professional services may be able to provide a satisfactory end to the anti-social behaviour by providing support and guidance to the

alleged perpetrator. We will always consider enlisting this additional help, whenever appropriate.

Commented [MN19]: A valid aim, of course. But what about support for the victim

8.6 Acceptable Behaviour Contracts

8.6.1 These are sometimes also referred to as Voluntary Undertakings, Parenting Agreements or Good Neighbour agreements. In essence these types of agreement are appropriate for where the alleged perpetrator is willing and able to agree not to cause any further anti-social behaviour. We will monitor such agreements and take further action where appropriate.

Commented [MN20]: Remove space

8.7 Extending Starter Tenancies

Many of our new tenants will start their tenancies on a Starter Tenancy. This is a form of tenancy designed to see how the tenant can conduct their tenancy and if they can comply with all its conditions before we decide whether to convert it to a periodic tenancy or end their tenancy after 12 months. We do however have the power to extend a starter tenancy from 12 to 18 months where we believe the tenant may be able to adjust their behaviour and comply with the tenancy conditions, given some additional time. This, in some cases, can be sufficient to prevent further anti-social behaviour.

9 Tackling ASB through legal action

9.1 In some situations, non-legal means will not be possible and immediate legal action may be taken to protect our tenants, leaseholders and communities from those causing anti-social behaviour.

Resolving ASB through legal means:

- Notice of Seeking Possession
- Termination of Starter Tenancy
- Anti-Social Behaviour Injunctions for those perpetrating aged over 10
- Community Protection Orders
- Parenting Order
- Court Undertaking
- Noise Abatement Notice
- Dispersal powers
- Community protection notices
- Public spaces protection orders
- Closure Powers
- Demotion of Enhanced Assured Tenancy
- Possession and absolute grounds for possession

When resolving anti-social behaviour through non legal and legal means we may work with other partner agencies alone or in partnership.

9.2 What we will not consider to be ASB

9.2.1 The following will generally not be considered to be ASB – this is not an exhaustive list:

- Normal domestic everyday noise occurring at reasonable times and not for excessive periods of time.
- Cooking smells.
- Parking issues, where there are no parking regulations breached.
- Children playing.

10 Harassment/Hate Crime

10.1 We take harassment/hate crime in any form against any member of our community extremely seriously. Such conduct can have a very traumatic effect on the victim and a divisive effect on our communities.

10.2 Hate crime involves any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice based on a personal characteristic. Hate crime can be motivated by disability, gender identity, race, religion or faith and sexual orientation. However, any incident that is motivated by bias or prejudice against a person's identity can be considered a hate crime.

11 Domestic Abuse

11.1 The definition of domestic abuse is any incident or pattern of incidents of controlling, coercive, threatening behaviour, or abuse between those aged 16 years or over who are, or have been, intimate partners or family members regardless of gender or sexuality.

11.2 Domestic abuse is a serious issue that can have a devastating impact upon the victim, their family, and the wider community regardless of race, geography, or social background. It is recognised that domestic abuse affects both adults and children, and it has a detrimental effect on their safety, security, health, and wellbeing.

11.3 Domestic abuse may fall within the definition of ASB, each case will be considered on its facts. We will be mindful of the needs of the victim to ensure they are supported. The use of enforcement tools will be used by Rooftop and or other agencies in appropriate cases (for example, to protect the victim and or impact upon the wider community).

12 Protection of staff

12.1 The association will take firm action if its staff, agents, or its contractors are threatened, abused, or subjected to ASB. This includes legal action, where appropriate, and referral to the police for investigation.

12.2 Rooftop will adopt a preventative approach to the management of its communities and ASB. All reported cases of ASB will be recorded and assessed. An Action Plan will be agreed with the complainant(s) and regularly reviewed with them.

12.3 Effective case management will underpin our approach to ASB, and this will include regular contact with the complainant(s) to keep them informed about the progress of their case.

12.4 The frequency and severity of incidents and the effect on the complainant will be considered.

12.5 We will build on our strong partnership working that aims to promote cohesive communities and reduce ASB.

12.6 When a complaint of ASB is made by or against someone we know or suspect to be vulnerable, we will tailor our approach and ensure that signposting to appropriate

support is made available. We recognise that some customers may have vulnerabilities, including those with learning or physical conditions, mental health illness or other support needs. The needs of the vulnerable person will be handled appropriately, and if deemed necessary, in partnership with other agencies. While recognising an individual may have a potential disability or vulnerabilities, we will not ignore instances of ASB as it has a responsibility to the wider community and will balance these competing factors. Legal action will be pursued if it is considered necessary and proportionate.

Commented [MN21]: And with sensitivity.

12.7 Applications for accommodation with Rooftop may be refused where there has been a history of ASB. Each case will be considered on its own merits.

