

Wandsworth Council

ANTI-SOCIAL BEHAVIOUR 2022 - 2025

ASB Housing Policy Statement

January 2023



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1. Aims of this policy

This policy sets out how Wandsworth Council's Housing and Regeneration Department will identify and respond to reports of anti-social behaviour (ASB) and the actions it will take to prevent ASB.

2. Scope

This policy applies to Wandsworth residents and visitors and to properties and estates managed by Wandsworth Council's Housing and Regeneration Department (we).

This policy complements Wandsworth Council's overall approach to dealing with ASB and community safety, for example, any strategies relating to public areas and its Community Safety Partnership Plan.

As recommended by the Domestic Abuse Housing Alliance, domestic violence and abuse is covered in a separate strategy, Ending Violence Against Women and Girls Strategy 2022 - 2025.

3. Definition of ASB

We will adopt the definition of ASB as set out in the Anti-Social Behaviour, Crime and Policing Act 2014:

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

Examples of the types of ASB in our neighbourhoods may include:

- Criminal
- Cuckooing
- Drug abuse
- Littering
- Noise
- Garden related nuisance
- Hate related incidents
- Misuse of communal areas
- Physical violence
- Animal nuisance
- Vandalism
- Vehicle nuisance
- Verbal abuse and harassment

4. Policy Statement

We believe that that all residents should feel safe in their homes and neighbourhoods. We will take all reports of ASB seriously and take prompt and appropriate action.

- a) that residents are made aware of their responsibilities and rights in relation to ASB**
- b) strong leadership, commitment and accountability on preventing and tackling ASB that reflects a shared understanding of responsibilities with other local agencies**
- c) a strong focus exists on preventative measures tailored towards the needs of residents and their families**
- d) 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**
- e) all residents can easily report ASB, are kept informed about the status of their case where responsibility rests with the organisation and are appropriately signposted if the responsibility rests elsewhere**
- f) provision of support to victims and witnesses**

5. Service standards

The housing service standards set out clear expectations to residents of how we will deal responsively and effectively with ASB.

We will review our service standards regularly and where there are changes to regulatory or Government guidance.

In relation to ASB our current service standards are to:

- **Respond to Wandsworth's Joint Control Centre (JCC) calls that require the attendance of an officer within 30 minutes**
- **Operate the JCC 24 hour emergency service, seven days a week, 365 days a year**
- **Carry out health and safety inspections of communal areas on estates every 3 months, picking up on any graffiti, vandalism etc.**
- **Remove 98% of all graffiti within target time**
- **Residents can easily report noise nuisance during and outside normal working hours through the Housing Emergencies and Noise Nuisance line**
- **Report on the percentage of follow up actions completed in 5 days after a noise complaint has been received**
- **Take action against those responsible for ASB. In the most serious cases this could result in a tenant or leaseholder losing their home**
- **Record the number of new ASB cases reported within the year and report on the number of cases successfully closed within the year**
- **Keep you informed about what action can be taken to address ASB and its outcome**

6. Resident expectations

We will take reasonable steps to investigate your complaints and will take action where appropriate. We will do all we can to help solve any problems with your neighbours and will take firm action against neighbours who cause a nuisance.

In line with their tenancy or lease agreements, Wandsworth expect their residents or their household members, visitors or pets to not commit ASB. Examples of behaviours may include:

- **Breaching the terms of the tenancy or lease**
- **Do anything which causes or is likely to cause a nuisance to anyone living in the borough of Wandsworth or the local area**
- **Do anything which interferes with the peace, comfort or convenience of other people living in the borough of Wandsworth or local area**
- **Cause damage to property belonging to other people or Council property in the borough of Wandsworth or the local area**
- **Harass anyone in the borough of Wandsworth and/or the local area because of his or her race, colour, nationality, culture, sexuality, gender, age, marital status, religion or disability**
- **Use the property for any criminal, immoral or illegal purpose**
- **Threaten or harass or use violence towards anyone in the borough of Wandsworth or the local area**
- **Threaten or harass or use violence towards Council employees, managing agents or contractors**
- **Use or threaten violence towards anyone living in the property**

Residents will be advised that some day-to-day activities, for example, a minor noise disturbance, cannot be avoided and that disproportionate restrictions on other peoples' use of their homes may be unreasonable.

In line with government guidance for social housing tenants, we will recognise that some behaviours may cause nuisance and upset to individuals but will not be investigated as ASB. This may be because they are one-off incidents, not part of a targeted campaign or are issues which the landlord is not responsible for or is unable to get involved in.

This may include:

- **One-off parties and barbecues**
- **Infrequent and occasional noise or disturbances**
- **Children's play**
- **Occasional dog barking**
- **Excessive noise from domestic appliances during reasonable hours (for example, washing machines, vacuum cleaners)**
- **Minor vehicle repairs**
- **Gossip**
- **Escalated disputes.**

7. Cuckooing

'Cuckooing' is when criminals take over the home of a vulnerable person and use it for criminal purposes such as drug dealing.

