

Respect: delivering the ASB Charter for Housing



With support from



Contents

Respect commitment one	– we demonstrate leadership and strategic commitment.....	Page 9
Respect commitment two	– we provide an accessible and accountable service	Page 16
Respect commitment three	– we take swift action to protect communities.....	Page 28
Respect commitment four	– we adopt a supportive approach to working with victims and witnesses	Page 40
Respect commitment five	– we encourage individual and community responsibility.....	Page 45
Respect commitment six	– we have a clear focus on prevention and early intervention.....	Page 51
Respect commitment seven	– we ensure that a value for money approach is embedded in our service	Page 58

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Acknowledgement: CIH would like to thank Whiteheads Solicitors for sponsoring this publication and providing their support in relation to the legal definitions and case law cited within this brief.

The CIH would also like to thank all of the landlords used as Practice Examples throughout this brief for their willingness to share with readers their experience and learning.

Production/print: Jeremy Spencer/Hobbs the printers, Totton.

Images sourced by Marion Conlon, CIH (from istockphoto.com)

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Registered charity No. 244067/R ISBN 978-1-905018-20-8



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Foreword



Most social housing tenants live happily in their homes and get along well with their neighbours. Unfortunately, this can be overlooked as it's those that don't

that take up a lot of landlords' time, along with column inches in the media.

But over recent years social landlords have built strong track records in working with communities and partners to tackle and also to prevent anti-social behaviour (ASB).

While many incidents and situations labelled as ASB may be low level nuisance or neighbour disagreements, which are nonetheless upsetting for those affected, a skilful approach and well-timed actions can prevent those cases from escalating unnecessarily. This is highlighted by the findings of HouseMark's 2010/11 ASB benchmarking report which showed that early intervention by landlords accounted for 76% of all actions taken to resolve ASB within communities. For the remaining, more serious cases, a firm focus on supporting complainants and witnesses alongside timely, proportionate, and effective action to address perpetrators' behaviour is essential.

The *Respect – ASB Charter for Housing* gives landlords in England an ideal starting point from which to work with their tenants and residents when reviewing, improving or designing ASB services so that they meet the needs and aspirations of local communities. This **practice brief**, which Whiteheads Solicitors is pleased to sponsor, sets out the ways in which landlords, tenants and residents can translate the Charter into practice, supported by practice checklists and many examples of the positive work that organisations are already doing to meet each of the Charter's seven commitments.

I hope you will find this **practice brief** an invaluable tool as you work with your tenants, residents and partners to develop your approach to ASB.

Paul Lloyd
Whiteheads Solicitors

Setting the scene

The role of landlords in tackling ASB

For many people living within our communities, the effect of ASB and the fear of intimidation and harassment have a dramatic effect on their quality of life. For some, the impact of serious or repeated incidents of low level ASB can be devastating. Prolonged concentrations of ASB not only damage the lives of individual households but can bring misery for entire communities, damaging the reputation of estates and leading to low demand and neighbourhood decline if left unchecked.

Landlords are increasingly recognising the costs of failing to take action. Their efforts to reverse the negative impact of ASB are reflected in continued investment and improvements in comprehensive ASB services. For the majority of landlords, tackling ASB is a core part of their work. They offer a broad range of services to both challenge ASB, and address its underlying causes. This is highlighted in recently published HouseMark benchmarking results¹ which demonstrate that early intervention by social landlords accounts for 76% of all actions taken during 2010/11 to resolve ASB within communities.

For some landlords, though, developing a comprehensive ASB strategy and delivering ASB services that are responsive to local needs and demands continues to be a challenge,² and tenants experience wide variations in the range and quality of ASB services.

This **practice brief** focuses on translating the principles of the *Respect – ASB Charter for*

¹ HouseMark (2011) *ASB Benchmarking Services: analysis of results 2010/11*

² CIH (2010) *Taking action against anti-social behaviour baseline findings*

ASB – definitions

ASB is any activity that impacts on other people, their homes and/ or their communities, in a negative way, and the key to categorising behaviour as anti-social must be consideration of its impact on others. This can be subjective. Different people may be distressed or alarmed by different types of behaviour and activity.

The Crime and Disorder Act 1998 Section 1(1) defines ASB as:

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

Housing into practice. It does not attempt to explore the broader issues of crime and civil disorder which fall within the remit of the police and the courts. However, in the aftermath of the August 2011 disturbances, CIH, in partnership with the National Housing Federation and *Inside Housing*, will be publishing *The Riot Report* in December 2011 which investigates issues for housing and those neighbourhoods affected those events. Social landlords and their communities have an important role to play in understanding some of the underlying causes and identifying and implementing potential solutions. Some of the good work that landlords and their partners are already engaged in, particularly around prevention and early intervention, is showcased in this **practice brief**.

The legal framework in England

At the time of writing it is not clear what the legal framework for tackling ASB will look like in the future due to ongoing Home Office consultation on ASB powers and tools,³ although the proposals show that streamlining is likely. The outcome of the consultation is due to be announced late in 2011.

However, do remember that the existing legal framework and comprehensive range of tools and powers remain intact until spring 2013. You can find detailed guidance on these in *Tackling anti-social behaviour: Tools and powers – toolkit for social landlords* (CLG, 2010) www.communities.gov.uk/publications/housing/toolspowersguide

CIH will produce further advice and guidance once the results of the consultation are announced by the Home Office and subsequent changes to legislation are enacted by Parliament.

On 3 August 2011 consultation began on government proposals to introduce a new mandatory power of possession for ASB for all landlords in England. The aim is to speed up possession proceedings in cases of serious ASB, in which the facts have already been considered by another court, so that the ASB does not need to be proved a second time, which will provide faster relief for complainants and witnesses. In response to the August 2011 disturbances, this consultation has been broadened to include measures to enable landlords to obtain possession against tenants, including members of their household and visitors, convicted of a criminal offence anywhere in the UK. The current ground for possession is restricted to conviction for offences committed in the locality of their home. The consultation deadline has been extended to 7 November 2011 to accommodate this.

Recent case law

While the legislative framework for the moment remains the same, a number of recent test cases have challenged possession actions on mandatory grounds taken by landlords. The case of *Manchester City Council v Pinnock*, where the Council sought possession of a demoted tenancy on mandatory grounds, challenged landlords in relation to proportionality. The case of *Westlea Housing Association v Price*, while not established as case law, highlights the need to consider the support needs of vulnerable perpetrators. The practical implications of such cases, and how landlords should respond, are covered in more detail in later sections of this brief.



³ Home Office (2011) *More effective responses to ASB*

Changes to regulation and standards

In October 2010 the government published a review of social housing regulation. It recommended that the current regulator, the Tenant Services Authority (TSA), be abolished and its regulatory functions transferred to the Homes and Communities Agency (HCA). These changes are contained within the Localism Bill and will come into effect from April 2012. The primary focus of the new regulator will be on economic regulation, with a very strong focus on efficiency and value for money. Regulation will be considerably scaled back increasing the need for landlords to establish robust governance, accountability and scrutiny arrangements. Until then the TSA will continue to regulate all social housing in England.

At the time of writing, landlords are required to both adhere to the TSA's Neighbourhood and Community Standard and to have developed a local standard with their tenants to identify and agree locally defined outcomes and priorities.

However, there may be changes to this as a result of consultation which is currently taking place. For now, the Standard sets out two main outcomes for registered providers:

- That they work in partnership with other public agencies to prevent and tackle ASB in the neighbourhoods where they own homes
- That they set out in an annual report for tenants how they are meeting these obligations and how they intend to meet them in the future. They shall then meet the commitments they have made to their tenants.

To find out more, go to www.tenantservicesauthority.org/server/show/ConWebDoc.20175

A changing operating environment

Over the last twelve months the social housing sector has seen significant changes in its operating environment.

- Overarching policy drivers around the Big Society and Localism have forced landlords to examine how they structure their business to respond to the delivery of localised services
- For landlords with geographically dispersed stock, or those operating across many different local authority areas, developing an ASB service which is responsive to the different demands of each area may be complex and resource intensive



- Changes to the regulatory framework, with the abolition of the TSA and the Audit Commission, have placed much greater responsibility on landlords to ensure strong governance, enhanced resident scrutiny arrangements, and the delivery of local service solutions
- The wider economic climate has placed pressure on landlords to examine how they can continue to deliver and improve ASB services with reducing resources, with increased focus on effective partnerships to maximise available skills and resources
- The August 2011 disturbances have implications for landlords in terms of the role they can play in building, rebuilding and supporting stable and cohesive communities, through partnership working and the use of the tools and powers available to them.

Despite the downturn in the economy, most social landlords remain committed to tackling ASB within their communities and to achieving the best possible outcomes for tenants and residents within the resources they have available. HouseMark's 2010 ASB benchmarking report shows that landlords are spending more to deliver their ASB services. In 2008/09, landlords in the dataset spent £89 million on ASB services which equates to around £309,000 per landlord. In 2009/10, the total ASB costs borne by the dataset rose to £95 million, equating to £331,000 per landlord, an increase of 7% or £22,000 per organisation.

An enhanced role for tenants and residents

Government has recognised the key role tenants and residents can play in supporting landlords to tackle ASB effectively. Landlords should be able to demonstrate that the services they provide are customer-driven and accountable to tenants. Genuine engagement with residents that live and work within estates and neighbourhoods is important if they are going to work alongside landlords to examine and challenge existing service provision, and ensure services reflect local priorities.

The development of local offers, robust resident scrutiny, local tenant panels and effective engagement all provide opportunities for tenants and residents to shape ASB services at a very local level, and empowers individuals to have real influence over the setting of local priorities.⁴

CIH's ASB Action Team

Recognising that effective engagement with tenants and residents on ASB has been a challenge for the sector, the Department for Communities and Local Government (DCLG) has funded the CIH's ASB Action Team for a further year (2011/12) to continue its work with landlords. ASB Advisors are funded to work at no charge with any English landlord with a focus on improving the way in which residents are involved in shaping ASB services. Further information is available at www.cih.org/asbactionteam

⁴ CIH (2011) *Working with residents and communities to tackle ASB baseline findings*

Driving improvement: *Respect – ASB Charter for Housing*

Introduced in 2006, the Respect Standard for Housing Management was acknowledged as a powerful driver for improvement within the sector, and is widely recognised by landlords and residents alike. The Standard encouraged landlords to take a holistic approach to tackling ASB and improving outcomes for residents by balancing early intervention and enforcement activities with support for complainants and witnesses. Over 500 signatories demonstrate both its success and the commitment of the social housing sector to drive up performance.

In 2011, as part of the government's commitment to encouraging sector-led improvement, ownership of the Respect Standard was passed to the sector to be managed jointly between CIH, the Social Landlords Crime and Nuisance Group and HouseMark. This provided an opportunity to review and update the Standard with the new *Respect – ASB Charter for Housing* launched in June 2011, following detailed consultation.

The Charter, which focuses on English landlords' ASB services, and on the importance of partnership working to improve outcomes for residents and communities, provides a framework for continuous improvement.

This **practice brief** is structured around the Charter's seven core commitments and building blocks and translates these into practice to help you to deliver tangible improvements in:

1. Demonstrating leadership and strategic commitment
2. Providing an accessible and accountable service
3. Taking swift action to protect communities
4. Adopting a supportive approach to working with victims and witnesses
5. Encouraging individual and community responsibility
6. Having a clear focus on prevention and early intervention
7. Ensuring a value for money approach is embedded in the service.

While the Charter continues to be a voluntary standard, it forms a key part of the new co-regulatory approach within housing, alongside local offers and effective resident engagement and scrutiny. Go to www.cih.org/respectstandard to find out more.

Respect commitment one

Respect commitment one – we demonstrate leadership and strategic commitment

There is strong leadership, corporate commitment and accountability about preventing and tackling ASB. This is embedded throughout our business and across key partners.