12.8 Within the legal definition of Section 1 of the Crime and Disorder Act 1988 and extended by the ASB, Crime and Policing Act 2014, this expressly includes customers that are not complying with the Government safety advice. Where a breach of injunction occurs, we will take legal advice in line with the CHIC framework and/or the police if a breach includes the power of arrest.

12.9 This will include where there is already ASB and/or there is a real risk of harm to others, in particular, within extra care and other supported housing.

13 Review

13.1 This policy will be reviewed every three years unless there are major changes in legislation or good practice.

14 Consultation

- | | |
|-------------------------------------|------------|
| 14.1 Leadership Team | April 2021 |
| 14.2 Executive Team | April 2021 |
| 14.3 Other (for example, customers) | N/A |

15 Responsibilities

- | | |
|--|-----------------|
| 15.1 Responsible body | Executive Team |
| 15.2 Formulation and approval of policy | Executive Team |
| Amendments to policy | Head of Housing |
| Monitoring of policy | Leadership Team |
| Operational management of policy/policy author | Head of Housing |

- | | | | |
|------------------------------------|------------|---------------------------------|------------|
| 15.3 Date of formulation of policy | March 2019 | 15.4 Date of next policy review | March 2022 |
|------------------------------------|------------|---------------------------------|------------|

Appendix 1 Associated documents

Internal – Rooftop policies and procedures

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External

- Regulator of Social Housing's Neighbourhood and Community Standard

ASB Scrutiny Review - Survey results

Summary

Positives:

- ✓ 80% of customers knew who was dealing with their ASB case
- ✓ 60% of customers were interviewed about their case
- ✓ 70% customer satisfaction with how they were treated by staff (fairly and with respect)
- ✓ 65% satisfaction with staff being helpful and knowledgeable
- ✓ 60% satisfaction that Rooftop kept to the agreed action plan
- ✓ 70% of customers would be very likely to report ASB to Rooftop if they experienced it again in the future.

Possible Areas for Improvement:

- Customers perceive that their ASB case has not been dealt with, or is not being taken seriously (although this will be an emotive issue for the customer)
- As victims of ASB, customers feel there is a lack of support from Rooftop:
 - ◆ 50% of customers had an agreed action plan for their case
- Customers feel their case has taken / is taking too long to deal with:
 - ◆ 10% were given an indication of how long it would take to deal with their
 - ◆ 50% were satisfied with how quickly they were initially interviewed
- There may be a need to better manage customer expectations, as cases can take months or even years to resolve
- Customers could be given more regular progress updates, although there will be limitations on what we can tell them
 - ◆ 40% of customers were satisfied with how well they were kept informed of the progress of their case
 - ◆ 35% of customers were satisfied with how their case was handled overall
- There may be a need for staff training on how to log and manage ASB cases on QL.

ASB Scrutiny Review - Methodology

2 telephone surveys on CX-Feedback (survey system):

Customers with completed ASB cases (closed in the past 12 months)

Customers with current ASB cases (opened in the past 12 months)

Survey Population = 32 customers

Completed ASB cases: 12 Current ASB cases: 20

Number of Completed Surveys = 20 customers

Completed ASB cases: 7 Current ASB cases: 13

Response Rate: 62.5%

Survey Sample issues:

QL users need to ensure that cases are set up correctly and that the customer agrees that they want the matter to be treated as a formal ASB case. The case then needs to be updated and closed down on QL in a timely manner.

1. Some ASB cases are raised by non-residents about residents of Rooftop. Such cases may be logged against the resident's record on QL (who is the perpetrator of the ASB), but we cannot tell from QL who has made the complaint against them.

2. Some Rooftop residents, who have carried out ASB, are listed as both the source (complainant) and the subject (perpetrator). These residents may be on what we term an Acceptable Behaviour Contract (ABC).

The 2 issues above accounted for around half of all ASB cases on QL. These could not be included within the survey.

3. During the survey of current cases, we found that some customers were not aware that an issue they had reported had been raised as a formal ASB case. They may not have asked for this to be done. Their case remains open because it may not have been updated and closed down, even though the issue might have been dealt with.

Statistical Validity of Results

Confidence level: 95% Margin of error: 14%

Notes on survey accuracy:

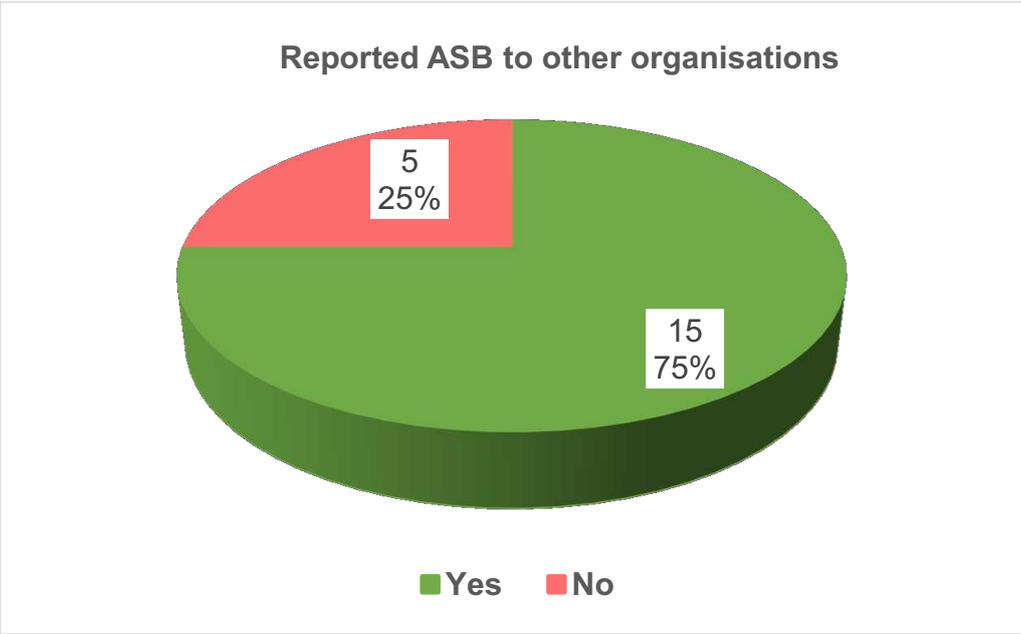
The confidence level is the amount of uncertainty you can tolerate. The true answer is the number/percentage you would get if you exhaustively surveyed everyone. A higher confidence level requires a larger sample size.

The margin of error is the amount of error that you can tolerate. A lower margin of error requires a larger sample size.

A typical recommendation for surveys is to achieve a 95% confidence level with a 5% margin of error. This was not possible due to the very small sample of ASB cases. However, having a higher margin of error of 14% is not felt to have affected the overall results. Several clear themes have emerged from the survey findings, which have helped to inform the recommendations of the scrutiny review.

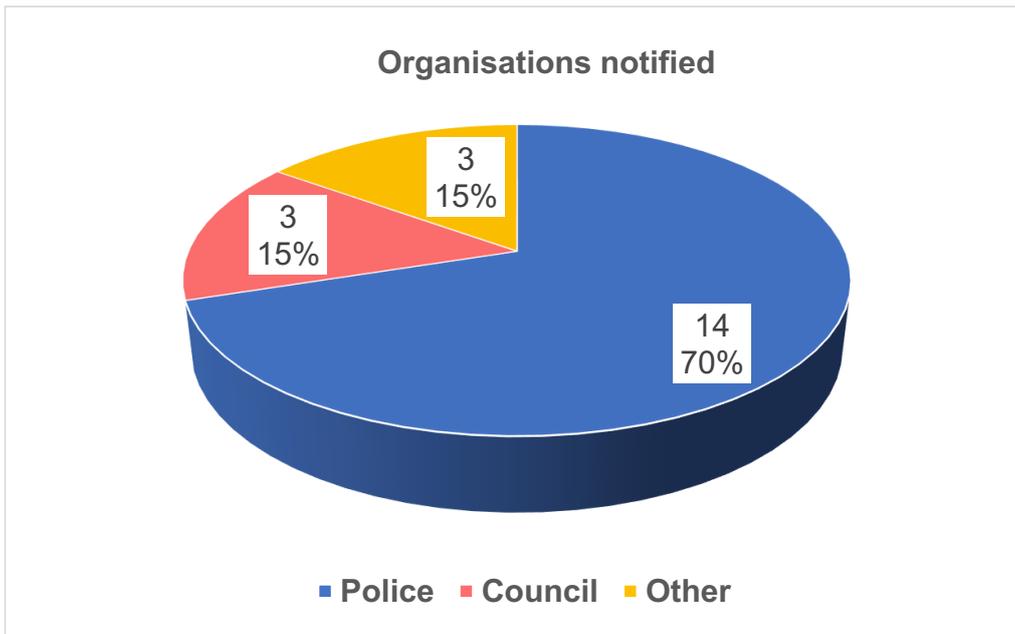
Did you report this matter to any other organisations?

	Yes	No	Total responses
Completed cases	7	0	7
Current cases	8	5	13
All cases	15	5	20



Which organisations did you notify about the ASB you experienced? (Multi-choice)