We will take steps, through staff training and information, to understand and identify signs of cuckooing and in identifying vulnerable residents at risk.

We will make referrals and work with relevant partner agencies to prevent cuckooing and ensure that there are effective and long-term responses where it occurs.

8. Domestic abuse

Wandsworth's Housing and Regeneration Department has a separate strategy and policy on domestic abuse. We recognise that domestic abuse does not constitute ASB that survivors and victims are responsible for, but a crime committed by the perpetrator. The Council was awarded the Domestic Abuse Housing Alliance (DAHA) accreditation in July 2021. This is a set of standards that we use to ensure improved practices around domestic abuse.

9. Procedures

The Housing and Regeneration Department has individual procedures and strategies, which are periodically reviewed, to provide guidance for staff to effectively tackle ASB. These are used to prevent ASB from occurring, to address specific types of ASB or provide guidance on the enforcement tools and legal powers available.

These include specific policies and procedures on:

- **Absolute Grounds for Possession**
- **Acceptable Behaviour Contracts**
- **Allocations Scheme**
- **Anti-social behaviour procedure**
- **Breach of Tenancy**
- **Closure of Premises**
- **Cuckooing**
- **Hate Crimes, Hate Incidents and Harassment procedure**
- **Dogs Procedure**
- **Domestic Abuse (for guidance on holding the perpetrator to account)**
- **Information Sharing**
- **Joint Control Centre procedures on In-hours Calls, Out of Ours Calls and CCTV**
- **Management Transfers**
- **New Tenancy Visits**
- **Noise Nuisance**
- **Safeguarding Children and Safeguarding Adults**
- **Sexual, Violent and other Potentially Dangerous Offenders**
- **Tenancy Support Service**

Through our procedures and guidance, we will also follow the latest statutory guidance, case law and legislation.

10. Reporting ASB

Reports of ASB can be made by residents, resident representatives, partner agencies, the police or members of the community.

We will ensure equal and varied access to the housing service to report ASB. This includes accessing the service in person, over the phone (using 'Type Talk' if necessary), by email, letter text and by reporting ASB online. The Department will also use interpreters, including sign language interpreters and written translations, including braille to ensure equality of access to services for all residents.

If you report ASB, you will be informed from the outset what we can do and how we will respond to your report of ASB.

All reports of ASB will be recorded on the internal case management system and allocated to the appropriate housing management officer.

Where reports are made to the Joint Control Centre service and if they require a member of staff to attend, we will aim to respond within 30 minutes.

11. Managing cases

We will treat all cases with sensitivity and in confidence. This means that we will consider any vulnerabilities, support needs or individual circumstances of victims and witnesses. We will not share information without permission, in line with the Data Protection Act 2018.

We will carry out a risk assessment for relevant high-risk cases, for example, where cases involve vulnerable residents or if there is a risk of harm and acknowledge that the risk of an ASB case may change over time or when further information is made available. We will follow the relevant Safeguarding Adults and Safeguarding Children procedures and referral processes if concerns are identified (for example, if a vulnerable adult or a child is involved).

For individual neighbour disputes, which may sometimes include allegations and counter allegations of ASB, the parties involved will be encouraged to consider mediation where it is appropriate. This involves resolving a problem by both parties talking through the issues and agreeing next steps with the help of a trained mediator. With permission and where appropriate, we will refer disputes at the earliest opportunity to a third-party mediator.

Case actions will be managed and recorded through our case management system. We will work with complainants to agree further actions (where appropriate) and set out expectations for frequency of contact and for resolving the case. We will work with complainants if further evidence or detail is required to progress cases, for example, the collection of nuisance diary sheets.

12. Taking action

The Department will utilise the full range of enforcement powers and tools available to address and resolve ASB, as set out in the ASB procedures.

Our Estate Services Officers are available to observe and intervene where ASB is occurring or has occurred, for example fly tipping, noise, graffiti and other misuse of communal areas, such as evidence of illegal drug use or property damage. Actions can include fines where fly tippers are identified and officers acting as professional witnesses in noise nuisance cases.

Cases of ASB will be closed in consultation with the complainant and in situations where the ASB has been resolved, or where the investigation has determined that ASB is not present or no further incidents have occurred or are unlikely to reoccur.

Working with partners such as the Police and other Council departments, we will consider the range of ASB enforcement tools as set out in the Home Office's Statutory guidance for frontline professionals.

This includes considering the use of:

- **Community remedies**
- **Civil injunctions**
- **Criminal behaviour Orders**
- **Dispersal Powers**
- **Community Protection Notices**
- **Public Spaces Protection Orders**
- **Expedited Public Spaces Protection Orders**
- **Closure Powers**
- **The Absolute Ground for Possession**

13. Prevention of ASB

Tenants and leaseholders will have their responsibilities clearly set out in their tenancy and lease conditions.

