



NORWICH City Council

Committee name: Cabinet

Committee date: 11/09/2024

Report title: Anti-social behaviour policy

Portfolio: Councillor Jones, cabinet member for housing

Report from: Executive director of housing and communities

Wards: All Wards

OPEN PUBLIC ITEM

KEY DECISION

Purpose

The purpose of this report is to seek adoption of the proposed Anti-social behaviour (ASB) Policy 2024 to 2027.

Recommendation:

It is recommended that Cabinet approve the Anti-Social Behaviour Policy 2024.

Policy framework

The Council has five corporate priorities, which are:

- A prosperous Norwich.
- A fairer Norwich.
- A climate responsive Norwich.
- A future-proof Norwich.
- An open and modern council.

This report meets the “A Fairer Norwich” corporate priority.

Background

1. As a landlord the council has a responsibility under the Anti Social Behaviour Act 2003 to address ASB affecting the homes it manages. The council had a policy in place for a number of years which has now been updated to reflect best practice and the requirements of the Social Housing Regulation Act.

Key aims of the policy

2. The key aims and underpinning principles of the policy are to set out how we will manage ASB within council housing stock areas.
 - a. Reduce neighbourhood crime and ASB and increase residents' feelings of safety.
 - b. Inform residents of what constitutes ASB and the steps we will take to manage this.
 - c. Empower residents to report incidences of ASB appropriately.
 - d. Encourage all residents to co-operate with investigations whether a victim, witness or suspected perpetrator.
 - e. Encourage resolution using early intervention methods to maintain good neighbourly relationships.
 - f. Provide an understanding of the steps involved with investigation and resolution of ASB.
 - g. Set out support that we can facilitate for victims, witnesses and suspected perpetrators.

Consultation

3. Consultation was undertaken from the end of December 2023 until early in 2024 to help shape the content of this policy. The period of time that has passed since this consultation and consideration of this report has been due to the impact of two elections and the volume of business to be considered at Cabinet.
4. All councillors were sent an e-bulletin and had the opportunity to comment on the development of the policy. Positive responses were received on the importance of partnership working and keeping victims and witnesses informed. Other feedback included having a section dedicated to preventative action rather than incorporated in other sections of the policy.
5. Consultation was carried out with key stakeholders including the Safer Norwich Board, Norfolk Police, and our Tenant Involvement Panel (TIP) in person. Feedback gathered at the time was positive, with no suggestions for inclusion or omission.
6. Wider consultation with residents and visitors was undertaken via our website. Consultation online closed 21 December 2023. There were minor suggestions

on wording which was updated in a subsequent version, and positive comments regarding the proposal to implement a Good Neighbourhood Management Policy, together with suggestions of what may be incorporated therein.

Implications

Financial and resources

7. There are no proposals in this report that would reduce or require increased resources.

Legal

8. The Council is required, as a local housing authority, to prepare and publish policies and procedures on anti-social behaviour, which must be made available to the public (section 12 Anti-social Behaviour Act 2003; section 218A Housing Act 1996). The Council has a statutory duty to address anti-social behaviour, in particular, by partnership working and appropriate use of its powers under the Anti-social Behaviour, Crime and Policing Act 2014.

Statutory considerations

Consideration	Details of any implications and proposed measures to address:
Equality and diversity	The policy will have no specific implications as contained in the Public Sector Equality Duty under the Equality Act 2010. An Equality Impact Assessment has been conducted
Health, social and economic impact	We anticipate the policy and subsequent service improvements will enable positive improvements in health and social wellbeing.
Crime and disorder	Reducing crime and disorder are the main aims of the policy under the Crime and Disorder Act 1998
Children and adults safeguarding	The council's policy for safeguarding adults and children is embedded within the policy.
Environmental impact	The policy will have no specific environmental impact.