The building blocks

- 1.1 Our values, aims and objectives are reinforced by our approach to ASB and this approach is subject to ongoing ratification, assessment and review by both us and our tenants.
- 1.2 Tackling ASB is a core strategic and operational business activity and we will ensure that we commit sufficient capacity and resources to tackle ASB effectively.
- 1.3 We provide relevant training, capacity-building and support across all levels of the organisation (including staff, tenants, the governing body and relevant partners) that supports the delivery of a targeted action/service improvement plan for ASB.
- 1.4 We clearly communicate to all tenants that ASB will not be tolerated. Our staff and contractors are supported to identify and report incidents where they have been subject to or have observed ASB.
- 1.5 We proactively engage with relevant partners to support a joined-up approach to tackling the root causes of ASB and promoting positive behaviours.
- 1.6 We have performance management frameworks in place to report, monitor and review ASB performance. These include challenging performance targets and are also reflected in service plans at a team and individual level. Our ASB targets are subject to regular review and demonstrate year-on-year improvement.
- 1.7 Information on our performance against ASB targets is readily available and shared across the organisation to drive continuous improvement. It is regularly reported to our senior management, our governing body, partner agencies and our tenants.



Landlords should widely publicise their commitment to dealing with ASB to raise confidence among tenants that all reported incidents will be taken seriously and responded to appropriately. Tenants should be clear that ASB will not be tolerated, know what their landlord will do to tackle ASB and what recourse they have to hold their landlord to account if it doesn't do what it says it will.

Delivering effective ASB services requires strong corporate commitment and leadership, which is supported by sufficient resources and organisational capacity to deliver, with a champion (ideally someone with influence) to drive the importance of delivering against ASB priorities across all areas of service.

Demonstrating leadership on ASB can also involve pro-actively championing the needs and concerns of your tenants in discussion

with agencies which provide services which are not within your direct control.

For some smaller landlords where capacity and limited resources can be an issue, shared working with other landlords or agencies can help build capacity and maximise the use of available skills or specialist expertise.

By signing up to the Respect Charter, you send a clear message of your commitment to addressing ASB and its causes, and to delivering ASB services which reflect your tenants' needs and priorities.

In preparation for this, you should consult your tenants to establish how they wish to see the Charter adapted to fit your local context and the outcomes they believe should flow from it. This can then be built into a supporting action plan which your tenants will regularly monitor and challenge.



Practice checklist: Demonstrating leadership and strategic commitment

- ✓ Is there a robust ASB strategy in place to deliver your priorities?
- ✓ Are there links between your ASB strategy and other strategic responsibilities, for example, promoting equality and diversity, community cohesion, Supporting People, homelessness?
- ✓ Are there clear links between action plans and ASB strategic priorities?
- ✓ If your tenants have indicated that tackling ASB is a priority for them, is this reflected in your corporate plans and strategies?
- ✓ Does tackling ASB have top level leadership and support to ensure objectives are embedded across all areas of the business, and adequate funds and resources are allocated to deliver objectives?
- ✓ Do members of your governance structure and staff throughout the organisation have an understanding of the importance of tackling ASB? Have they been briefed on the Respect Charter and the Tenant Services Authority's Neighbourhood and Community Standard and what it means for them?

- ✓ Are your objectives based on a shared understanding with other partner organisations of local needs?
- ✓ Has your ASB Strategy been reviewed in the last 12 months? Did tenants and senior managers play a part in this?
- ✓ Have you agreed clear priorities within your objectives, in response to tenants' needs and in consultation with tenants, staff and other stakeholders?
- ✓ Is appropriate training in place for staff, tenants and members of your governance structure to play a full part in delivering, and monitoring the delivery of, ASB actions and priorities?
- ✓ Have front-line staff and contractors been trained to recognise the signs of ASB and Hate Crime, and to report them?
- ✓ Do you have clear and challenging objectives for preventing and tackling ASB, which are embedded throughout the organisation?
- ✓ Are there clear, agreed targets for improvement which focus on improved outcomes for tenants and communities?
- ✓ Have you worked with tenants to agree timescales for responding to ASB reports which are stretching, service user focused and reflect the relative urgency of different situations?
- ✓ Are all staff aware of agreed targets and the role they play in meeting them? Do aims and objectives link to individual performance or development plans?
- ✓ Have you assessed your current performance against the Respect Charter to determine your current and future priorities?
- ✓ Have you worked with your tenants to decide the appropriate Respect Charter commitments and building blocks that align to your own priorities and those of your tenants?
- ✓ Have you developed an action plan to support achieving the Respect charter?
- ✓ Has this been communicated to your tenants?
- ✓ Are local people encouraged to take an active role in reporting ASB, and do they feel confident you, as their landlord, will take action?
- ✓ Do you have robust procedures and IT systems in place?

Adapted from *The Wales Housing Management Standard for Tackling Anti-Social Behaviour: guidance for implementation* (Welsh Assembly Government and CIH, 2009) www.cih.org/cymru/policy/ASB-Guidance/ASBGuidance-E.pdf



Practice example

Helena Partnership is embedding its approach to ASB and demonstrating that it is a priority through its investment in training for all staff. It provides comprehensive training and induction on its approach to ASB, its policies and how ASB fits with its wider aims and objectives. This ensures that all staff are clear about what to do if they witness ASB or are told about an incident of ASB while carrying out their duties. Helena Partnerships has also trained 16 staff as domestic violence champions who, allocated to each department, support and guide staff who have identified a risk of domestic violence.

Contact: Joy Wilson at
joy.wilson@helenapartnerships.co.uk



Practice example

Sovereign Housing has shown leadership and strategic commitment through its approach to ASB service delivery. Operating through five main offices in the south of England, it has developed an ASB team with a presence in each office which provides specialist advice and is working towards a consistent approach to tackling ASB at a local level. This makes sure that ASB is dealt with swiftly and that partnership working is effective as a result of strong local contacts.

Contact: Rebecca Horne at
rebecca.horne@sovereign.org.uk

Partnership working at a strategic level

Well-developed partnership working, at both strategic and operational levels, is integral to an effective approach to tackling and preventing ASB and delivering positive outcomes for communities.

Partnerships which landlords have usually been involved in include:

- Community safety partnerships
- Local strategic housing partnerships
- Multi-agency risk assessment committees (MARACs)
- Any specific local groupings around Hate Crime.

However, the landscape of ASB partnership working is changing with some community safety partnerships disbanding and the introduction of Police Crime Commissioners (PPCs) in 2012. Landlords therefore need to make sure that they are engaging in the most appropriate forums to deliver their ASB objectives. CIH's May 2011 baseline survey of landlords focused on how they were working with tenants to tackle ASB. It revealed that only 64% had a clear understanding of the role of PPCs and only 7% had started to work strategically with key partners to plan and organise how they will work with their PPCs. Find out more at www.cih.org/asbactionteam/asb-baseline-findings-2011.pdf

For landlords operating in a large number of local authority areas, decisions will need to be made as to how many, and which, strategic groupings it is possible to engage with, with many choosing to focus on areas where they have significant levels of stock, growth aspirations and/ or particular concerns about the levels of ASB experienced by their tenants.

However, it is important to engage with local operational forums, like MARACs, to ensure positive outcomes for tenants and to ensure that the staff attending are trained, knowledgeable and empowered to play a full part and make any decisions which may be necessary.



Practice example

The **Safer Birmingham Partnership**, a joint partnership between West Midlands Police, Birmingham City Council, West Midlands Fire Service, social landlords and other agencies, is working to develop a cross-partnership approach to the Respect Charter.

Contact: William Carter, Chair of the Safer Birmingham Partnership at william.carter@cvcha.org.uk



Practice example

Radian identified the need to develop a Community Safety Strategy to provide clear direction for its work on tackling ASB and domestic abuse. To help ensure the strategy was well informed and had the support of all stakeholders, it organised a Community Safety Conference as part of the strategy development process.

The conference, attended by 140 people including residents from Radian's Area Panels, partner agencies and officers, included a number of workshops which looked at key issues for the service:

- Communities – how communities can work together
- Youth – how can we work with young people to prevent them causing and becoming victims of ASB
- Partnership working – how we can improve working with the police, local authorities and others
- Victims and witnesses – what services should we be providing victims, witnesses and perpetrators
- Domestic abuse – what should we be doing.

Radian found that bringing together all stakeholders at one event provided an excellent opportunity to exchange and develop views and ideas. Attendees valued the breadth, openness and detail of the conference, along with the collaborative nature of the day which enhanced networking.

Contact: Steven Knowles at steven.knowles@radian.co.uk





Practice checklist: Demonstrating your corporate commitment to tackling ASB

- ✓ Clearly communicate to tenants and staff that you have a culture of not tolerating ASB and reinforce this at every opportunity
- ✓ If your tenants have indicated that tackling ASB is a priority for them, this should be reflected in your corporate plans and strategies
- ✓ Ensure the prioritisation and allocation of sufficient resources to maintain the desired level of ASB service provision
- ✓ Make it a priority to fully train staff and keep them up to date on developments in ASB
- ✓ Ensure that your governance structure members, tenants and stakeholders are well informed about the work taking place to tackle ASB, performance against agreed targets and the outcomes delivered for tenants and communities
- ✓ Consider designating a senior manager and/ or board member as 'ASB Champion' and monitor the impact this has on embedding awareness of and commitment to tackling ASB within your organisation.

Managing your performance

As with any other housing management service, the approach to monitoring and managing ASB performance, and the outcomes for service users and communities, needs to be well developed. Information should be accurate and timely so that early action can be taken to address any under-performance and tenants should have opportunities to challenge service performance and delivery.

The performance indicators chosen should focus on outcomes and reflect tenants' priorities and the local context. They should include both quantitative and qualitative measures which may include:

- Types of cases
- Length of time that cases are open
- Cases still open eight weeks after the initial complaint
- Proportion of cases responded to within agreed target timescales
- Satisfaction levels for complainants, witnesses and perpetrators
- Proportion of cases resolved at the first contact, resolved without legal intervention, those proceeding to enforcement and the number of evictions
- Average cost per case (this is explored in the section on commitment seven)
- Number of cases opened and closed – while this is not necessarily about performance, it does give an indication of the volume of cases handled by the service

- Action plans agreed with complainants
- Average officer case load
- Whether contact with the complainant was maintained as agreed with them
- The number and kinds of complaints about the service, the outcomes and learning points.

Alongside this it is important to monitor and evaluate the approaches, tools and powers which have had the most impact in resolving ASB, as this can enable more effective targeting of resources.

External assessment

Undergoing external assessment is one way of demonstrating strategic commitment and gaining feedback on the quality of your service. HouseMark and the Social Landlords Crime and Nuisance Group have developed an ASB accreditation service which enables landlords to demonstrate to their tenants, partners and the regulator how they are responding to ASB by assessing their services against the Respect Charter. Contact julie.morton@housemark.co.uk to find out more.



Respect commitment two

Respect commitment two – we provide an accessible and accountable service

All our tenants can easily report ASB and access the service. Tenants are provided with useful and timely information and are actively encouraged to influence how we deliver the service.

The building blocks

- 2.1 All of our tenants can easily access our ASB services.
- 2.2 We collect information which helps us to understand local demographics and the overall profile of our tenants. We use this information to tailor how the service is delivered to individuals and to demonstrate equality in service provision.
- 2.3 We provide clear information which sets out what the service is, how it is delivered and how it can be tailored to meet local needs. All information about our services can be made available in a variety of formats, and translated into relevant community languages on request.
- 2.4 There is a range of ways for our tenants, including marginalised groups, to be involved in shaping the service. We do this routinely and systematically to support continued service improvements.
- 2.5 We publicise what we and our partners have done to tackle ASB in our communities – both our enforcement activity and the activities we do to prevent ASB occurring. Our approach balances the need to protect communities and build confidence that ASB will not be tolerated. We take seriously all complaints about the services we provide. This is demonstrated in our overall approach to handling complaints which are regularly monitored against targets and contribute to the process of continual learning.
- 2.7 We regularly assess satisfaction with the ASB services and gather feedback on what we could do to improve them. We publicise survey results and customer feedback to our tenants.
- 2.8 We have mechanisms in place to allow our tenants to assess how we are performing. We provide our tenants with regular, robust and appropriate information in a format which has been agreed with them. Tenants are encouraged and empowered to hold us to account about the delivery and performance of our ASB services.



An easy to access service

An easy to access, accountable service is one of the key hallmarks of an effective, customer-focused approach to ASB. Not only is it important that your tenants can easily access the service, but they should be able to both hold you to account and influence its delivery.

When designing or reviewing an existing ASB service, landlords need to make sure that all tenants can access it easily. A well-developed understanding of tenants' key characteristics, usually described as the 'tenant profile', and the ways in which they prefer to access services is an important factor in shaping this.



