















## Support for Complainants

The Council will deal with all complaints of anti-social behaviour promptly and efficiently.

Complainants will be kept informed of any developments relating to their complaint and with their agreement will be referred to appropriate support services. **See Part Two of this Statement for examples of ways in which the Council can provide support to complainants.**

An information pack of leaflets regarding anti-social behaviour will be available in 2005 from Neighbourhood Housing Offices, or on request to Estate Managers.

## Racial Harassment Policy

Racial harassment is known nationally to be a growing problem in the community. Every council has a responsibility to report and record racial incidents that come to their notice with a view to eliminating such incidents. They also need to provide support, at the earliest opportunity, to persons experiencing racial incidents. RBK is committed to working in partnership with other statutory, voluntary and community groups and is taking a multi-agency approach in the reporting and recording of hate crime (homophobia, domestic violence and racist incidents) as well as combating and measuring performance in relation to those crimes.

If a complaint of harassment is made the Estate Manager will follow the **Harassment Policy and Procedure** for dealing with the complaint.

## Domestic Violence Policy

The Council recognises that domestic violence and abuse has a devastating effect on women, children and men, so we aim to provide a high quality and sensitive response that meets the needs of those who experience, or have experienced, it.

Housing staff have an important role in providing non-judgemental support to tenants or applicants experiencing domestic violence. Informing them about their choices, available accommodation and providing information about services is likely to support the applicant and any children in the family, and reduce repeat victimisation.

If a complaint of domestic violence is made the Estate Manager will follow the **Domestic Violence Policy and Procedure for Housing Staff.**

# Prevention Of Anti-Social Behaviour

## Introductory Tenancies

It is Council policy to grant an introductory tenancy to new tenants of permanent accommodation. The introductory tenancy regime operates as an exception to the usual security of tenure of a local authority housing. During the first 12 months of a new tenancy (the introductory period) the Council can seek a possession order from the Courts subject to certain procedural requirements but without having to prove grounds for possession as with secure tenancies.

## Mediation

Mediation is a way of trying to deal with disputes between neighbours or other groups of people without the need to go take legal action Court. The aim is that the parties can discuss their disagreements on common ground in a relaxed environment and hopefully reach an agreement. Mediation will be recommended to parties if it is appropriate to the problem. If the parties agree the Estate Manager will refer the parties to a Mediation Service.

## Neighbourhood Ranger Scheme

Housing Management employs Neighbourhood Rangers to patrol Housing Estates. The aim of the service is to provide a link between the Housing Service and other Council Departments and other agencies ensuring that issues on the housing estates are dealt with quickly and efficiently.

## Environmental Improvements

The Estate Managers regularly go out and visit their patch to assess areas where improvements can be made that will in turn deter anti-social behaviour. Examples of this would be improved lighting, security, rubbish clearance, designing out hiding places, removal of abandoned vehicles, access to leisure facilities for children.

## Acceptable Behaviour Contracts (ABCs) and Parental Control Agreements (PCAs)

These are individual agreements between a young person, deemed to be causing anti-social behaviour, and the local authority, as landlord, and the police whereby the young person agrees not to carry on with certain acts of anti-social behaviour.

They are commonly used by local authorities as a way of combating anti-social behaviour on housing. They are seen as last attempt to stop anti-social behaviour before legal action is taken.

PCAs are the same as ABCs but are used when the young person is under the age of 10. The parent or guardian signs.





Housing Management will work with the individual or family causing the problem to ensure that they have appropriate advice and access to any relevant support groups that they may need to assist with finding a solution to the problem.

If this approach fails to deal with the anti-social behaviour or if the individual or family reject any advice or assistance then further action will be taken as appropriate.

## Supporting Witnesses

In most cases of anti-social behaviour witness evidence is crucial for the case to succeed. Witnesses will be provided with the level of support they require from the commencement to conclusion of the case. This may be anything from simply providing assistance with transport to Court and explaining the legal procedures or in extremely serious cases it may be in moving witnesses to another location.

In some cases housing staff may be able to give provide evidence to the Court or the witnesses behalf or provide there own evidence.

If appropriate witnesses will be referred to a support agency eg Victim Support, Kingston Voluntary Action.

The County Court can also provide support for witnesses through the Witness Liaison scheme.

It is also possible for the Council to employ professional witnesses to gather evidence on the case. This is a costly option and will only be used in extreme cases.

## Data Protection, Information Exchange And Confidentiality

Sharing of information is integral to dealing with anti-social behaviour problems. When officers are sharing information with other agencies they need to be aware of importance of confidentiality and date protection in.

Section 115 of the Crime and Disorder Act 1998 makes it lawful for organisations engaged in multi-agency working to exchange information as part of a strategy to reduce crime and disorder. In addition the police have common law powers to disclose information to anyone for the prevention and detection of crime.

Personal details should not be given to another agency without written consent of the person concerned. Anonymous data can be supplied so long as it doesn't identify any individual.