Risk management:

Risk	Consequence	Controls required
Failure to implement the actions necessary to deliver the policy	Loss of reputation Penalties from the regulatory bodies for not meeting our Statutory Obligations	Oversight for delivery will lie with the Portfolio Holder and Executive Director. The Council's senior leadership team and elected members will be regularly appraised of progress.
ASB Policy missing legislative requirements	Failure in duties of a registered landlord	Review policy minimum every two years, with a full re-write where changes to legislation makes this necessary

Other options considered:

9. No other option has been considered.

Reasons for the decision/recommendation

10. It is recommended that Cabinet approve the ASB Policy 2024 - 2027 as

- It is supported by relevant stakeholders.
- Consultation feedback from elected members and the public has been positive.
- It will provide a framework for further service improvements with the ASB and wider Community Service teams.

Background papers:**Appendices:**

Appendix 1 – Anti-Social Behaviour Policy 2024 - 2027

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Anti-social behaviour

policy statement 2024-27



NORWICH
City Council

Norwich City Council Anti-social behaviour policy statement 2024 – 2027

Version	Date	Author
Draft 1	03/10/23	Chris Hancock
Draft 2	06/11/23	Karen Smith
Draft 3	30/11/23	Ian Wakefield
Draft 4	30/11/23	Karen Smith
Draft 5	06/08/24	Karen Smith

Scope and purpose of this policy statement

This policy statement supports Norwich City Council's community-led plan *We are Norwich* and meets our requirements as a local housing authority (Housing Act 1985, Housing Act 1996) regarding Anti-social behaviour (ASB).

The policy explains what ASB is and the standards we have set to manage and respond to ASB. A procedures document will be produced that sets out our procedural approach to how staff tackle ASB, to be read in conjunction with this document. This policy specifically refers to our role as a social housing landlord.

Environmental ASB is tackled by other teams within the Council and where they may crossover this will be clearly set out in any policy or subsequent procedure document. Details of what they do, and how to report incidences of this can be found at [Environmental issues | Norwich City Council](#)

Our responsibilities

Norwich City Council has a wide range of responsibilities, which arise from three distinct roles in dealing with ASB:

1. Our role as a social landlord

As a landlord we have a duty under the Antisocial Behaviour Act 2003 to respond to ASB affecting the homes we manage. Our landlord powers and duties are different from, and can sometimes be used in addition to, the other duties and powers we hold to deal with ASB in the wider community.

We are also required by the Regulator of Social Housing to set out our approach to how we deter and tackle incidents of ASB and Hate Crime.

2. Environmental protection

We have a range of powers to deal with ASB related to environmental issues for example: littering, noise, fly-tipping and abandoned vehicles. The primary legislation that this type of nuisance refers to is the Environmental Protection Act 1990.

3. Our role in Norfolk County Community Safety Partnership (NCCSP)

We have a duty under the Crime and Disorder Act 1998 to work with the Police and other key agencies to reduce crime and disorder in Norwich. We do this through the NCCSP structure of boards and groups tasked with making Norfolk a safer place for everyone. We also lead a local Safer Norwich Board that is tasked with looking at Norwich specific community safety issues. Details can be found at [The Norfolk County Community Safety Partnership | The Norfolk County Community Safety Partnership | Norwich City Council](#)

Guiding principles

The council's five guiding principles to approaching anti-social behaviour are, we will:

1. use customer feedback to provide a high-quality service.
2. encourage victims to report ASB, treating them with professional courtesy and respect and taking reports seriously
3. signpost victims to help and support them to recover.
4. provide clear processes to ensure that when victims report ASB concerns they will be given clear instructions of how the matter will be investigated and how they will be kept informed of progress once a report is made.
5. work with our partners to deliver an effective ASB service to protect individuals and communities from harm using tools and powers that are specific, proportionate, and appropriate to the behaviour.

Our ASB service standards

Reports of antisocial behaviour will be assessed according to the National Risk Assessment Matrix, and we will prioritise the most serious reports which we will contact within two days, all other reports will be contacted within five days.

Staff will take further details of the report and may ask the victim to download an App or keep records of the ASB they are experiencing before passing the case to a response officer. Priority will continue to be given to high-risk cases.

We will contact victims prior to closing their case to explain the reasons why. This may be due to resolving the situation, insufficient evidence being available or referral to another team within Norwich City Council.