Practice checklist: Access

- ✓ Offer a full range of reporting methods including telephone, face to face, on-line, and text and publicise these as widely as possible including through posters in office reception areas and communal areas in flatted blocks, leaflets, on the website, on the back of quarterly rent statements and in newsletters
- ✓ Monitor which reporting methods are used most and keep an eye out for emerging communication trends
- ✓ Make sure that non-tenants are also made aware of the ways in which they can report ASB caused by your tenants, for example, on mixed tenure estates
- ✓ Work with tenants to agree clear, challenging but achievable service standards, including target response times, which are widely publicised and monitored
- ✓ Train and support all front-line staff, including estate-based staff like caretakers, so that they can respond and sign-post confidently and appropriately when tenants report ASB to them
- ✓ Include questions on how easy it was to access the service in satisfaction surveys
- ✓ Involve tenants in quality checking published information, including your website, to make sure that information is clear and easy to understand
- ✓ Work with tenants to explore the costs and benefits of offering a free phone ASB reporting line. Do bear in mind that this may be an expensive option for mobile phone users, and so consider how this might be eliminated, for example, through the use of 03 or local rate telephone numbers
- ✓ Make sure that tenants can report ASB outside office hours, for example, through the organisation's out of hours service, and that call handlers are trained and supported to respond appropriately
- ✓ Have a regular programme of mystery shopping with trained tenants reality checking the ASB service and use the findings to improve the service. It may be worth considering developing a team of mystery shoppers to work across a number of different landlords in a local area, to increase capacity to compare and challenge services.



Practice examples

Landlords are now using a range of media tools to communicate with tenants on ASB matters. This is helping them to reach a broader range of people in a more accessible way.

Adactus Housing Association conducts online ASB surveys on its blog.

AmicusHorizon, along with other agencies in the Swale Community Safety Partnership in Kent, is using Bluetooth technology to send messages to the community on crime and disorder issues. A Bluetooth box is set up in an area where there are regular passers-by which sends out a silent message to everyone within a 200 metre radius that has Bluetooth enabled on their phone. The technology recognises a phone that it has already contacted and does not repeat the message. In a recent campaign providing advice on how to avoid burglary over 2000 messages were sent in one area.

Derwent Living and Gateshead Housing Company use Twitter to highlight ASB consultation.

Knowsley Housing Trust uses Facebook to communicate with residents about ASB.

Nottingham City Homes' tenants can report ASB by text to a free, dedicated number.



Practice example

Salix Homes has improved its approach to ASB reporting out of hours following service user feedback. Tenants can call the 1st Response out of hours service to log a concern and receive initial advice. In more serious situations, the service provides professional witnessing and also makes evening and weekend reassurance calls for vulnerable complainants in ongoing cases.

Outcomes achieved in the first 12 months include a 50% reduction in noise-related ASB complaints and £96,000 efficiency savings in caretaking services.

Contact: Warren Carlon at warren.carlon@salixhomes.org



Knowing your tenants

Comprehensive and up to date information on the profile of tenants is an important tool in identifying who is and is not accessing the ASB service. You can identify and remove any barriers to access and target promotion and information more effectively. It will allow you to

tailor your services to meet a range of different needs and also help you to identify when ASB and harassment is actually Hate Crime.

Once you have gathered profile information, you should have a programme in place to regularly review and up-date it with more frequent checks for vulnerable tenants.



Practice checklist: Understanding and meeting your tenants' needs

- ✓ Make sure that you capture data on how tenants see themselves in terms of gender, transgender, age, disability, sexual orientation, ethnic origin, and religious beliefs – use this to develop a profile of who is most likely to experience and report ASB
- ✓ Capture detailed information on the profile of new tenants including any vulnerability and support needs
- ✓ Explain to tenants why you are asking for this information, how it will be stored and used
- ✓ Support and train staff so that they are confident about asking tenants for more sensitive information
- ✓ Capture and use information on tenants' communication needs including large print, Braille, other languages, and 'easy read' or verbal contact for those who have difficulty reading – make sure that this is accessible to all staff
- ✓ Ask tenants how they prefer to be contacted, for example, by email, telephone, text, or via a third party such as a relative or advocate – make sure this is recorded and visible to and used by all staff
- ✓ Some tenants may not be able to complete diary sheets as evidence of ASB so offer help with this or consider providing small recording devices to help them.

Useful resources

Tenant insight: a toolkit for landlords (TSA, CIH, HouseMark, September 2010)

www.tenantservicesauthority.org/upload/pdf/Tenant_insight_toolkit_for_landlords.pdf

Good Practice Briefing 32: *Customer Insight* (CIH, January 2008)



A tenant-led ASB service

Tenant involvement is not a new concept and many landlords have successfully placed their tenants at the heart of shaping and influencing services. But this is not always translated well into ASB services. It makes good sense to involve tenants in shaping the ASB service for a range of reasons including:

- To make sure the service meets their needs, priorities and aspirations
- Utilising your tenants knowledge and experience – they are your ‘eyes and ears’ and have first-hand experience of where problems lie, what works and what doesn’t
- Their practical insights can save money and help to use resources well
- To build and support communities where people want to live and in which residents have confidence
- To deliver the best services possible.



Practice checklist: Involving tenants in ASB services

- ✓ Make sure that you capture the views of tenants who have used the service, as well as those of your involved tenants
- ✓ Aim to work with as broad a range of people as possible – if you see that satisfaction survey feedback shows that, for example, young people or people from black and minority ethnic communities are less positive about the service, engage with them through specific focus groups to understand why, and act on the findings
- ✓ Aim to hold at least one focus group each year with people who have used the ASB service to ask them about the things that worked well and those that they think could be improved – include a satisfaction survey question asking respondents if they would like to take part in a focus group
- ✓ Ask tenants if they want to be involved in improving ASB services on an ongoing basis, for example, through a service review or improvement group
- ✓ Provide training and support to take part as well as help with travelling and caring costs
- ✓ Think creatively about your choice of venue and meeting time when trying to engage different members of the community – offering young people a drink and burger at a local fast food restaurant will attract attendance, or dropping in at local mums and toddlers or church groups will provide greater opportunities to engage than some traditional meeting places
- ✓ Use innovative methods to engage with a broader range of people such as Facebook, Twitter, and ‘armchair involvement’ for those who prefer not to attend meetings
- ✓ Make sure you feedback to tenants how their views have influenced the service so that they can see that you listen and that it is worthwhile offering their views.



Practice example

Wolverhampton Homes holds lively, quarterly 'Get Together' meetings in four locations in the city on a range of themes, including ASB. These interactive and informative sessions enable a diverse range of tenants to share their views on service delivery, with a nucleus of people attending every session but with a number of new people attending each time. The ASB-themed meetings captured tenants' views and priorities and raised the profile of how to report incidents. 'You said, we will' feedback is produced after each meeting so tenants can see how Wolverhampton Homes is addressing the issues they have raised.

Contact: Clare Poskitt at clare.poskitt@wolverhamptonhomes.org.uk



Practice example

When social landlords were required to develop local offers as part of the new approach to housing standards developed by the Tenant Services Authority, **AmicusHorizon** conducted extensive consultation with its residents during 2010. This included speaking to 3,290 residents, which represents approximately 12%. Dealing with ASB was identified as a priority by residents and, in particular, the need for a quick response to ASB complaints was highlighted. It was therefore agreed that a new 24 hour target time to respond to ASB reports would be introduced.

The new approach, which started in April 2011, means that following a report of ASB, an officer will now contact the victim to discuss the problem within 24 hours. Performance against the target is monitored as a local offer performance indicator. This is reported internally to officers but also to resident Area Panels. The development of the ASB local offer has ensured a strong focus on this element of the service, resulting in improved performance on response times. It has also been identified as an important factor in increasing levels of resident satisfaction with ASB case handling.

Contact: Mike Thompson at Mike.Thompson@amicushorizon.org.uk



Open to scrutiny – tenants challenging the ASB service

Many landlords are developing or have already established arrangements for tenants to scrutinise and challenge service delivery and performance. Landlords which have not yet done so will need to as this is an expectation in the Localism Bill and the revised regulatory framework. This high-level, strategic involvement is part of a move towards co-regulation where, instead of externally-led inspection and assessment of services, tenants themselves hold their landlords to account.

In relation to ASB services, this means tenants calling for, and challenging, information on service performance, outcomes, service user satisfaction and costs, all of which is presented in a way which shows how this compares to similar landlords. It may also entail critically assessing the service's priorities and the way in which it is delivered.



Practice example

Teign Housing's Scrutiny Panel was set up in 2009 following an open recruitment process. The tenants selected underwent a skills audit and induction training, which is supported by an annual appraisal process.

Incentives to take part include a £30 shopping voucher for each review, a £10 voucher for taking part, references for future employment and access to conference attendance and training. Teign is also looking at supporting NVQs for Scrutiny Panel members as part of the work they do.

After reviewing a variety of performance and benchmarking information and interviewing key staff, the panel chose the ASB service for scrutiny. The panel recognised that ASB was a high priority for them and the communities where they lived.

The review included a desktop review of ASB policies, procedures, strategies and leaflets; identifying strengths and weaknesses; looking at best practice and comparing Teign with other landlords; telephone surveys with tenants and reality checks.

Following the review, the panel made recommendations to the Senior Management Team which included improvements to customer information and letters, increased promotion of mediation and considering training tenants to act as advocates or mediators in low level ASB cases. The Senior Management Team responded by agreeing an action plan for the delivery of recommendations and a formal report went to the board. The Scrutiny Panel will review progress until recommendations are fully implemented.

Contact: Teresa Warn at teresa.warn@teignhousing.co.uk

Publicising your success

Regular publicity on your work to address ASB is an important feature of an effective service as it:

- Shows tenants that you are proactive and that it is worth telling you about their concerns because you will listen and act
- Promotes to tenants the range of positive work you are doing to both prevent ASB and to address it when it does happen – they may not realise that these things are already taking place
- Highlights the positive outcomes of the work you do with other agencies when tenants may not realise that this takes place
- Builds pride and confidence in local communities
- Sends a clear message that ASB will not be tolerated.

Publicity doesn't need to be of the 'naming and shaming' variety, although there will be situations where ASB has been so severe and damaging that this is appropriate.

- Anonymised reporting of the action you have taken to address issues, particularly where ASB has been of medium or high severity, will let tenants know that you are prepared to take decisive action
- Articles in tenants' newsletters and the local media can advertise diversionary activities and also promote their success in preventing ASB and supporting other positive outcomes, such as young people developing skills and experience to help them into work

- Involve young people and tenants in designing and producing tenants newsletters and web pages
- A regular ASB page in your tenants' newsletter can:
 - Promote 'good news' stories
 - Remind tenants how they can report ASB
 - Advertise the success you are having in tackling ASB
 - Let tenants know how they can be involved in improving the service
 - Show tenants how you are performing against your agreed targets and service standards, the level of service user satisfaction with the service, and how this compares with other landlords.



Practice example

Wolverhampton Homes produces a regular ASB newsletter, tailored to different neighbourhoods, which raises awareness of ASB and the action that it is taking to address it.

Contact: Andrew Finch at andrew.finch@wolverhamptonhomes.org.uk

Gathering and learning from tenant feedback

Service user feedback is a valuable way to gain first-hand information on the quality of your ASB service. Used well, this information can help to improve outcomes for service users by creating a more customer-focused service.



Practice checklist: Satisfaction surveys

- ✓ Carry out a satisfaction survey for complainants and witnesses in every closed case – include this in the case closure process and build prompts into your IT system if this is a feature
- ✓ Include questions on satisfaction with the way the case was handled and with the final outcome
- ✓ In cases lasting several months, it is worth considering doing a survey while the case is still ongoing
- ✓ Make it easy – if you use paper questionnaires, provide a pre-paid envelope – but ideally carry out telephone surveys as this usually encourages a higher response rate
- ✓ Consider prize draws, such as for gift or DIY store vouchers, to encourage people to give feedback and recognise the time they are giving you for free
- ✓ Consider training and supporting involved tenants so that they can carry out telephone surveys
- ✓ Agree challenging, but achievable, targets for ASB satisfaction levels with tenants and report back on performance
- ✓ Include satisfaction levels as a target in appraisals for staff dealing with ASB
- ✓ Systematically analyse and act on ASB survey results – do procedures need to be changed, do staff need additional training and support, do service users' expectations need to be managed better?
- ✓ Use 'you said, we did' features in tenant newsletters and on the website to publicise how service user feedback has shaped improvements to the ASB service – this shows that their views are valued and will encourage them to respond in future
- ✓ Include performance on ASB satisfaction levels, how they compare to those of other landlords and steps you are taking to address any dissatisfaction, in both internal and external performance reports.