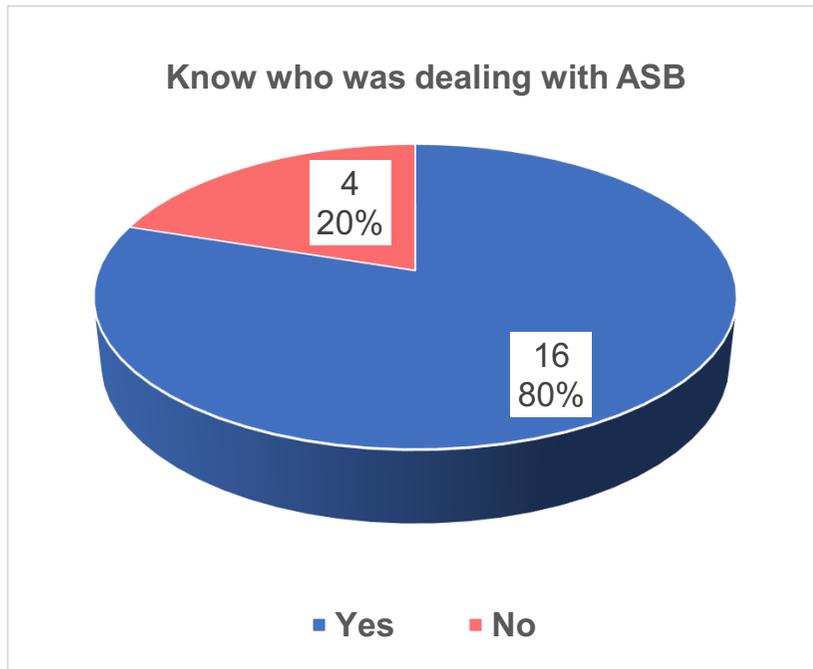
	Police	Council	Community Safety	Other	Total responses
Completed cases	6	2	0	2	10
Current cases	8	1	0	1	10
All cases	14	3	0	3	20



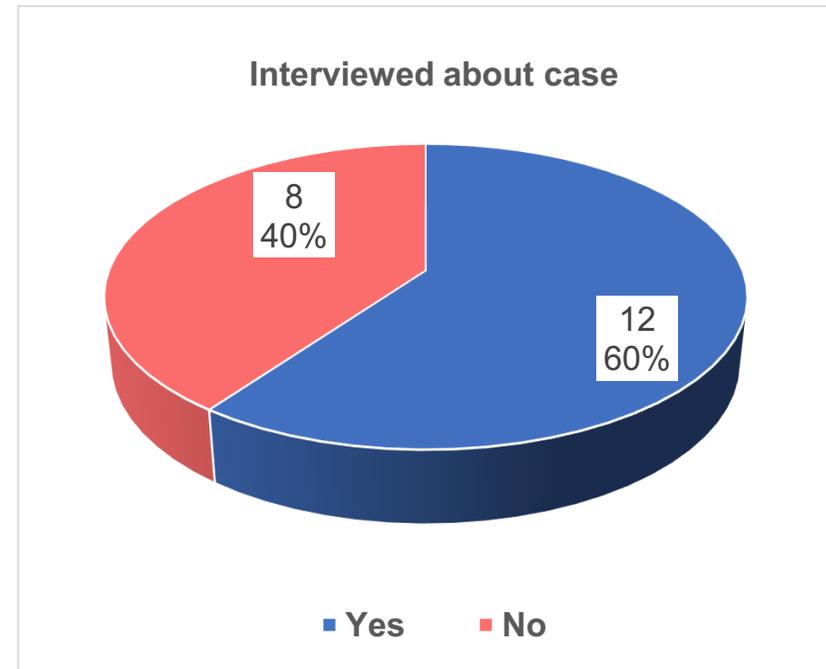
Other: Housing Ombudsman
Adult Safeguarding - Social Services
Citizen's Advice Bureau

Dealing with ASB case - point of contact and interview

Did you know that someone was dealing with your case?	Yes	No	Total responses
Completed cases	6	1	7
Current cases	10	3	13
All cases	16	4	20



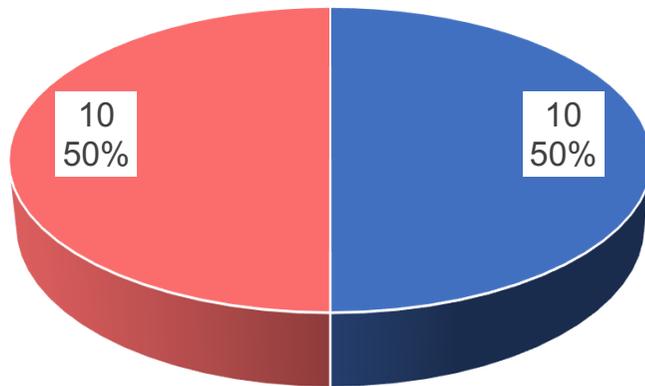
Were you interviewed about your case, in person or by phone?	Yes	No	Total responses
Completed cases	5	2	7
Current cases	7	6	13
All cases	12	8	20



Dealing with ASB case - Action plan and Timescale

Action plan agreed to deal with case	Yes	No	Total responses
Completed cases	5	2	7
Current cases	5	8	13
All cases	10	10	20