Where three or more separate incidents of ASB have been reported in the past six months to any of the main responsible agencies, within one month of each incident happening, victims can apply for an ASB Case Review. You can apply for an ASB Case Review by visiting the online portal: www.online.norfolk.gov.uk/anti-socialcasereview/

What is anti-social behaviour?

Anti-social behaviour includes a range of nuisance and criminal behaviours which are causing distress to others. Whether someone's actions can be classed as anti-social behaviour relies heavily on the impact it has on other people. Behaviour that is more frequent or persistent is more likely to be considered as anti-social behaviour.

The type and intensity of the behaviour also matters. Landlords, the police, and councils consider all these factors when deciding how best to deal with reports of anti-social behaviour.

Every report made to Norwich City Council is looked at individually considering the suffering of the victims and the impact on the wider community. We have separate policies for dealing with domestic abuse, for which there are separate legal protections, for any noise that is reported and we later find domestic abuse is a factor we will deal with this according to our domestic abuse policies which are available at [Domestic abuse policy | Norwich City Council](#)

Examples of anti-social behaviour can include:

- noisy and/or abusive behaviour
- vandalism
- graffiti
- intimidation
- public drunkenness
- littering
- fly tipping
- illegal drug use
- excessively barking dogs

Some behaviour, even though it may cause nuisance to individuals, is not regarded as ASB. For example, as mentioned in [Help with anti-social behaviour for social housing tenants - GOV.UK \(www.gov.uk\)](#) this can include:

- one-off parties and barbecues
- infrequent and occasional noise or disturbances
- children's play

- occasional dog barking
- excessive noise from domestic appliances (e.g., washing machines, vacuum cleaners)
- minor vehicle repairs
- gossip
- escalated disputes.

Vulnerability and safeguarding

Whilst being a victim of ASB is distressing for anyone who is affected, the Council recognises that for some people the impact may be far worse because of an identified vulnerability.

Vulnerable victims are likely to be disproportionately affected by ASB and vulnerabilities can be caused by a wide range of factors, such as isolation, a mental health condition, physical disability, age, or substance misuse.

Sometimes it will be necessary to make a safeguarding referral and cases that require this course of action will be additionally recorded as part of safeguarding procedures. Concerns about ASB and safeguarding often overlap which reinforces the necessity for strong partnership working. You can read our safeguarding children and vulnerable adults policies here: [Safeguarding policy | Norwich City Council](#)

Hate Crime

Norwich City Council is committed to reducing hate crime across Norwich.

We value our diverse communities which make our City a unique and vibrant place to live, work and visit.

However, we know that these diverse communities can face discrimination or harassment. There is no place in Norwich for any form of prejudice and hate and we will do all we can with our partners to tackle this.

A hate crime is any crime which is perceived by the victim or anyone else, to be motivated by hostility or prejudice towards someone because of:

- disability
- gender identity
- race or ethnic origin
- religion or belief including lack of belief/religion
- sexual orientation

It can be against an individual or their property.

A hate incident is a non-crime incident but can feel like a crime to those who suffer from an incident like this. Just as a hate crime, it is an incident which is perceived by

the victim or anyone else, to be motivated by a hostility or prejudice towards someone for the same reasons as a hate crime.

The Police can only prosecute if the law is broken, but we will all work with partners in the community and with offenders to try and prevent these types of incidents happening.

Everyone has the right to live without fear and harassment and so it is important that everyone reports a hate crime or incident. This is whether they have been a victim, a witness or you are reporting on behalf of someone else, for example a friend, family member or for one of your employees at work. We all have a duty to keep our community and workplace safe and unless we know what is happening, we can't do anything about it. Reporting does make a difference and can stop it happening to someone else. Reporting will also help us and the Police to understand the level of hate crime and incidents in our local area and improve the way we respond to them.

We will:

- work with partner agencies to raise the profile of hate crime in Norwich
- work with Police and the Office of the Police and Crime Commissioner to make sure the right strategies are in place to respond to hate crime and incidents and community tension
- promote third party reporting services
- work with schools and youth organisations on hate crime training
- work with community organisations on tackling hate crime and the causes of hate crime

Long term support

We will:

1. Make clear where support to a vulnerable person continues after an ASB case has been closed as to which agency will be providing support with a named contact where appropriate.
2. Carry out customer satisfaction questionnaires with a sample of closed cases picked at random and will be prepared to reopen cases where it is clear that the victim has seen a reoccurrence of issues. We will engage with local police teams to maintain joint responsibility after case closure.