Landlords were previously required by the regulator to undertake regular standardised tenant satisfaction surveys (STATUS) which included questions about the local neighbourhood and ASB. While this is no longer a regulatory requirement, HouseMark has developed a survey of tenants and residents (STAR) which provides landlords with a free, co-regulatory tool with a consistent methodology. To find out more go to www.housemark.co.uk

What do perpetrators think?

Some landlords also ask perpetrators about their experience of the ASB service. Done in the right way and at the right time, this can help you to identify the factors which were most influential in gaining their cooperation and changing their behaviour so that you can target effort and resources more effectively in future. Things to consider include:

- Timing – approach them when the situation has been resolved and the case has been closed
- Method – ideally do so by telephone as it will be easier to explain why you are contacting them and the response rate is likely to be higher
- Having someone carry out the survey who has had no previous involvement in the case

Complaints – a golden opportunity

It may be hard to see complaints about a service in a positive light, but they can provide you with valuable insight into service users' experience of your service and offer great opportunities to improve services, including your approach to ASB.

All landlords should have a clear, well-advertised complaints process which covers all aspects of service and which has been developed and agreed with tenants. Tenants should be clear about what to do next if they believe the outcome does not resolve their complaint. However, key to effectively managing complaints is ensuring tenants' expectations are realistically managed from the start – don't promise what you can't deliver. Be clear when handling complaints of ASB from the outset what you as the landlord will be able to do and what will be expected of the complainant in return.





Practice checklist: Complaints

- ✓ Make sure that service users know how to complain – include details in ASB information leaflets, on ASB webpages, in letters and discuss it when opening a case
- ✓ Make it as easy to complain – accept complaints in any format and don't insist that they are made in writing as this poses an unnecessary barrier, particularly for those who have difficulty reading and writing
- ✓ Support and train staff so that they:
 - Understand the purpose of the complaints process and their role within it
 - Know the difference between a complaint, that is, a service failure, and a request for service, for example, a complaint about a neighbour's behaviour
 - Receive complaints confidently and put customers at ease, using language and behaviour which defuses the situation rather than making it worse
 - Manage complainants' expectations throughout the process
 - Keep an audit trail of actions and decision-making when dealing with complaints
 - Recognise that negative feedback and complaints are to be welcomed as opportunities to improve outcomes for service users
- ✓ Track complaints to identify trends:
 - do policies and procedures need to be amended?
 - is the approach to managing ASB casework strong enough?
 - does a member of staff have a training need?
 - report and act on the findings
- ✓ Work with tenants to develop a complaints compensation scheme - make sure that the criteria are clear, fair and well publicised
- ✓ When complaints are closed, survey customers to check that they are satisfied with the way it was handled.

How well are you doing?

Tenants should receive regular updates on how the ASB service is performing, in a format which has been agreed with them and which shows them how performance compares to that of other landlords. Reporting methods could include:

- Good quality coverage in the annual report to tenants
- Summaries in tenant newsletters
- Information on ASB webpages
- Detailed reporting to and challenge by tenants through ASB service review or improvement groups
- Detailed reporting to and examination by a tenant panel or equivalent.

Question to landlords

If you are consistently dealing with ASB cases well within target times, should those timescales be revised in discussion with tenants so that complainants are given a responsive service and a true indication of the length of time they can expect to wait?



Respect commitment three

Respect commitment three – we take swift action to protect communities

We take prompt, appropriate and decisive action to deal with ASB before it escalates. In doing so, we adopt a problem-solving approach and have regard to the full range of tools and legal powers available.

The building blocks

- 3.1 Our staff are fully aware of the range of tools and powers available to them and our partner organisations, and know how to use them appropriately in accordance with our published policies and procedures.
- 3.2 We apply consistent and robust processes for managing ASB cases.
- 3.3 The actions that we take to tackle ASB are carefully considered and are proportionate to the effects of the behaviour on individuals, communities and the environment.
- 3.4 We have a proactive approach to gathering evidence and utilise a variety of available sources (i.e. multi-agency, non-housing management staff and contractors) to support action to tackle ASB.
- 3.5 We have strong working relationships locally and strategic links with partners (including local authority, police, and court services); we use these to investigate and tackle ASB.
- 3.6 We act swiftly when a perpetrator fails to engage with support provision and their behaviour does not improve.
- 3.7 We close cases appropriately, in a timely manner and, where possible, in consultation with the complainant.

Evidence shows us that taking prompt, proportionate action will often resolve ASB issues at an early stage and prevent behaviour from escalating or spiralling out of control.

Taking swift action for all reported incidents of ASB demonstrates a landlord's commitment protecting individuals and communities, and

will in turn increase public confidence and encourage reporting of incidents.

The current range of powers and tools available to landlords and their partner agencies is extensive and comprehensive. However, this choice can sometimes be bewildering or confusing for non-specialist

officers, and can lead to officers using the tools most familiar to them which may not be the most appropriate to the circumstance. Essentially officers need to be fully trained and knowledgeable about the range of powers and tools available to them, when it is appropriate to use them and confident in their choice of response.

The right tools at the right time

The essence of an effective ASB service is to use the right tools at the right time. As mentioned at the start of this **practice brief**, the ASB tools and powers are under review and CIH will publish further advice on the practical implications of the new legal arrangements when they are formalised next year. Changes are expected to come into effect from 2013.

For now though landlords should be routinely evaluating the range of powers and tools they use to address ASB within their communities and the effectiveness of their choices. As part of regular case management and case auditing arrangements, landlords should monitor the tools that are being used for each case and check:

- Is it the best response in that situation?
- Is the tool effective – did it resolve the situation quickly and to the complainant's satisfaction?

- Are some tools routinely used even though they are known to have little or no effect?
- Are staff sticking with 'tried and tested' solutions rather than choosing the best one for those particular circumstances?
- Do staff need training and support to build their awareness and confidence to try different solutions?
- Are cases escalating unnecessarily by moving to notice of intention to seek possession too early or inappropriately?
- Are some tools, such as issuing notice, losing their impact because they are issued too readily?



Finding out more – tools and powers toolkit



Detailed coverage of the range of ASB remedies available to social landlords is provided in *Tackling anti-social behaviour: tools and powers – toolkit for social landlords* which was published by DCLG, the Home Office, CIH and the Social Landlords Crime and Nuisance Group in March 2010.

The toolkit covers:

- Access to housing registers and lists – exclusions and eligibility
- Tenancy agreements and terms
- Acceptable Behaviour Contracts
- Anti-social Behaviour Orders
- Closure Orders (for crack houses and premises associated with persistent disorder)
- Demoted tenancies
- Drug Intervention Orders
- Environmental ASB
- Family Intervention Projects and tenancies
- Individual Support Orders
- ASB injunctions
- Introductory and starter tenancies
- Parenting Contracts
- Parenting Orders
- Possession proceedings and eviction
- Refusing mutual exchanges
- Suspension of the Right to Buy and Preserved Right to Buy.

Look at www.communities.gov.uk/publications/housing/toolspowers guide to explore this in more detail.

A word about Notices of Intention to Seek Possession (NSP)

It's important to make sure that you are not issuing NSPs as a matter of course and procedure and without intending to proceed to court. There will, of course, be situations where issuing a notice encourages a perpetrator to engage with you to change their behaviour. However, this should only happen when all other options have either been considered or have failed. If NSPs are issued routinely and in high numbers, this can reduce their impact as tenants will not take them seriously. It will also increase your service costs.

Question to landlords

If you are issuing a significant number of notices to tenants, have you explored the reasons behind this?

Is it because these are the only actions that tenants will respond to or do staff find it an easier option? Can you evidence this perception?

Do your ASB policy and procedures lead officers down the route of issuing notices before considering fully alternative solutions, for example, injunctions or Acceptable Behaviour Agreements?

Are you aware of the average cost of issuing a NSP, and have you considered how much this is costing the organisation each year?

Managing ASB cases – getting it right

A strong approach to ASB is underpinned by the effective management of ASB cases, and comprehensive policies and procedures which have been developed and agreed with tenants to reflect their priorities. Procedures to manage ASB cases should be:

- Service user and outcome-focused
- Clear and user-friendly to support staff to manage ASB effectively
- Backed up by staff training and support to put them into practice

- Reviewed annually to check that they take account of any external changes such as new powers or emerging case law
- Built into the IT system so that staff are prompted to take action at key points during the case.

Importantly, procedures should be carefully adhered to – if you pursue enforcement action, or are subject to legal challenge, you need to be able to demonstrate that agreed procedures were followed.



Practice checklist: Managing ASB cases

At the start

- ✓ Train and support staff so that they deal confidently with ASB complaints and use language and skilful behaviour which resolves, rather than escalates, the problem
- ✓ Are your staff competent and confident in prioritising complaints, based on a harm-centred approach?
- ✓ Assess the timescales for actions based on the seriousness of the case and risk of harm
- ✓ Make sure you have the correct facts – with particular focus on how the behaviour is affecting the person or family members who are making the complaint – has ASB been committed? If it is not ASB what are you going to do to prevent it from escalating into ASB?
- ✓ Is urgent protection required to prevent further risk of harm? Can you respond swiftly?
- ✓ Check if the perpetrator is already known to you – do they pose a risk?
- ✓ Is the person identified as the perpetrator by the complainant the one responsible? Are they themselves the victim?
- ✓ Ask what the complainant is expecting from you and what would be a satisfactory outcome for them – this gives you a valuable opportunity to manage expectations
- ✓ At the outset, assess the complainant's vulnerability and the risk of further harm to them using the Risk Assessment Matrix (see below)

- ✓ Ensure that any welfare and support needs identified are addressed, that the risk assessment is reviewed at each stage of case management. Where appropriate, ensure action is taken against the perpetrator in tandem with the risk assessment
- ✓ Depending on the outcome of the risk assessment, consider holding an internal or external case conference, installing security measures, carrying out reassurance calls or visits, and making referrals to appropriate agencies
- ✓ Look to resolve the problem at the earliest opportunity, respond quickly and consider mediation early in the process
- ✓ Work with the complainant to agree a realistic action plan, with clear timescales and agreed communication methods between the officer and the complainant, using a standard template for consistency. Ask the complainant to sign it and give them a copy for reference
- ✓ Make sure that all commitments and promises detailed in the plan are kept, and the complainant understands what will happen next
- ✓ Be clear about what is expected of the complainant such as maintaining diary sheets and reporting ASB when it happens
- ✓ Consider the most appropriate tools to use in the situation – this may include non-legal options such as mediation
- ✓ Make sure that the complainant has the name and contact details for the officer dealing with the case and agree how often you will contact them
- ✓ Maintain strict confidentiality throughout
- ✓ Investigate the complaint and keep a record of how this has been done
- ✓ ASB Officers should have a clear case strategy.

During the case

- ✓ Where ASB is being committed, challenge the perpetrator(s) appropriately, swiftly and with authority
- ✓ Follow up in writing
- ✓ Keep the complainant updated
- ✓ Assess, and act on, the perpetrator's support needs
- ✓ If other agencies haven't responded to your referrals, chase them. Do your staff know how to make referrals and what they should do if this becomes a barrier to progress?

- ✓ In more complex cases, speak to your legal advisors early in the process – their advice may save you time and money in the long run
- ✓ Systematically record every action taken on a case – if it isn't logged, it didn't happen
- ✓ Share action taken with partners
- ✓ Carry out regular, systematic quality checks, with a supporting audit trail, to make sure that staff dealing with ASB are taking a consistent, appropriate approach – this is particularly important where work is being done by a number of people who may be in different locations and/ or working generically
- ✓ Check the quality of letters, communication and action planning
- ✓ Is appropriate action being taken and the right tools used?
- ✓ Are targets and promises being met?
- ✓ Has the challenge to the perpetrator stopped the ASB, if not, what is being done to stop further harm to the complainant?
- ✓ Have you considered Disability Discrimination Act implications and justification?
- ✓ Consider proportionality at each stage and be satisfied that the intervention used is reasonable and proportionate to the ASB being complained of
- ✓ Before beginning court proceedings, carry out an internal case review, supported by a checklist, to make sure that all actions have been recorded, that the needs of the perpetrator have been thoroughly assessed and acted upon, and that, of all the available tools and powers, this is the only option
- ✓ Measure, record and evaluate the impact of the harm caused on the community.