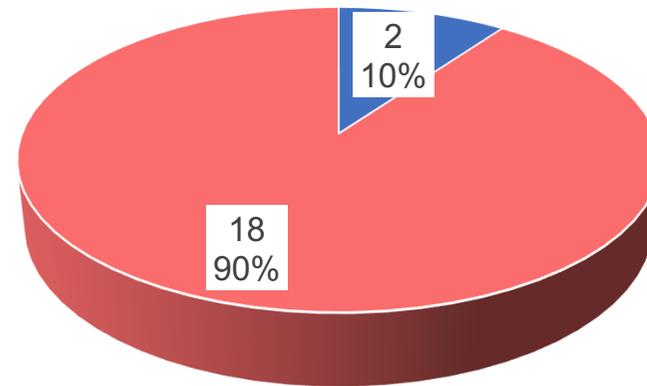
Action Plan agreed



■ Yes ■ No

Given an indication of how long it would take to deal with your case	Yes	No	Total responses
Completed cases	1	6	7
Current cases	1	12	13
All cases	2	18	20

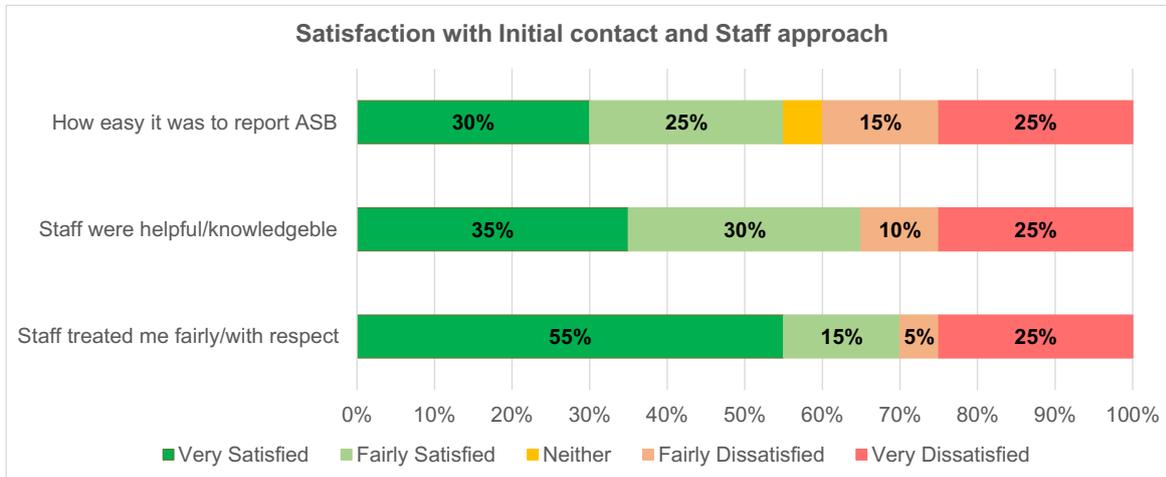
Timescale for case



■ Yes ■ No

Satisfaction with the ASB service - Initial contact and Staff approach

	Very Satisfied	Fairly Satisfied	Neither	Fairly Dissatisfied	Very Dissatisfied
Staff treated me fairly/with respect	55%	15%	0%	5%	25%
Staff were helpful/knowledgeable	35%	30%	0%	10%	25%
How easy it was to report ASB	30%	25%	5%	15%	25%



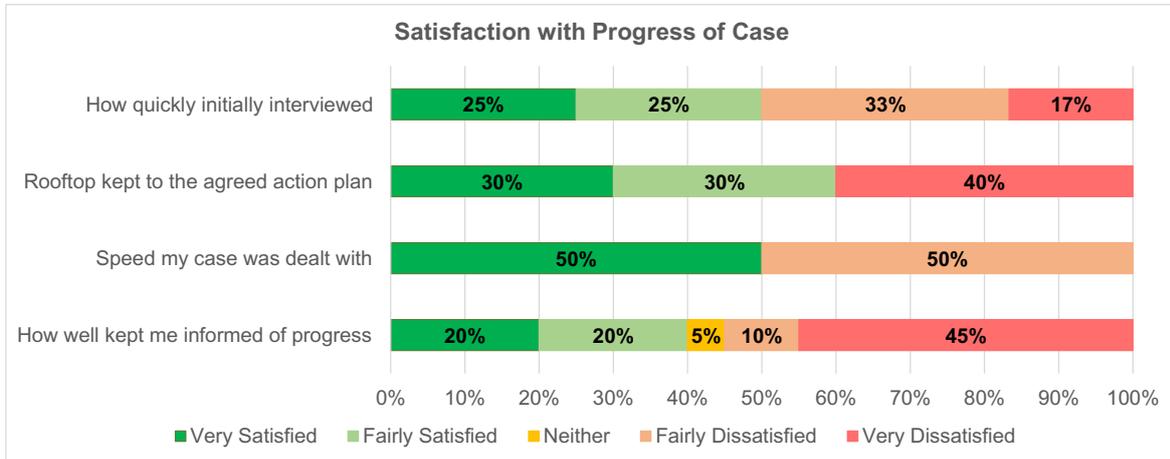
How easy it was to report ASB	Very Satisfied	Fairly Satisfied	Neither	Fairly Dissatisfied	Very Dissatisfied	Total responses
Completed cases	1	3	0	2	1	7
Current cases	5	2	1	1	4	13
All cases	6	5	1	3	5	20
How easy it was to report ASB	30%	25%	5%	15%	25%	