Anti-social behaviour in communal areas or by unknown persons

3. Not all anti-social behaviour reported to Norwich City Council is by persons who can be readily identified or may take place in public or communal areas in our housing estate/areas.
4. The principles of our response to this are similar to above but the actions may vary.

We will:

5. Provide well publicised and accessible methods of reporting.
6. Contact all complainants/victims to understand the nature, extent and impact of the issues.
7. Work with police and other partners to establish a full understanding of the issues.
8. Provide advice and guidance to victims and signpost them to support.
9. Analyse and assess the problem and prioritise our responses to ensure resources are targeted at those issues causing most harm.
10. Attempt to identify the perpetrators and take action.
11. Regardless of priority we will always take any quick and simple measures we can to alleviate the ASB problem.

Customer experience and governance of this policy

We will:

12. Use customer satisfaction surveys/ adherence to ASB casework timescales to measure, report and benchmark customers' experiences.
13. Keep this policy under review to ensure that it is reasonable and practicable. Residents will be engaged in any review of this policy, including residents who have recently raised a formal complaint with us as landlord.

Data, record keeping and information sharing

14. We will only record and share your data in accordance with Norwich City Council Data Protection Policy [Data Protection Policy | Data Protection Policy | Norwich City Council](#)

Appendix 1 How we will manage an ASB case

Our approach to ASB covers five specific areas¹:

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1. Opening a case.
2. Early intervention.
3. Enforcement/ use of preventative tools.
4. Legal considerations.
5. Closing a case.

1 Opening a case

15. The Council may take the lead in investigating reports of ASB in the following circumstances:

- When the person experiencing and/or perpetrating ASB is a Council tenant, or if the ASB is perpetrated by another person when visiting a Council tenant,
- When the person experiencing and/or perpetrating ASB is a leaseholder, or if the ASB is perpetrated by another person when visiting a leaseholder,
- When the person experiencing and/ or perpetrating ASB in a Norwich City Council estate neighbourhood,
- Where we have a statutory duty to investigate domestic noise nuisance under the Environmental Protection Act, regardless of tenure of the properties involved

We will:

16. Provide the complainant with contact details of the named officer who has been assigned the case and who will be responsible for actions and updates. Make sure the time and date of all contact with the complainant is always recorded.
17. Maintain witness confidentiality.
18. Manage complainants' expectations from the outset and be realistic and open with them. Explain the process and minimum standards of service to the complainant so they know what to expect.
19. Develop an action plan with the complainant that is agreed and understood by them. This will include timescales and agreed actions.
20. Adherence to ASB casework timescales will be measured as part of governance reporting.
21. Ask the complainant for permission before contact with the perpetrator is made (unless there are safeguarding concerns). Where permission has not been given, we will work closely with the complainant to gain their trust, provide reassurance of support available to encourage permission.

22. Ensure support should be tailored to the needs of the individual. Establish an understanding of the complainants' support needs and other partner agencies involved. In everything we do we will consider the requirements of the Equality Act 2010.
23. Work in a trauma- sensitive way, to ensure that, whilst we may need to ask difficult questions or decide a course of action that one of the parties may not agree with, we will limit the possibility of our processes unintentionally being re-traumatizing or stress inducing to the people involved as far as possible.
24. Ensure a risk assessment is updated regularly at all key stages. For example, following each substantive contact with the victim, alleged perpetrator, partners and when actions are planned and/or taken.
25. Keep in regular communication with the complainant and involved partners to update them on progress.
26. Where diaries are used, should be issued with advice on how to complete and the type of information required.

2 Early intervention

Wherever possible we will intervene early to prevent ASB from happening in the first place. However, we recognise that this is not possible in all cases.