In considering whether to share information the issue of public interest needs to be balanced against the individuals rights. In doing so the following will be considered;



## Part Two – Statement of Procedures

### Making A Complaint Of Anti-Social Behaviour

Complaints about anti-social behaviour should be made to the Estate Manager (a list of contact numbers is provided in Annex 1). The Estate Manager will take a report and assess the appropriate way forward. In a lot of cases the first question that will be asked is whether the complainant has spoken to the person concerning this matter. If the answer is no the complainant will be asked to do so unless the anti-social behaviour is regarded as high level or there is another particular reason not to approach the perpetrator. Guidance will be given on how to approach the issue. The complainant will also be given a diary sheet to keep a record of incidents and will be given some general advice. The Estate Manager will complete an action plan and advise the complainant of any immediate action that will be taken.

If the Estate Manager has reason to believe that the problem may amount to a statutory nuisance under the Environmental Protection Act 1990 the complainant will be advised to report it to the Environmental Health Department. They can serve an Abatement Notice on the person causing the nuisance which may well bring a prompt end to the problem.

Where the problem is serious and involves threats, verbal or physical abuse or assault the complainant will be advised to report it to the police as well.

If the complainant and/or their family are in obvious danger they will be provided with temporary accommodation.

If a translator or signer is required the Estate Manager can make arrangements for this through the Kingston Interpreting Service.

After the problem has been reported it is vital that the complainant continues to log incidents and keep a record of any continuing anti-social behaviour. If other local residents are suffering with the same problems the complainant should try to encourage them to report the problem as well and keep a record any incidents. This will all help to deal with the matter quickly and efficiently. **If the complainant is unable to provide a written record of incidents the Estate Manager can provide a Dictaphone. Any evidence provided in foreign language can be translated into English.**

### Processing a Complainant of Anti- Social Behaviour

The complainant will be provided with the name and telephone number of the Estate Manager that will be dealing with their case.

The Estate Manager will interview the person (s) alleged to be causing the problem unless the complainant requests that they do not want this to happen. It is difficult for the matter to be pursued if the complainant refuses to allow the perpetrator to be approached.

The Estate Manager will investigate the complaint and assess the appropriate action. This will be discussed with the complainant and their wishes remain paramount. If the problem is considered to be of a low level the perpetrator will be sent an informal warning letter and the situation will be monitored for 3 months. If the problems become worse during that period further action will be taken. A formal warning letter will be sent to the perpetrator and the parties may be offered mediation.

If the anti-social behaviour is considered to be of a medium or high level the Housing Department will take more formal action and with the complainant's agreement, will involve other relevant agencies that may be able to assist.

If the problem concerns the behaviour of children then the Housing Management Department together with Kingston Police may consider it appropriate to draw up an Acceptable Behaviour Contract (ABC). Failure to adhere to the ABC could lead to an Anti-social Behaviour Order being made by the Court and/ or the young person's household being evicted from their home.

Whatever action is decided the complainant will be kept informed of what is happening and of any decisions made about the case.

## Time Scales

The complainant will be interviewed within five working days of making a complaint. When the incident is of a serious nature an interview will be carried out within 24 hours. Details of the interview will be confirmed in writing.

The alleged perpetrator will then be interviewed within a further five working days. If the matter is of a serious nature an interview will be carried out within 24 hours and it may be necessary for the police to attend.

If the alleged perpetrator refuses to attend an interview or is unavailable an informal warning letter will be sent within 10 working days. The complainant will be informed of any difficulties in contacting the alleged perpetrator

All open cases are monitored on a monthly basis. The Estate Manager will telephone the complainant each month and more often if appropriate to ascertain the current situation with the complainant.

If all appears to be resolved after 3 months the case will be closed. The parties will be notified when the matter is closed. Cases can be reopened if further incidents occur.





- Other legal options (eg under Environmental Protection Act, forfeiture of leases, private action, criminal proceedings by police, closure notices).

Management options will always be the first action in cases of low to medium level anti-social behaviour. Legal options will always be a last resort unless the matter is high level anti-social behaviour or the Management options taken have failed deal with the problem.

## Reporting and Recording

Record keeping and information collection are an essential component in monitoring the success or otherwise of any policy. It is notoriously difficult to accurately record incidence of anti-social behaviour largely due to the range of behaviour that can be classified as anti-social and the fact that cases can be dynamic and complex. However, unless incidents are recorded it is impossible to have any idea of the scale of the problem, current trends, whether remedial methods are working and to make improvements.

Estate Managers complete anti-social behaviour monitoring sheets on open cases at the end of each month. These sheets detail the date the case was opened, the location of the incidents, the type of incident, what action has been taken, the current situation and the date closed. The information is collated and a monthly spreadsheet is produced to provide crucial statistical information. Such information is not only for internal use but is collated to meet the Best Practice and Audit Commission performance indicators.

When a case is completed the complainant will be asked to complete an evaluation form. This will assist the Council to monitor the service it is providing when dealing with complaints of anti-social behaviour and to make appropriate changes.

## CONTACT NUMBERS

### Estate Managers

Cambridge Road Estate ..... 020 8547 4696/4797

Chessington Housing Office ..... 020 8547 5402/4744

Old Malden Housing Office ..... 020 8547 6548

Kingsnympton Park Estate ..... 020 8547 5488

Disposal of syringes..... 020 8547 5536

(our of hours) ..... 020 8547 5800

Fly Tipping ..... 020 8547 5970

Pollution Control ..... 020 8547 4719

Noise ..... 020 8547 5536

Racial Harassment ..... 0800 138 1662

Domestic Violence ..... 0800 138 1680

Homophobic Harassment ..... 0800 138 1702