Staff were helpful and knowledgeable	Very Satisfied	Fairly Satisfied	Neither	Fairly Dissatisfied	Very Dissatisfied	Total responses
Completed cases	3	3	0	0	1	7
Current cases	4	3	0	2	4	13
All cases	7	6	0	2	5	20
Staff were helpful/knowledgeable	35%	30%	0%	10%	25%	

Staff treated me fairly and with respect	Very Satisfied	Fairly Satisfied	Neither	Fairly Dissatisfied	Very Dissatisfied	Total responses
Completed cases	4	2	0	0	1	7
Current cases	7	1	0	1	4	13
All cases	11	3	0	1	5	20
Staff treated me fairly/with respect	55%	15%	0%	5%	25%	

Satisfaction with the ASB service - Progress of Case

	Very Satisfied	Fairly Satisfied	Neither	Fairly Dissatisfied	Very Dissatisfied
How well kept me informed of progress	20%	20%	5%	10%	45%
Speed my case was dealt with	50%	0%	0%	50%	0%
Rooftop kept to the agreed action plan	30%	30%	0%	0%	40%
How quickly initially interviewed	25%	25%	0%	33%	17%



How quickly initially interviewed	Very Satisfied	Fairly Satisfied	Neither	Fairly Dissatisfied	Very Dissatisfied	Total responses
Completed cases	1	1	0	3	0	5
Current cases	2	2	0	1	2	7
All cases	3	3	0	4	2	12
How quickly initially interviewed	25%	25%	0%	33%	17%	

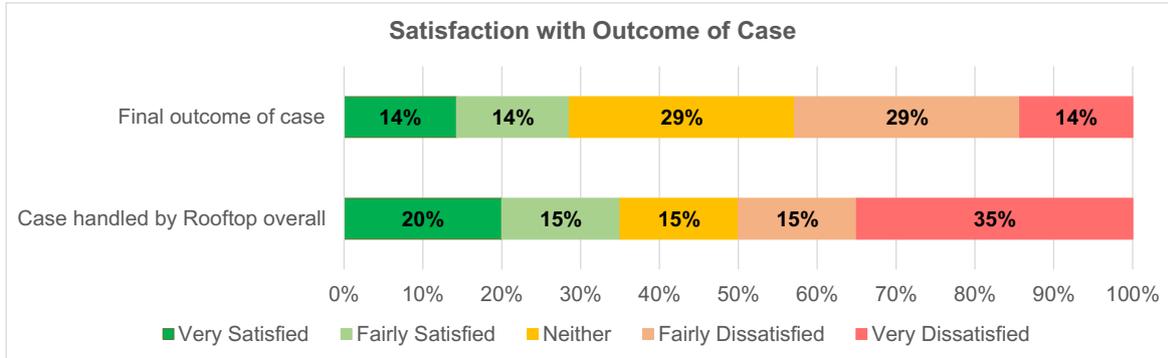
Rooftop kept to the agreed action plan	Very Satisfied	Fairly Satisfied	Neither	Fairly Dissatisfied	Very Dissatisfied	Total responses
Completed cases	1	2	0	0	2	5
Current cases	2	1	0	0	2	5
All cases	3	3	0	0	4	10
Rooftop kept to the agreed action plan	30%	30%	0%	0%	40%	

Speed my case was dealt with	Very Satisfied	Fairly Satisfied	Neither	Fairly Dissatisfied	Very Dissatisfied	Total responses
Completed cases	0	0	0	1	0	1
Current cases	1	0	0	0	0	1
All cases	1	0	0	1	0	2
Speed my case was dealt with	50%	0%	0%	50%	0%	

How well kept me informed of progress	Very Satisfied	Fairly Satisfied	Neither	Fairly Dissatisfied	Very Dissatisfied	Total responses
Completed cases	1	3	0	1	2	7
Current cases	3	1	1	1	7	13
All cases	4	4	1	2	9	20
How well kept me informed of progress	20%	20%	5%	10%	45%	

Satisfaction with the ASB service - Outcome of Case

	Very Satisfied	Fairly Satisfied	Neither	Fairly Dissatisfied	Very Dissatisfied
Case handled by Rooftop overall	20%	15%	15%	15%	35%
Final outcome of case	14%	14%	29%	29%	14%