Closing the case

- ✓ Proactively close cases down – it's inefficient not to
 - ✓ Let the complainant know that the case is being closed – face to face if possible – and make it clear that they can come back for help if further problems occur
 - ✓ Notify any partners involved
 - ✓ Publicise successful outcomes
 - ✓ Carry out satisfaction surveys with the complainant, witnesses and the perpetrator – and act on the findings
 - ✓ Review what worked and what didn't – capture and share the learning and success factors.
-

Finding out more – the principles of effective ASB case management

As outlined above, solid ASB casework underpins all activity aimed at reducing ASB, starting when a complaint is received and continuing through until the problem is successfully resolved. In 2010 the Home Office, CIH, the National Policing Improvement Agency, the Association of Chief Police Officers, the Social Landlords Crime and Nuisance Group, and a number of social housing landlords and community safety partnerships developed a set of ASB casework principles. These set out a general framework for the case management of ASB at a neighbourhood level by both the

police and housing. The principles provide practical advice for case handling officers and cover five key areas:

- Opening a case
- Early intervention
- Enforcement and use of preventative tools
- Legal considerations
- Closing a case.

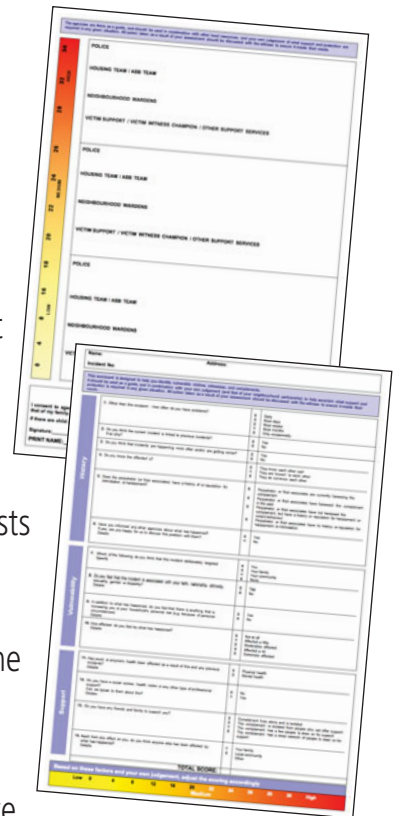
Throughout, the principles emphasise the need to protect individuals and communities and, where possible, change the behaviour of perpetrators, through effective case management. Download from www.practicehub.cih.co.uk.

Assessing vulnerability: the Risk Assessment Matrix

The vulnerability of complainants should be assessed at the earliest possible opportunity following a report of ASB. The outcomes of the assessment should be shared with all agencies involved with the case to provide adequate support and protection to vulnerable complainants. Historically landlords and partner agencies have struggled to undertake this in a consistent or effective manner, and the impact on some complainants of repeated incidents of low level ASB went undetected.

The Risk Assessment Matrix (RAM) was developed in 2010 to support landlords and the police in addressing this issue. It consists of carefully structured questions that highlight risk at an early stage and prioritises risk according to the level of severity. Once the level of risk has been identified, the Matrix will then guide the case handling officer towards taking the appropriate and necessary steps to protect the complainant from further harm.

A copy of the RAM and examples of how different landlords have adapted it to suit their own needs can be accessed at www.practicehub.cih.co.uk



Vulnerable perpetrators

Landlords are increasingly finding that the perpetrators of ASB are vulnerable themselves and that, sometimes, the ASB is a consequence of that vulnerability, for example, if they have a mental illness or misuse drugs and/ or alcohol.

It is important to have a robust process in place to assess perpetrators' vulnerability and

that you act on any needs this identifies. If referrals are made to other agencies and they do not respond, follow them up, as the perpetrator may be at risk of homelessness if they are not supported to change their behaviour. You will also need to be able to demonstrate that you have done all you reasonably can if you begin court proceedings.

Legal point on perpetrator vulnerability



The need for a robust process for assessing the vulnerability of a perpetrator, and acting on the findings, is highlighted by the ruling in the case of *Westlea Housing Association v Price* in January 2010. While this case does not set a case-law precedent, it does provide a learning opportunity for other landlords.

The landlord sought possession on the grounds of Miss Price's ASB which included allegations of noise, loud music, fighting, late night parties, and the use of cannabis. The District Judge noted that Miss Price's partner had been arrested and imprisoned for assaulting her in November 2010, that a number of the incidents cited were attributable to domestic violence and that Ms Price had problems with alcohol and depression.

Westlea HA knew enough of the defendant's background to recognise that some intervention or social work referral would have been appropriate but did not make any such referral. The District Judge found that it was not reasonable to make any form of possession order, that it would not be right to make a demotion order and dismissed the claim with no order about costs.





Practice checklist: Perpetrator vulnerability

- ✓ What do you know about the perpetrator's circumstances?
- ✓ Has there been any involvement from other agencies?
- ✓ Is support appropriate?
- ✓ Has support been offered and taken up or refused?



Practice example

Great Places Housing Group has developed a formal process to assess perpetrators' vulnerability supported by a helpful action plan template. They complete this when they meet the perpetrator to inform how they progress the case and identify the actions needed to address support needs.

Contact: Gillian Holt at gillian.holt@greatplaces.org.uk

Gathering evidence

Reliable, comprehensive evidence is a key factor in determining which steps to take and in achieving a successful outcome. Legally, evidence proves the existence or non-existence of some fact. It may include:

- Documentary evidence such as witness statements or reports
- Testimony, that is, live oral evidence

- Hearsay evidence provided by a third party on behalf of someone else
- Tangible evidence such as a weapon which has been used to threaten or harm someone.

Potential sources of evidence in ASB cases include:

- Witnesses who saw or heard the ASB
- Housing officers
- Community wardens
- Police officers
- Neighbours
- Environmental health officers
- Social workers
- Doctors
- Support workers
- Media reports.

Evidence may also take the form of diary sheets; file notes; letters to and from complainants and perpetrators; photographs; sound recordings; CCTV footage; petitions; police logs; and convictions.





Practice checklist: Diary sheets

- ✓ Only issue diary sheets in situations where they are warranted – they are not a catch-all tool
- ✓ Only issue diary sheets where you are satisfied that ASB is happening and the complainant is able to complete them
- ✓ Explain why they are necessary
- ✓ Check them early on to make sure they are being completed correctly
- ✓ Make sure they are clear and easy to complete – bear in mind that some tenants may need support such as translation, help with writing or recording tools like Dictaphones
- ✓ Be clear about the arrangements for collecting completed sheets – either visit to collect or provide a pre-paid envelope
- ✓ Review diaries and evidence as soon after the event as possible
- ✓ Encourage witnesses to provide as much detail as possible and to be clear about who, what, when, where and how the incident has impacted on them
- ✓ If diaries are not appropriate, identify the most appropriate, reliable and swift method of evidence gathering.



Practice checklist: Preparing cases for court

- ✓ Is everything documented?
- ✓ Make sure that the action you are taking is reasonable and proportionate, particularly in the light of recent cases where tenants have challenged possession proceedings on the basis that the proposed action is a breach of their human rights (*Manchester City Council v Pinnock*)
- ✓ Check the evidence
- ✓ Have all appropriate actions been explored?



Practice example

Carrick Housing's Neighbourhood Enforcement Team has developed a human rights form which must be completed and then agreed by the housing manager in every case that requires enforcement action. It also completes a Disability Discrimination Justification form where there are any concerns about mental health issues. This gives a safeguard to ensure that all possible steps have been taken and also provides evidence to court that the landlord is acting reasonably.

Contact: Adam Fitzpatrick at
afitzpatrick@carrickhousing.org.uk

Assessing the harm caused by ASB to your communities

A number of landlords have developed an approach, often known as a community harm statement, which captures and summarises the overall harm and impact that ASB is causing for a community. When used as evidence in legal proceedings, the statement pulls together all isolated incidents and emphasises the overall harm and impact on the community to a judge. The statement can also support effective case management and partnership working.

CIH is working in partnership with Kettering Borough Council, the Social Landlords Crime and Nuisance Group, West Mercia Constabulary, Anthony Collins Solicitors and social landlords to develop a national template for community harm statements which will support a consistent approach. This is currently being tested and is due to be launched early in 2012.

Acting on breaches

It's a waste of time, money and effort, and damaging to community trust and confidence, if you do not move swiftly to address any breaches in informal agreements, ASBOs, ASB Injunctions or suspended possession orders. When agreements and orders are put in place, you should explain clearly to the perpetrator what the outcomes of not adhering to agreed terms will be. If a breach occurs and you do not then follow through, it sends a message that such measures are meaningless.

Partnership working on the ground

ASB is a complex and multi-faceted issue which cannot be solved by working in isolation. Close working relationships at both strategic and operational levels are essential if sustainable solutions are to be achieved. Increasingly we see landlords playing a pivotal role in communities, drawing together different partners and agencies to enable them to deliver comprehensive services beyond their own tenants, to residents living within the neighbourhoods they manage.

Managed effectively, partnerships will provide:

- An effective multi-agency approach to local areas of concern or complex needs, such as mental health, drugs or alcohol services
- Maximum impact for communities through the sharing of skills and resources, and the avoidance of duplication/ waste.

For partnerships to be fully effective, some issues need to be considered:

- It is important for all partners to maintain a focus on the needs of complainants and witnesses and achieving positive outcomes for them – this is more important than processes
- There needs to be clarity and agreement on which agency is responsible and which agency will act in given situations – complainants and witnesses should not be placed at risk because the agencies are uncertain about who should act or assume that someone else is doing so

- Your staff should be knowledgeable in terms of what partners can deliver on, what tools and powers partners have and how to challenge partners effectively if they are not using those tools and powers
- The benefits of sharing information to inform appropriate action and target resources effectively are great – but this needs to be supported by appropriate information sharing protocols which are regularly reviewed. See the Home Office's guidance, *Information Sharing for Community Safety*, www.homeoffice.gov.uk/publications/crime/info-sharing-community-safety/



Practice example

Project Solace is a partnership initiative developed by Gloucester City Homes (GCH), Gloucester City Council and Gloucestershire Constabulary. By developing a strong ASB service, GCH established that there was a gap in how services were delivered in the private sector and that residents were receiving a different service depending on their tenure. Recognising the impact of ASB caused by owner occupiers and private tenants, GCH approached the Council and the Police to create a multi-agency team to tackle this.

Funded by the partnership and managed by GCH, the team includes a police officer, a PCSO and a civil ASB officer.

The Project works with private landlords to raise the standard of tenancy management with successes including two Section 222 injunctions, one of which was on a home owner. Private landlords have been keen to be involved and to receive advice, training and support to tackle ASB.

Project Solace aims to become self-financing in the future and to achieve this would mean charging private landlords for their services and looking at other ways to fund the project through a partnership arrangement. It currently provides services at no charge to highlight how effective it can be.

Contact: Victoria King-Lowe at victoria.king-lowegloscityhomes.co.uk



Practice example

Bolton at Home has funded CCTV cameras for all fire engines across Bolton Borough. The fire service fits, maintains and insures them and uses them each time a fire engine is deployed. If they film any incidents of ASB while they are out, they inform Bolton at Home and the BSafe partnership with the footage used to try to identify offenders.

Contact: Sylvia Simpson at sylvia.simpson@boltonathome.org.uk

Respect commitment four

Respect commitment four – we adopt a supportive approach to working with victims and witnesses

Our approach to case working demonstrates a strong focus on identifying and minimising risk.

The building blocks

- 4.1 Our management of ASB cases demonstrates a clear focus on protecting people from harm and on supporting victims and witnesses.
- 4.2 We have appropriate measures in place to identify and respond to both the risk to and vulnerability of victims and witnesses, including repeat victimisation.
- 4.3 Our staff are aware of and know how to access the support that is available to assess the needs of victims and witnesses on a case-by-case basis, particularly where victims and witnesses are vulnerable.
- 4.4 We agree action plans with complainants, update them regularly on the progress of their case and inform them directly of all key developments.
- 4.5 We ensure that individuals attending court are supported and we liaise with the courts where necessary to minimise any distress and any associated risks.

Making sure that complainants and witnesses are safe and well supported is extremely important when dealing with ASB, and this

should be highlighted in your policies, procedures and casework action plans.