We will:

27. Use the full range of ASB tools and powers available where appropriate.
28. Share action, activity, and data with partners safely and appropriately.
29. Maintain an awareness of support available locally and how to refer into/access and ensure good communication with local community groups.
30. Select interventions that are appropriate, reasonable and proportionate to the behaviour and most likely to produce an effective solution. Be ready to take follow up action if early interventions fail to resolve the problem.
31. Make every effort to ensure that home visits to alleged perpetrators are impactful working with and conducting visits where appropriate with local partner agencies.
32. Maintain witness and complainant confidentiality.
33. Use any meetings with alleged perpetrators to challenge their behaviour setting out the complaint (taking account of complainants' anonymity) referring to existing actions taken such as warning letters and provide an opportunity for the alleged perpetrator to respond.

If the complaint is about a young person, we will:

34. Identify any agencies involved (if any) and make relevant referrals.
35. Meet with child and responsible parent/guardian and explain impact of behaviour and clearly set out expectations and consequences.
36. Consider use of appropriate, reasonable, and proportionate interventions, for example, ABC or warning notice.
37. If the young person is connected to a tenant of a Norwich City Council home, we will advise them and the tenant of the potential impact on their tenancy if the behaviour continues.

If the complaint is about an adult, we will:

38. Attempt to find out if the perpetrator is known to local probation, housing, and mental health/adult services/ drug & alcohol services.
39. Consider what the complainant wants and build this into any realistic agreed solutions.
40. Risk assess the situation and ensure that we have considered the likelihood of reprisals against the complainant.
41. Maintain regular communication with the witness/complainant and partner agencies to reassure of progress being made against objectives set at any communications made with witnesses/complainants.

3 Enforcement / use of preventative tools

Our driving principles is to protect individuals and communities from harm using tools and powers that are specific, proportionate, and appropriate to the behaviour.

We will:

42. Only use tools and powers when there is sufficient evidence to do so.
43. Consider all available resources, powers and tools including preventative measures with the aim of stopping occurrences of ASB to protect complainants, witnesses, and the community from harm.
44. Identify the most appropriate enforcement tools if early resolution attempts are unsuccessful. We will consider these actions taking the following into account:

- Assessment of victim and witness vulnerability, risk and harm.
 - Use or threat of violence.
 - Housing tenure.
 - Frequency.
 - Safeguarding and hate crime aspects including people with protected characteristics.
 - Was the victim intentionally targeted or situational?
45. Use preventative tools that are appropriate and proportionate to stopping the behaviours, supported with sufficient evidence.
46. Engage the community using impact statements (where appropriate) within overall evidence gathering including any community driven responses and attempts to resolve matters locally.
47. Be clear about what is achievable to manage expectations of both complainant and perpetrator, in accordance with our ASB service standard.
48. Consider next steps if action is not successful in stopping the behaviour and/or order is not obtained or granted.
49. Pay due regard to Norwich City Council Corporate Enforcement Policy)

4 After the case

We will:

50. Engage and build public confidence – communicate successful outcomes back to the community through communications, leaflets and information to local networks.
51. Signpost and provide support to the complainant after the case until it is no longer required working with local support agencies including victim support.

5 Evidence and court requirements

We will:

52. Prepare cases for court thoroughly with an intention to detail seeking legal advice where appropriate.
53. Where it is appropriate seek legal advice on using ASB reports in a casefile or tenancy file into statements or evidence for use in court.
54. Discuss with victims and witnesses the evidence options and explain the difference between direct evidence and hearsay.

55. Explain the court processes and possible outcomes clearly to the victim or witness.
56. If the perpetrator has a history of mental ill-health engage with local mental health services using methods of escalation where there are any apparent blockages.
57. Where an order is being considered ensure that the prohibitions being sought are appropriate, specific, practical, and enforceable to the circumstances it will be applied.
58. Actively challenge legal advice that fails to protect communities.
59. Engage local communities and work with any local community groups at the earliest opportunity.