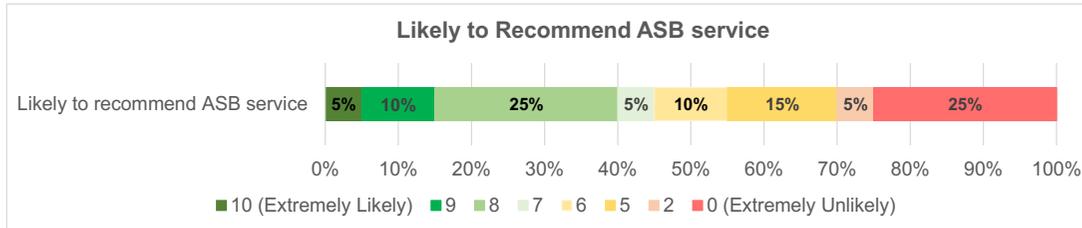
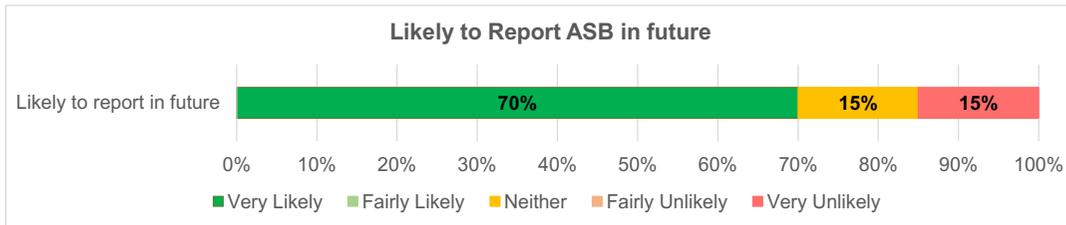
Final Outcome of Case	Very Satisfied	Fairly Satisfied	Neither	Fairly Dissatisfied	Very Dissatisfied	Total responses
Completed cases	1	1	2	2	1	7
Final outcome of case	14%	14%	29%	29%	14%	

Case handled by Rooftop overall	Very Satisfied	Fairly Satisfied	Neither	Fairly Dissatisfied	Very Dissatisfied	Total responses
Completed cases	1	1	2	2	1	7
Current cases	3	2	1	1	6	13
All cases	4	3	3	3	7	20
Case handled by Rooftop overall	20%	15%	15%	15%	35%	

Future Use of ASB service

	Very Likely	Fairly Likely	Neither	Fairly Unlikely	Very Unlikely
Likely to report in future	70%	0%	15%	0%	15%

	10 (Extremely Likely)	9	8	7	6	5	4	3	2	1	0 (Extremely Unlikely)
Likely to recommend ASB service	5%	10%	25%	5%	10%	15%	0%	0%	5%	0%	25%



How likely to report ASB to Rooftop in the future	Very Likely	Fairly Likely	Neither	Fairly Unlikely	Very Unlikely	Total responses
Completed cases	6	0	0	0	1	7
Current cases	8	0	3	0	2	13
All cases	14	0	3	0	3	20
Likely to report ASB in future	70%	0%	15%	0%	15%	

Likely to recommend the ASB service to others	0 (Extremely Unlikely)	1	2	3	4	5	6	7	8	9	10 (Extremely Likely)	Total responses
Completed cases	1	0	0	0	0	2	1	0	1	1	1	7
Current cases	4	0	1	0	0	1	1	1	4	1	0	13
All cases	5	0	1	0	0	3	2	1	5	2	1	20
Likely to recommend ASB service	25%	0%	5%	0%	0%	15%	10%	5%	25%	10%	5%	

Comments on how the process could be improved / any other feedback

All customers surveyed provided feedback. This has been grouped into broad themes:

No.	1. Communication issues: 1.1 Perceived lack of support for victims of ASB, who feel they are not being listened to 1.2 ASB has not been dealt with or is not being taken seriously 1.3 Lack of progress updates 1.4 Length of time to deal with case / need to better manage customer expectations 2. Broader housing issue: Suitability of housing allocated	Case Status & Type
1	It took a long time for this to get looked at initially. I was told one thing by one person, then another was telling me that information wasn't correct, so communication wasn't that great from Rooftop. I would have liked more support from Rooftop overall. The problem hasn't been resolved.	Completed Neighbour
2	It took a long time to get anywhere with Rooftop before they started responding, so that could be quicker. Not enough information was given throughout, and probably delays between information given between the police and Rooftop didn't help. A lot of letters and forms were sent to us.	Completed Noise
3	Terrible and I wouldn't want to go through it again. There was a total lack of communication from the start and, apart from the odd call in reply to my messages and emails left, I had to do all the chasing. I felt I was not taken seriously. I had no advice given and no support even when I begged for it. I would never put myself through the ASB procedure again. CAB had told me to contact my MP or the Ombudsman and I think I would in future.	Completed Harassment
4	I wasn't given a progress report on this - just a couple of calls telling me what to do and what not to do, and was sent some papers to keep a diary on what was going on, and was told if it carried on then a noise indicator would be introduced. I wasn't told of an action plan. The Neighbourhood Officer, I wasn't very happy with, as she seemed to believe the neighbour's version of events; the other staff were great. There was no mention of the racism at all. Nothing was done by Rooftop but the neighbours moved out on their own accord.	Completed Noise
5	I feel that I had a very positive experience with X (Neighbourhood Officer). Unfortunately, when he was no longer our Housing Officer, it became very difficult. When we had no responses, we felt very ignored.	Completed Noise
6	I haven't had an outcome for the case; no one has contacted me.	Completed Harassment
7	Rooftop responded quickly to removing the rubbish within a week. The ASB from this particular resident continues; it's been quiet the past week. The council don't want to know about this. The police are there every week but are frightened of this person.	Completed Neighbour
8	The girl moved out 6 months ago and it's been very quiet since she went. My former Housing Officer, X, didn't get back to me about this, but X (new Neighbourhood Officer) did, but this was much, much later when I'd reported another issue. The noise issue - I never had any contact from Rooftop about what was going on. I feel that complaints should get dealt with quicker, and accommodation should be taken into account when placing people who have mental issues into areas that are going to affect them more.	Current Noise
9	I've spoken to police and to Rooftop reception about this twice. Nobody at all has contacted me about what's going on, but I would like to know what is being done and get some support from you. I had to have my little dog put down - I think he may have been poisoned but have no proof. I'm very upset and the chap started his swearing again two weeks ago.	Current Criminal
10	Nothing is being done. X (Neighbourhood Officer) isn't keeping me informed about how or what is being done. I just feel the only option open is for me to move. Rooftop shouldn't put young people with the elderly - it will never work. I would like someone to contact me with what's been done or being done.	Current Noise
11	I am being told it's just general noise. I don't consider the washing mashing on at 2 in the morning, or a 12-year-old jumping up and down continuously through the night, general noise. I have a disabled son who is kept up all night.	Current Noise
12	Probably not be so racist. I feel like I'm not listened to. My Housing Officer, X, is very similar to my last one - I just feel like I'm not heard.	Current Neighbour
13	I feel that mainly the time it takes. It's been going on for 4 years and now they are finally doing something.	Current Neighbour
14	Just speed it up a little, that's all; it just takes forever. When you're on the receiving end of it, it's not very nice.	Current Neighbour
15	Cannabis smell coming into the flat. Every time I spoke up, I got threatened. The police and Spltz have been so much more helpful than Rooftop. If anyone I know is considering taking a Rooftop property, I strongly advise against it. Rooftop have just left me in the dark and the only support I get is from the police and other organisations. X (Neighbourhood Officer) has been receiving emails from CCP and Spltz and has not replied. I'm meant to have a home visit off him; I've had nothing. The emails that he needs to action are about CCTV being fitted - again, no response from X (Neighbourhood Officer).	Current Noise
16	I think we are fighting a losing battle. I feel this whole process would be different for someone else. Because of the family, X, the police, Rooftop, they won't do anything - they are scared of them. I have to have my phone recording every time I leave the house. Remove the problem, not the victim. I find X (Neighbourhood Manager) very rude and dismissive. He takes a completely different tone with me than he does with my husband. I feel like I have to move because of this family and they are just allowed to get away with it. If it was the other way round, and I was breaching my tenancy, Rooftop would take action. It's like because they are travellers, and because of who the family are, no one will do anything about it. Rooftop needs to stand up to this type of behaviour. Victims should be	Current Neighbour
17	X (former Neighbourhood Officer) has gone now, but she was so very rude to me and didn't get back to me about anything, even when I supplied proof of the abuse I was receiving. I had to chase it up continually. Two plans were put in place. I've had 4 Housing Officers within the past year and a half, and now X (Team Leader - Neighbourhoods) has taken over for a while, he has done more in the past week and a half than in all the time this ASB case has been running.	Current Neighbour

18	It had been quiet for a few days following X (Neighbourhood Officer) visiting them. Today, again, the language is appalling. This has been going on for 3 years now and still ongoing...These people were moved from Badsey to here. According to our postman, the woman has autism and X (Tenancy Enforcement Officer) at Rooftop says there isn't much they can do. Her husband/partner, who's her carer, isn't around very much to keep an eye on her. I think they should be called into the office and given a strict talking to.	Current Noise
19	For 6 years, the police, council, Rooftop didn't want to know. Rooftop weren't replying to my phone calls; I was left on my own to deal with it. I was stressed and depressed. I stopped going to work and didn't go out of the house - it was awful. Then, when Rooftop did start taking notice after I threatened to go to my MP, the service was amazing. It was dealt with quickly and for 6 months it's been quiet and I've been relieved.	Current Neighbour
No.	Positive Feedback:	Case Status & Type
20	It's been dealt with fairly. I was made aware it would take time to gather enough information and evidence to deal with the matter, but staff have been wonderful and supportive.	Current Neighbour