A strong focus on identifying and minimising the risk to and the vulnerability of complainants and witnesses is an essential element of a good ASB service. The Risk Assessment Matrix outlined earlier, which you can easily adapt to meet your local needs, is a great starting point for this.

Encouraging staff to put themselves in the position of complainants and witnesses when managing ASB cases will help them to appreciate the need for a supportive, proactive and complainant-centred approach.





Practice checklist: Supporting complainants and witnesses

- ✓ Build risk assessment into the earliest stages of ASB procedures and action planning – make sure that staff are well trained and supported to complete robust vulnerability and risk assessments and take follow-up action
- ✓ Ensure confidentiality at every stage
- ✓ Include prompts for action such as installing security measures and referrals to other agencies such as social care, the police, and agencies providing victim support services
- ✓ Agree referral protocols with partner agencies which include target response times depending on the urgency of the situation – train staff so that they know how to use these and understand the range of agencies which can help
- ✓ Make sure that staff are able to recognise the signs of repeated low level ASB and Hate Crime and respond appropriately
- ✓ If there is a threat of harm or intimidation towards complainants and witnesses, use appropriate powers such as ASBOs or ASB injunctions which can contain specific terms prohibiting contact – also consider temporary or permanent rehousing if necessary
- ✓ Use casework audits to check that risk assessments have been completed properly with any necessary actions followed through
- ✓ Encourage witnesses to come forward by explaining how their evidence can support the case and increase the chances of a successful outcome – tell them how you will support them through the process
- ✓ Manage expectations – it may be difficult to achieve successful court action without complainants and witnesses present in court
- ✓ Give complainants and witnesses clear information on who to contact for help, including outside office hours. Agree regular reassurance calls and visits, enlisting the support of community wardens, safety patrols and out of hours call lines if available, and make sure that you do what you have promised
- ✓ Explain each stage of the process and keep complainants and witnesses informed about the action you are taking – otherwise they will think nothing is being done, adding to their anxiety and reducing their confidence and trust in you
- ✓ When cases are closed and you carry out satisfaction surveys, ask complainants and witnesses what they found helpful and reassuring, and what could be improved.

Landlords commonly find that complainants and witnesses are, perhaps understandably, unwilling to give evidence and appear in court because of fear of repercussions, particularly when they have to continue to live alongside the perpetrator. Rather than tackling this, some landlords try to work around it even though an absence of 'live' witnesses in court can reduce the strength of the case and undermine the success of legal proceedings.

In cases where complainants and witnesses are too afraid to provide 'live' evidence, think about using their evidence as hearsay but at the same time protecting their identity, or consider whether professional witnessing is a better option.

Depending on the volume and severity of cases, you may want to explore:

- Hosting a victim support worker within the ASB team
- Creating a dedicated victim support role in your structure
- Working with other local landlords to fund a victim support role jointly.



Practice example

Working closely with the Office of Criminal Justice Reform Programme **South Liverpool Homes** has developed 'Making Waves' project to improve joint working around witness and victim intimidation. Building on the success of this, it has now established a dedicated coordinator, located within the Community Safety Team, who works on:

- Increasing confidence within the community to report crime
- Increasing confidence within the community to provide community intelligence
- Improving the flow of information between criminal justice agencies and the community
- Improving access to support mechanisms for intimidated/ vulnerable witnesses.

Contact: Julie Marsh at julie.marsh@slhgroup.co.uk





Practice checklist: Preparing complainants and witnesses for court

- ✓ Recognise that giving evidence in court can be extremely daunting – complainants and witnesses need reassurance that the information they give will not only be acted on, but that they will be fully supported by you at each stage of the enforcement process
- ✓ Take complainants and witnesses to see the courtroom beforehand so that they know what to expect – explain how the process works, how they will be addressed and how they should respond
- ✓ Get them to read through their evidence in advance so they are familiar with it
- ✓ Allow them the opportunity to see what the perpetrator has said about them in their statement
- ✓ Talk to them about possible outcomes including undertakings
- ✓ Talk to them about what the perpetrator may try to do to discredit them
- ✓ If you can, arrange for them to meet or speak to someone else who has been through the process so that they can share their experience
- ✓ Ask the court for special measures for giving evidence such as video-links, use of privacy screens or separate waiting arrangements – be aware that there is no provision for this in civil law and, while it can be requested via formal application to a judge, it cannot be required of the court. To find out more, see section three of the tools and powers toolkit: www.communities.gov.uk/publications/housing/toolspowersguide
- ✓ Accompany them to the hearing, stay with them to give reassurance and be on hand to provide support afterwards too
- ✓ Explain what happens next and be available to give support if needed
- ✓ Make sure that their expectations are managed throughout the process.



Practice example

New Charter Housing Trust Group supports a witness advocacy service provided by volunteers drawn from witnesses and victims of ASB who have been through the court process. Trained and accredited for volunteer advocacy work, advocates are

allocated current witnesses to support, with links to case officers to address any witness's concerns. They are available by phone and can accompany witnesses to court, with mobile phones provided and expenses paid if needed. They have also scrutinised procedures and best practice in ASB and victim and witness support.

Contact: Alan Kibble at
alan.kibble@newcharter.co.uk



Practice example

Gloucester City Homes has developed a helpful guide for staff on setting up witness support groups.

Contact: Victoria King-Lowe at victoria.king-lowe@gloscityhomes.co.uk



Practice example

Thanet Community Safety Partnership has a dedicated ASB victim and witness support champion. The champion offers emotional and practical support to ASB victims and witnesses, updates them on progress, takes them to court before the trial to help them feel more at ease when giving evidence, ensures special measures are in place if needed, and arranges financial support for taxi and refreshment costs.

Contact: community.safety@thanet.gov.uk



Practice example

Agencies in **Blackpool** have formed an ASB risk assessment conference (ASBRAC) to coordinate action on ASB. Supported by agreed referral criteria and a clear process, the ASBRAC identifies those cases at the highest level of risk; ensures the safety and wellbeing of the victim; ensures that the victim has a clear voice and is supported by the process; and ensures that the agencies involved are clear about action and accountable.

Contact: Phil Coope at philip.coope@blackpool.gov.uk

Respect commitment five

Respect commitment five – we encourage individual and community responsibility

We work with community groups and partners to promote tolerance and responsibility amongst our tenants and the wider community.

The building blocks

- 5.1 We can provide evidence of our work with tenants, tenant groups and leaders, and partner organisations to promote tolerance, balancing individuals' liberties with their impact on others and the community (e.g. good neighbourhood agreements, tenants engaging in mediation, and restorative justice schemes).
- 5.2 We encourage and facilitate community involvement among tenants, including how individuals can support other members of their community to help us and our partners tackle ASB issues.
- 5.3 We take steps to find out about and effectively meet our tenants' expectations of our ASB service.
- 5.4 Where appropriate and safe, we encourage 'self-help' options to resolve more minor nuisance issues (e.g. encouraging complainants to talk to perpetrators, seeking to resolve the issue amicably and without recourse to the landlord).

Working with communities to build their confidence, involvement and sense of ownership is a key element in effectively preventing and tackling ASB. This has clear links to the emerging Localism agenda which, in part, encourages community-owned solutions to local issues. Baroness Newlove, the Champion for Active, Safer Communities captures the spirit of this well:

"We have to let decision making and direction of resources be placed in the hands of those directly affected... For a real revolution to happen we need all existing groups to help spread their success far and wide – if every group already doing good

*work now helps another we will see a real cultural shift."*⁵

Getting along with each other

Many cases of low level nuisance and ASB can be easily prevented and resolved by:

- Responding quickly to the complaint
- Using a problem solving approach in cases where neighbours are having disagreements rather than ASB being perpetrated
- Being honest with tenants about the need to resolve certain issues themselves and avoid engaging in behaviour which can only lead to conflict escalating

⁵ Home Office (2011) *Our vision for safe and active communities*. A report by Baroness Newlove.

- Not immediately labelling an approach from a tenant as 'ASB' when it may be just a disagreement with a neighbour – this can raise expectations that you will intervene and take action when it may not be appropriate or necessary for you to do so
- Engaging in discussion with tenants about what neighbourly behaviour looks like and, wherever possible, building this into the tenancy agreement
- Explaining what being a thoughtful neighbour involves to potential new tenants
- Supporting and training staff so that they can discuss techniques for 'self-resolution' with tenants, for example, language they should try to use or avoid when speaking to the person they are in disagreement with, and how to express their concerns in a non-hostile, constructive way – don't be afraid to make it clear that they have to continue to live together as neighbours and it is in their interests to avoid making the situation worse.
- Explain what being a good neighbour means
- Provide a shared understanding of the standard of behaviour expected which emphasises the rights and responsibilities of tenants, including children and young people, landlords and other agencies providing services in the community.



Practice examples

In **Oldham**, tenants, residents, landlords and service providers in the Medlock Vale area have signed up to a cross-tenure housing neighbourhood agreement, 'Home Sweet Home'. This is one of five agreements which include 'Green and Clean', 'Peace and Quiet', 'Street wise' and 'Health Matters'. These agreements are clear and accessible and set out what residents can expect from service providers and what is expected from them in return.

Contact: Lisa Fowles at lisa.fowles@villages.org.uk

ISOS Housing Group in Northumberland and **Richmond Housing Partnership** have also developed good neighbour policies, procedures and agreements – full details are available at: www.practicehub.cih.co.uk

Mediation

Mediation is a useful tool for addressing nuisance and low level ASB issues. A neutral third party works with those who are in dispute to seek a solution which all parties will find acceptable. It is an appropriate tool if both parties are willing to take part in the process.

Good neighbour agreements

These are a way of securing a community's commitment to some of the ideas above. They are usually voluntary agreements between landlords and tenants and they tend to be more effective when they are tailored to, and reflect the needs and concerns of, a particular locality or stock-type rather than a more general, area-wide approach. They can:

- Reinforce the tenancy agreement
- Reassure residents that their concerns about ASB will be addressed

It may involve a face to face discussion or, if they are unwilling to meet, a mediator can act as an intermediary, conveying messages between each of the parties. Some mediators will still work with one party so this should not automatically be ruled out.



Practice checklist: Mediation

- ✓ Support and train staff so that they confidently offer or 'sell' mediation as a positive solution to complaints about nuisance which has many benefits
- ✓ Check with the parties involved what their expectations are in terms of outcomes – they may not realise that mediation is the best route available to them
- ✓ Monitor the success rate of mediation referrals – this can be helpful when recommending it and will also enable you to check that it is providing an effective solution and value for money
- ✓ If you use an external mediation service, compare the cost and success rates with those of other landlords to assess if you are getting the best deal
- ✓ Consider training staff in mediation skills as this may be a more cost effective and flexible solution to your needs – you could also do this as part of a reciprocal arrangement with other local landlords to share costs, increase flexibility and provide greater impartiality.



Practice example

A group of **Three Rivers Housing Association's** tenants has recently received accredited training to become mediators.

Contact: Richard Mitchell at richard.mitchell@threerivershousing.co.uk

Working with local communities to tackle ASB

It is only by landlords working in partnership with communities that lasting improvements in neighbourhoods, including reduced ASB, can be achieved. This requires a move away from traditional approaches where things are done to or for communities to an approach where people are empowered and at the heart of decision-making about the area in which they live. It also needs communities to come together to support each other in addressing ASB and send out a clear message that they will not tolerate such behaviour.





Practice example

Liverpool Mutual Homes' (LMH) and Westminster Tenants' and Residents' Association's (WETRA) work to tackle longstanding issues on the Westminster estate in Liverpool was recognised when they became finalists in the UK Housing Awards 2010. The estate suffered from a high proportion of ASB and criminal activity and its layout allowed perpetrators to remain out of sight and evade police patrols using walkways and passageways between flats.

The overall objective was to create a safer and stronger, cohesive community for residents living on the estate with tangible improvements in:

- Tenant empowerment and participation in decisions affecting the estate
- Supporting schemes to address crime, nuisance and ASB – including pioneering an Intensive Community Payback scheme
- Closer co-operation between partners – particularly LMH safer estates officers, the Police, Probation, WETRA and Rathbone Youth Outreach
- Improving homes and communal areas – investing in new windows, doors, bathrooms and kitchens to make homes more secure and more desirable
- Environmental improvements – clean-ups and relatively minor landscaping improvements to improve resident safety and wellbeing and create a more positive outlook among residents

- A Neighbourhood Plan – LMH is targeting the estate with interventions to tackle worklessness and other social and economic issues which will help to alleviate some of the causes of crime and ASB and contribute to the wellbeing of residents.