6 Going to court, getting the order, and managing breaches

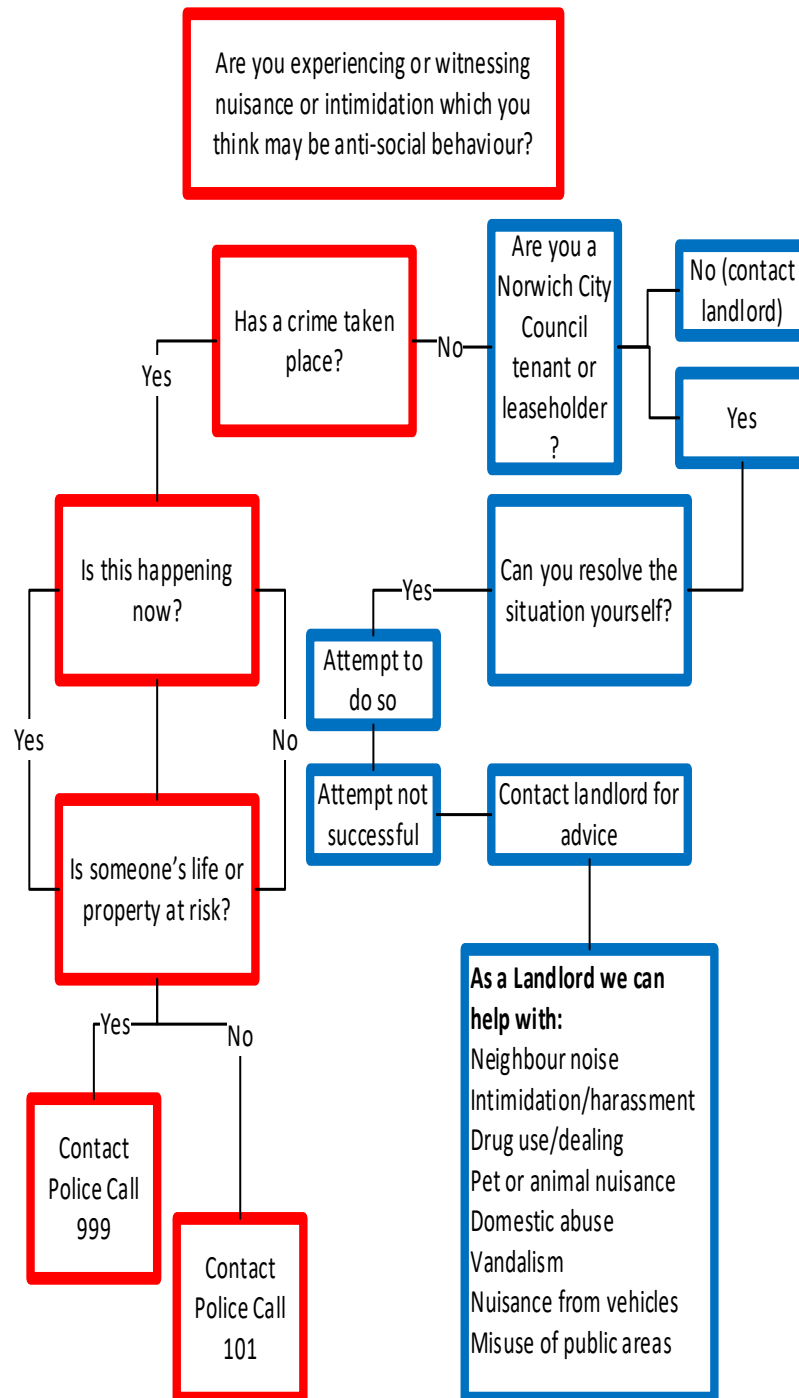
We will:

60. Keep victims / complainants / community leaders informed of hearings and court dates and work collaboratively with them to monitor community tensions.
61. Maintain communication with police and housing about protection measures at court and in the community.

7 Closing a case

We will:

62. Ensure that cases should be consistently maintained and closed in accordance with:
 - Policies and procedures, protocols and data protection principles, and,
 - The case action plan is agreed with the complainant / victim and the named caseworker at the outset and updated throughout the duration of the case.
63. Ensure that cases should be closed with the agreement of the complainant / witness and followed up with written confirmation of case closure within our ASB case standard timescales.
64. Maintain accurate case records – record the reason for case closure and notify relevant partners of case closure and reason.
65. Make every attempt to ensure that case closure does not come as a surprise to the victim by ensuring that there has been regular communication with the complainant throughout the duration of the case management.





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