We will ensure that new tenants are aware of their responsibilities, as set out in their tenancy conditions, through the allocations and sign-up processes. New tenants will be offered an introductory tenancy in the first year of their tenancy.

Officers have a role in the identification of ASB issues and where possible early intervention measures to stop ASB escalating. This includes regular estate and block inspections and the use of CCTV to capture images of perpetrators of ASB.

Prevention of ASB will be considered in the design of any regeneration, estate and environmental improvement and development. Our schemes will seek to meet the principles of 'Secured by Design' focussing on designing out crime with effective security standards. This may include ensuring designs incorporate improved lighting or safer pedestrian routes. Small improvement budget (SIB) grants are made available to residents to make improvements to their estate or block to benefit the community and assist in improving a feeling of neighbourhood safety and wellbeing, for example railings that provide better defensible space for council residents, or secure bicycle storage.

14. Support and diversionary activities

We will ensure that residents who experience ASB receive the support they need as well as providing appropriate positive interventions for vulnerable perpetrators to tackle the causes of ASB.

Our initial assessment of reports of ASB will seek to identify any specific needs or vulnerabilities of those involved and we will tailor our services and response accordingly.

Where residents have been the victim of domestic abuse, violence, harassment or hate crime and the ASB is ongoing, we can assist residents to remain in their own home by making improvements to the security of their home through the 'Stay Put Stay Safe' scheme. Security improvements can include new locks, heavy-duty doors, additional window security and safe rooms. Where it is unsafe to remain at the property, we will aim to secure temporary accommodation through the Allocation Scheme.

We will refer relevant cases to the inhouse Tenancy Support Service which provides support to Wandsworth Council tenants who have been identified as vulnerable and who show a clear indication of failure to maintain their tenancy, some of which are at risk of losing their tenancy due to their engagement in ASB.

The Department will continue to foster a good working relationship with the Wandsworth Drug and Alcohol Service, the Mental Health teams and Learning Disability service to prevent such ASB from recurring. The Department will offer support or signposting to those suffering from drug and alcohol problems which may be linked to incidents of ASB, including through the Community Drug and Alcohol service outreach team, who can provide floating support.

We will continue to work with the Council's Youth Service and offer targeted diversionary activities for young people, for example sports programmes such as the Chelsea Kicks Project which offer health, educational and learning sessions. This is so that younger persons, who may be at risk of causing ASB, develop skills and behaviours that make a positive contribution to the wider community.

15. Working with partners

The Department will also ensure effective joint working relationships with other teams are in place, including; Safer Neighbourhood Teams, the Community Safety Division and Youth Justice Service, amongst others to monitor and take enforcement action against perpetrators.

Additionally, the Department works with partners in the promotion of neighbourhood watch and community awareness schemes to help prevent and tackle ASB by providing support and information to council tenants and leaseholders.

The Housing and Regeneration Department is a member of Wandsworth's Community Multi Agency Risk Assessment Conference (CMARAC). The CMARAC addresses high risk cases that feature individual vulnerability or harm involving anti-social and problematic behaviours with the aim of addressing problems through information sharing and coordinated action. We will refer relevant cases to CMARAC in line with their Terms of Reference.

We will work with relevant local and national agencies in dealing with ASB and will have regard to local and national policy and strategies, for example the London Mayor's Office for Policing and Crime's Police and Crime Plan for London 2022-25.

16. The Community Trigger

Complainants may have a right to request a review of persistent ASB through their councillor/community safety team under the Community Trigger (sometimes referred to as the ASB case review protocol). Where our residents have applied to a Local Authority under the Trigger, we will cooperate fully and work with them to seek a resolution and use any learning for service improvement.

17. Accountability, monitoring and service development

We will report our ASB related activities through the Housing Annual Report to residents and on a quarterly basis to the Area Housing Panels and through internal reports and management processes.

We will regularly monitor and review the service to ensure that this policy and standards are being followed and that areas of improvement are identified.

The Department will collect and monitor a range of statistics and performance related material in relation to ASB which will assist in this monitoring including:

- **Noise nuisance complaints actioned within 5 days**
- **The types of ASB that is reported and who reports ASB**
- **The number of clients assisted by the Tenancy Support Service**
- **The number of homelessness presentations to the housing service where ASB was cited as a contributing factor**
- **The number of notices served (noise, possession, etc.)**
- **The number of injunction applications carried out for ASB**
- **The number of ABCs, CBOs and civil injunctions**
- **The amount of graffiti removed within target**

We will undertake regular satisfaction surveys, including targeted surveys for those who have reported ASB. Feedback from surveys will inform changes to policy, practice or approach to dealing with and tackling ASB.

We will use the tenant satisfaction measures and performance indicators as proposed as an outcome of the Social Housing White Paper, which include improving performance monitoring, ASB case handling and measuring how landlords contribute to neighbourhood safety.

18. Training and support

To enable Housing and Regeneration staff to provide appropriate services to people who are experiencing ASB and take enforcement action where appropriate, all relevant staff will receive appropriate and regular training, information and support.

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