Positive developments of this close partnership working included:

- Using a specialist youth work team to engage young people in positive activities
- Introducing Neighbourhood Watch and Smartwater schemes to deter nuisance crime and theft
- Developing a Good Neighbour Agreement
- Improving homes and tackling the repairs backlog to reverse the perceived physical decline of the area
- Removing 160 tonnes of debris from the estate as part of the Intensive Community Payback programme
- Reducing reported ASB by 50% during a monitored period
- Reducing the number of long term vacant homes
- Introducing a local lettings policy, handing more control back to residents
- Enabling WETRA to deliver greater support to new tenants to ensure they settle into their new home – when a new tenant was threatened and burgled only weeks after arriving, WETRA supported them so that they felt more settled and secure.

To find out more go to www.cih.org/ukha/2010finalists.htm

Questions to landlords

Do you have a clear picture of your organisation's total investment in supporting community responses to ASB, including training and support for residents to play an active part?

Have you compared this to the amounts you spend on enforcement activity and other service areas that your organisation invests in?

Bear in mind that, without dedicated resources in place to support them, community responses will be hard to achieve and sustain.

Community justice panels

Some areas have developed community justice panel models as part of a restorative justice approach to ASB and low level crime, which involves the offender acknowledging and making amends for what they have done. The nature of panels varies depending on the local context but they usually aim to:

- Give victims a voice which, in turn, can improve satisfaction
- Give the victim and the perpetrator chance to meet face to face
- Give an opportunity for the perpetrator to apologise for what they have done
- Arrive at an agreement to put right the harm caused to the victim
- Reduce re-offending and involvement in ASB and low-level crime

- Foster community involvement and engagement in the solutions to ASB
- Make communities safer places to live.



Practice example

Chard and Ilminster Community Justice

Panel brings victims, offenders and their supporters face to face to deal with the consequences of their behaviour and decide how to repair the harm. Victims tell offenders how they have been affected by their behaviour, and offenders have a chance to take responsibility and make amends. Supporters express themselves too. At the end, the offender, victim and panel chair sign an Acceptable Behaviour Agreement.

The panel is made up of trained community volunteers and coordinated by someone who has an extensive probation and prison work background. Trained volunteers from the community are allocated a case which they attend. They then visit offenders and victims separately, before the panel meeting, asking restorative questions and making sure that they understand that the panel is a safe place. Offenders must take responsibility for their actions prior to the meeting.

Police and social landlords refer cases to the panel and these include neighbour disputes through to more serious ASB and crime.

Contact: Valerie Keitch at
valkeitch@iirp.org.uk



Practice example

Sheffield City Council has developed a community justice panel approach based on the Chard and Ilminster model, initially as a pilot, but now covering the whole city. An independent evaluation of the approach, undertaken by Sheffield Hallam University, found that the panels were effective, well-run and viewed as fair by the participants. They were seen as having a positive impact on victims and perpetrators, including on the perpetrator's future behaviour.

Contact: communityjustice@sheffield.gov.uk. Tel: 0114 273 6421



Practice example

Salford City Council, Salix Homes and **Salford Youth Offending Service** linked the issuing of Acceptable Behaviour Agreements and Contracts to the existing Youth Offending Service's community justice panel. The offender must acknowledge the harm and impact of their behaviour and the panel decides on the most appropriate conditions to include in the Agreement or Contract. The early signs are that this is having a positive impact on perpetrators' behaviour and the breach rate has been very low.

Contact: Paul McNeilly at paul.mcneilly@salixhomes.org

In July 2011, the Ministry of Justice published a specification to inform expressions of interest from local authorities, criminal justice agencies and others, to establish Neighbourhood Resolution Panels, reflecting many of the principles outlined above. The aim is to have the first panels in place by early 2012. Find out more at www.justice.gov.uk/downloads/publications/policy/moj/neighbourhood-resolution-panels-spec.pdf

Respect commitment six

Respect commitment six – we have a clear focus on prevention and early intervention

The preventative measures we use are tailored towards the needs of our tenants and their families. We also provide, whether directly or via our partners, effective support to enable perpetrators to change their behaviour.

The building blocks

- 6.1 Our policies for allocations and lettings contribute to preventing ASB and nuisance, and promoting neighbourhood sustainability.
- 6.2 Our tenancy agreements set out clearly what we mean by ASB, the standards of behaviour we expect of all tenants and the sanctions that we may apply to those who behave in an anti-social manner. We reinforce these key messages at tenancy sign-up and set them out in publicity that is available to our tenants.
- 6.3 We proactively engage with partners to address the causes of ASB and to reduce the opportunities for it (e.g. through the appropriate provision of services such as warden patrols, CCTV and/or other measures).
- 6.4 We work with our tenants and with partner agencies to identify ASB 'hotspots' and use the information to target resources.
- 6.5 We use a range of early intervention techniques to prevent ASB from escalating.
- 6.6 We proactively engage with our tenants and with partner agencies to provide diversionary activities (e.g. facilities for young people) and to evaluate their impact.
- 6.7 Our staff are able to access services to provide support to vulnerable individuals.

Effective prevention and early intervention can stop ASB occurring or escalating. Landlords are increasingly recognising the importance of investment in this area as a positive, proactive and cost effective approach which supports sustainable communities.

Where to start?

Effective prevention of ASB starts as early as the housing application stage. This includes:

- Robust assessments of applicants' vulnerability and independent living skills, with appropriate support put in place at the start of the tenancy
- Carrying out checks on applicants' tenancy history to establish if ASB has been an issue in the past – while this may not exclude them from rehousing, it will highlight the need to work with them to enable them to sustain a tenancy

- Having clear, fair housing register exclusion policies with a well-publicised right of appeal
- Agreeing local lettings policies and plans for localities and property types where a more balanced approach is needed
- Having comprehensive discussions with applicants about their housing options
- Discussing with applicants if rehousing in a particular area may make them vulnerable to returning to past behaviour such as drug misuse, pressure from former associates or gang-related ASB and crime
- Offering training courses to prepare applicants for all that having a tenancy entails.



Practice example

Berneslai Homes has a vulnerability protocol that includes a vulnerability assessment for all new tenants.

Contact: Jane Cass at
JaneCass@berneslaihomes.co.uk
 or Darren Asquith at
DarrenAsquith@berneslaihomes.co.uk



Practice example

Wolverhampton Homes developed a 'Steps to Success' pre-tenancy programme, in consultation with potential service users, which is targeted at 16-24 year olds and asylum seekers who have been granted leave to remain, as these were the groups most likely to have failed tenancies. The two day programme for applicants or new tenants covers a variety of topics including how to bid for properties, financial advice and management, how to do minor repairs and how to decorate. Once they have become tenants they receive visits at two, four, six and eight weeks with further visits and support agreed as necessary. (Source: Audit Commission inspection report)

Contact: Andrew Finch at
andrew.finch@wolverhamptonhomes.org.uk



Practice example

Kettering Borough Council identified that offenders are a client group for whom securing and sustaining accommodation is often the most difficult. Where offenders did not have secure housing and support, they were more likely to re-offend and exhibit ASB. Improved staff knowledge and more effective partnership working and information sharing with Criminal Justice partners has enabled more sustainable housing solutions and related support to offenders to be delivered.

This includes:

- Housing advice regarding local viable options for offenders in prison and under probation supervision
- Delivery of a 'How to be a Good Tenant' course in HMP Woodhill in conjunction with NACRO
- A Housing Services Directory for partner agencies working with offenders
- A rolling programme of housing options and homelessness training for partner agency staff
- A new county-wide protocol for addressing the housing needs of those offenders who present a particularly serious risk to the public

The project attracted further Supporting People funding for one year to employ an advisor, who offered dedicated advice and support to prison leavers and those under probation supervision by completing personalised action plans. The advisor also expanded the Council's tenancy training courses to offer service users the opportunity to complete an accredited housing and tenancy programme.

Contact: Anne-Marie Loughran at annemarieloughran@kettering.gov.uk

Sign-up and beyond

It is important to start new tenancies off on the right footing. As there can be a lot to cover at sign-up, some landlords do this in stages with a pre-sign-up meeting to discuss and reinforce the terms of the tenancy agreement and the importance of being a good neighbour prior to a further meeting to sign-up for the tenancy. Some landlords use DVDs which explain what is expected in a practical, accessible way.

Most landlords now offer either introductory tenancies (councils) or starter tenancies (housing associations). It is important to explain the type of tenancy being offered to new tenants and what this means in terms of their security of tenure. You also need to have a framework of checks and visits in place during the first twelve months. This will be tailored to the needs of each applicant but should include at least:

- A settling-in visit in the first 2-6 weeks, or sooner if they are vulnerable
- A further visit at 4-6 months
- A final visit towards the end of the initial 12 month period.

This regular contact can help to identify if a tenant's support package is working well or if they are having difficulties, allowing you to take early action to help them to sustain their tenancy.

Question for landlords

- When did you last review your tenancy agreement(s)?
- Did you do this in conjunction with tenants?
- Are the terms on ASB and nuisance strong enough?
- Have you had the agreement checked to make sure that it does not include any unfair terms?
- Do you have robust procedures in place to monitor starter or introductory tenancies?

Targeting your approach

Monitoring the profile of ASB perpetrators will help you to build up an understanding of their common characteristics so that you can take a targeted approach to preventing ASB and helping them to sustain their tenancies.



Practice example

The **Gentoo Group** has recently undertaken research to examine which actions are most effective in reducing the likelihood of ASB occurring. As part of the research, Gentoo has analysed perpetrator profiles and characteristics, and has been able to identify who is most likely to reoffend. The research will be used to help inform Gentoo's decisions on how resources are allocated and how prevention and support activity is targeted, and helps Gentoo understand which tools are most effective in preventing ASB reoccurring. This will be published jointly with CIH in autumn 2011.

Contact: Melanie Smith at melanie.smith@gentoo.com

Tracking 'hot spots' for ASB and nuisance will also help you and partner agencies to target resources and effort to the areas where they are most needed. Sources of information include:

- Your own casework management system
- Staff working out on estates including caretakers, concierges, repair contractors and community wardens
- Feedback from tenants
- Partner agencies, for example, through community police tasking meetings and other forums



Practice example

Stevenage Homes identified that there were instances where vulnerable tenants were experiencing tenancy difficulties as a result of friends, relatives or associates being bailed to their address following offences. Following discussions with ASB partners the ALMO devised a bail address protocol for use by the local courts to avoid this occurring in future. (Source: Audit Commission inspection report)

Contact: Sarah Brewerton at sarah.brewerton@stevenagehomes.org.uk

Sharing 'hot-spot' information with partners will help with targeting CCTV installation and community safety and police patrols. This will create a visible presence to deter ASB and build community confidence and also help with evidence gathering if needed.

Hot-spot information can also inform decisions about where to provide activities for younger people as a diversion from engaging in ASB and nuisance.

Positive activities for younger people

Positive work with young people plays an important part in preventing nuisance and ASB as well as offering young people opportunities for personal growth and development. Engaging with such activities can also be attached as a condition to Acceptable Behaviours Contracts and Agreements.

Use 'hot-spot' information and consult young people themselves about the kinds of activities they would like to take part in and work with partners to share the costs. Also set up systems to monitor the impact and outcomes of this work. Some examples of activities include:

- Sessions in schools to raise awareness of what ASB is and the impact it has on communities
- Offering training and work experience opportunities to help young people into work
- Community clean-up days
- Junior warden schemes such as that developed by Berneslai Homes
- Inter-generational projects such as Stevenage Homes' Elderflower Project which brought older and young people together for a Wii competition
- Gardening clubs with young people cultivating allotments and growing their own produce which can be part of inter-generational work and also link to healthy lifestyle principles
- Projects run with fire and rescue services to develop team working skills and discipline with 'graduation' ceremonies at the end
- Football-related activity – Cheshire Peaks and Plains Housing Trust noted a 70% reduction in ASB complaints on its Moss Rose Estate as a result of its street football programme with Macclesfield Town FC
- Arts, dance and music projects.



Finding out more: Partnership working with schools

In 2009 CIH published a policy into practice report *Housing Schools and Communities* which examined the impact of partnership working between schools and housing to deliver real benefits to communities beyond their core roles of providing accommodation and education. The report provides numerous examples of how the sharing of expertise and resources, and partnership working across traditional sector boundaries has successfully tackled ASB among young people.

Download a free copy: www.cih.org/policy/free-publications.htm



Practice example

New Charter Housing Trust Group has developed a 'Crucial Crew' scheme which runs every October/ November in a local army barracks. It targets Year Six children and involves 76 schools with 3000 children attending over a three week period. Children attending spend half a day in workshops and interactive sessions on ASB, crime, domestic violence, road safety, first aid, fire safety and arson.

Contact: Linda Chapman at
linda.chapman@newcharter.co.uk

New Charter also runs the New Charter Academy, a citizenship programme aimed at Year Seven and upwards, which has engaged with 1600 students. Its objectives include achievement, revision, attitude, and behaviour. Based in school and in the community, students gain points, for example, for community work involvement, which they can exchange for activities and prizes. Agencies involved report students' good citizenship back to the Academy.

Contact: Alan Kibble at
alan.kibble@newcharter.co.uk



Practice example

CBHA, which operates in the London Borough of Waltham Forest, has developed the Change Programme which addresses the reasons why young people are involved in ASB and crime, and provides an opportunity to change their behaviour. Aimed at 17-24 year olds, it is an intensive programme to which perpetrators must adhere. CBHA works with the individual to address why they are causing ASB, identifies areas that they can develop such as education and employment, provides work experience sessions and access to support networks. Once CBHA is satisfied that the individual is improving, they start to consider opportunities such as providing a tenancy, and working with employers to access employment. One of the individuals involved in the programme became employed in CBHA's maintenance section and was rehoused in a flat which enabled him to have a fresh start.

Contact: Michala Jervis at
michj@cbha.org.uk



Practice example

Castle Vale Community Housing

Association runs quarterly events for young people with partner agencies. Two each year focus on fun activities such as sports and barbeques with the other two focusing on consultation through workshops but also linked to positive activities such as a Wii tournament. Themes have included 'Alcostop' to raise awareness about alcohol misuse and 'It's Your Estate Too'. Around 80-100 young people attend these events of ages ranging from 8-19 although most are in the 11-16 age group. Feedback from young people shows that these events have increased their self-respect and also increased their understanding of how others perceive them.

Contact: William Carter at william.carter@cvcha.org.uk

Question to landlords

Have you examined your budgets to establish what proportion of your spend on ASB is directed towards prevention activity?

Would allocating additional resources in this area enable savings on intervention and enforcement measures and better outcomes for tenants?

A role for Family Intervention Projects

A small number of households may need intensive family support to change their behaviour and sustain their tenancies and a number of landlords have developed Family Intervention Projects (FIP) as a way of achieving this. Support is delivered through a key worker who challenges and supports families to address the causes of negative behaviour. They work intensively with the whole family offering support alongside sanctions, enforcement action and coordinating services. Tailored to the needs of each family, the project can include parenting support, drug and alcohol treatment, family support and group work for children and parents. When the FIP is located in specialist or purpose-built accommodation, landlords grant a Family Intervention Tenancy, a less secure form of tenancy, which will run for the duration of the FIP.

Respect commitment seven

Respect commitment seven – we ensure that a value for money approach is embedded in our service

We can demonstrate a strong focus in securing efficiency and effectiveness by balancing cost and quality.

The building blocks

7.1 Value for money is understood and embedded in our work; it is part of our performance management framework, determines resource allocation and is widely communicated to staff who are encouraged to identify value for money opportunities. Resources are used effectively and efficiently.

7.2 We understand the cost of the ASB service, including elements such as staffing costs, responding to ASB incidents (e.g. criminal damage, graffiti, fly-tipping) and of making use of various ASB tools.

7.3 We know how we are performing in delivering our ASB service, and how satisfied service users are. Costs, performance and satisfaction are benchmarked against comparative providers and demonstrate value for money.

7.4 There is an evidence-based approach to budget-setting and this is linked to the annual service improvement plan.

7.5 We know whether we are getting value for money for procured services (e.g. mediation, support services, professional witness services) and we have, where appropriate, undertaken joint procurement and considered shared services.

7.6 Through tenant scrutiny arrangements, tenants are provided with appropriate information on comparative service costs, performance and satisfaction, enabling evidence-based value for money judgements to be made. Consultation on changes to the service includes a cost-benefit analysis, so tenants can make informed value for money choices.



During the last ten years, social housing providers have focused on achieving value for money: the optimum balance between cost, quality and performance.

Now, in an operating context where there is an even more pressing need to reduce costs and spending, landlords need to have a clear understanding of tenants' priorities and involve them in reaching decisions and making choices about investment in services.

Embedding value for money

A common feature of strongly performing landlords is that value for money considerations are integral to everything they do. They know what it costs to provide a service and how this relates to performance and service user satisfaction. Value for money is seen as part of everyone's job and they continually look for ways to achieve better outcomes for service users by working more efficiently and targeting resources effectively.



Practice checklist: Embedding value for money in the ASB service

- ✓ Include value for money goals in staff appraisals and discuss opportunities to improve the efficiency of the ASB service in one to one and team meetings – make sure staff understand how they are helping to deliver the organisation's value for money strategy
- ✓ Monitor activity and trends carefully to identify opportunities to 'invest to save' – if the level of noise complaints is high or increasing, explore investing in sound recording equipment to aid evidence gathering, speed up resolution and improve outcomes for complainants. Likewise, investment in diversionary activity can support better outcomes in the long run
- ✓ Develop a comprehensive understanding of the cost of the actions taken to address ASB and their impact, for example, a letter may be cheaper than a visit, but a visit may address the issue more quickly and effectively. Share this information with staff and tenants so that they understand the cost and impact of the work taking place to tackle ASB
- ✓ Evaluate services received from local partner agencies for value for money outcomes, for example, quality of services delivered to tenants, number of referrals successfully resolved compared to the cost to the landlord
- ✓ Regularly review the procurement of specialist services or support services, such as legal or mediation services
- ✓ Systematically compare the cost, quality and satisfaction levels for the ASB service with that of similar organisations and include the findings in ASB performance reports so that staff, tenants, service improvement groups, scrutiny panel members, and governing body members have a complete picture of how effectively the service is performing, to inform challenge and decision making and drive improvement.

Getting the most out of your investment in ASB

Good quality cost data allows resources to be marshalled effectively and supports strategic planning, helping to deliver better services for tenants. Understanding the costs and relative success of different actions and tools used to tackle ASB will inform service development and investment decisions.

Questions to consider include:

- Are you systematically tracking the impact of the tools you use to tackle ASB?
 - Which are most effective in resolving issues, and in what circumstances?
 - How does this relate to service user satisfaction and what are the costs?
 - Include an assessment of this as part of the case closure check-list and share and apply any learning from this
- Consider the balance of spending on prevention, intervention, enforcement and support activities. For example, would an increase in resources for prevention and support reduce your spending on intervention and enforcement, with better outcomes for individuals and communities as a result?
- Consider the availability of external funding for particular groups or particular areas as services 'spin out' of the public sector
- Would further investment in good quality witness support increase the confidence of individuals and communities to report incidents, and improve willingness to give evidence, in turn improving the success rate of legal action?
- How much are you spending on legal advice and support and it is good value for money? Would you achieve better outcomes and value by:
 - Training and supporting staff to present their own ASB cases in court?
 - Co-locating in-house legal staff with those dealing with ASB?
 - Jointly procuring or sharing legal services with other landlords?
- Are you capturing the costs of remedying damage as a result of ASB and crime such as graffiti removal, dealing with fly tipping and replacing glass? This enables identification and recharging/ prosecution of perpetrators, and allows you to publicise the cost of remedial works and the action you will take to recover them
- If you use an external mediation service, or procure other specialist advice or support services, compare the costs, outcomes and satisfaction levels with those services used by other landlords – can you get better outcomes for service users for the same, less or more money? Is it worthwhile developing an in-house service or a joint service with other landlords?
- When considering eviction as an option, how do the wider costs and impact of this relate to the cost of work to support the perpetrator to change their behaviour and sustain their tenancy, if this is a viable option?

- For larger landlords, would a move from generic housing management roles to a structure with a dedicated ASB function improve performance, outcomes and service user satisfaction? Consider the volume of ASB and the capacity of generic officers to deal with it themselves
- Are all of your partnerships delivering outcomes and justifying the time, effort and resources that you invest in them?



Practice example

Raven Housing Trust has developed a template to assess the cost of managing ASB. Each action, such as preparing a notice, writing a letter or taking a witness statement, has been costed and these have been broken down by case, type, street and patch. For example, a court case involving assault and six witnesses was costed at £5,000.

Cost information has been used to shape the service with analysis showing noise nuisance to be the most expensive case type at £9,641. As a result, Raven HT bought its own sound monitoring and recording equipment to allow quicker case handling. The cost data can be used for service planning and resourcing and there are plans to use it to inform community housing action plans.

Contact: Helen Gabriele at helen.gabriele@ravenht.org.uk



Practice example

Medina Housing has developed a log to assess the value of its partnership working. All officers input data on meetings, joint visits and projects into a spreadsheet which records the time spent in working with partners and a summary of the work undertaken. This data is then analysed annually to highlight which partnerships are really successful and can demonstrate value for money, and which need to be improved. This has enabled Medina to evidence what works and what doesn't and to highlight areas to develop further.

Contact: David Ball at david.ball@medinahousing.co.uk



Practice example

Derby Homes employs a witness and victim support officer who helps ASB officers prepare cases for court and acts as a liaison between court officials and witnesses. This ensures a greater degree of success in court actions. Derby Homes is currently considering the possibility of setting up a pool of tenant volunteers to support victims of ASB.

(Source: HouseMark)

Contact: John Birch at john.birch@derbyhomes.org

Being able to accurately demonstrate the impact, outcomes and savings as a result of investment in ASB services provides powerful information when decisions about reducing or increasing investment in services are being made, as the example below demonstrates.



Practice example

Stevenage Homes uses a spreadsheet to help it to evaluate the savings delivered by its Family Intervention Project. This has shown, for example, that by supporting one family of six, £82,914 was saved as other agencies did not need to intervene.

Contact: Sarah Brewerton at sarah.brewerton@stevenagehomes.org.uk

Making IT happen

A good quality IT system is an important tool in delivering an effective, efficient ASB service. Some organisations use modules within their main housing management database, others have purchased specialist ASB packages and a few have developed their own bespoke systems. Used to its full advantage, IT provides a range of benefits:

- Paper-free working increases the security of information held and makes sure that it is accessible for all who may need to see it
- Up-dated conscientiously, it provides a robust evidence trail, for example, when preparing a case for court

- It can prompt users to take action ensuring cases progress according to agreed timescales, and that promises about contact made to service users are kept
- It supports effective monitoring and management of performance, trends and hot-spot tracking
- Line managers can identify any performance issues or training needs if system prompts have been ignored
- Most systems can provide information on the cost per action and case – invaluable when assessing value for money
- Web-based options allow flexibility for staff to work from home
- Some IT systems can automatically upload data to HouseMark's ASB benchmarking tool.



Practice example

Sovereign Housing's IT system for managing ASB casework integrates with Outlook to ensure efficient recording of incidents and communication between staff members. It enables residents to report incidents online through Sovereign's website and log in to see updates on and track their report.

Contact: Rebecca Horne at rebecca.horne@sovereign.org.uk

The Chartered Institute of Housing



The Chartered Institute of Housing (CIH) is the professional body for people involved in housing and communities.

We are a registered charity and not-for-profit organisation. We have a diverse and growing membership of over 22,000 people – both in the public and private sectors – living and working in over 20 countries on five continents across the world.

We exist to maximise the contribution that housing professionals make to the wellbeing of communities. Our vision is to be the first point of contact for – and the credible voice of – anyone involved or interested in housing.

How we can help

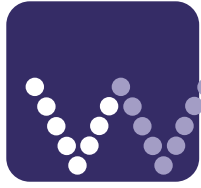
For free advice on how to improve your ASB service and your approach to involving your residents in the service, contact the CIH ASB Action Team at asb@cih.org

Visit CIH's ASB Practice Hub to access a comprehensive range of resources, practice examples and our on-line discussion forum at www.practicehub.cih.co.uk

CIH's Practice Online includes a chapter on dealing with ASB – visit www.cih.org/practice/online/ to find out more

CIH also offers a full programme of ASB-related training and events – www.cih.org/services/training/





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