

# **Anti-Social Behaviour Policy and Procedures**

## Contents

### Policy and Procedure Summary



Serious ASB involving criminal conduct should be reported to Metropolitan Police by telephoning 101 or 999 in an emergency or using crime stoppers anonymously.

## **1.2 Making a report of ASB to the Council**

Reports of ASB to the Council can be made in any of the following ways:

By telephone, online, or in writing. Details of how to do this can be found at: [Report a problem | London Borough of Barking and Dagenham \(lbbd.gov.uk\)](https://www.lbbd.gov.uk/report-a-problem)



## **2.0 REFERRALS TO OTHER AGENCIES**

Investigating Officers will make referrals to other Council departments or agencies as appropriate during their investigation. Any referrals made will involve the Investigating Officer seeking consent from the individual concerned, unless there is an overriding safeguarding concern in relation to a vulnerable adult or child.

## **3.0 ASB INVESTIGATION**

### **3.1 Interviewing the reporter**

When a report of ASB is made, the Investigating Officer will interview the reporter to confirm all relevant facts and an action plan will be discussed. As part of the action plan, the reporter will be expected to keep an accurate record of any further incidents of ASB and report any further incidents to the Investigating Officer. The officer will attempt to complete an ASB Vulnerability Risk Assessment with all reporters (not acting within their professional capacity e.g., police officer) to assess the reporter's vulnerability to the ASB they are experiencing. The officer will agree an action plan detailing what the reporter/victim is expected to do and what you may expect from the Council or other partners.

### **3.2 Wider Investigations**

Investigating Officers will usually conduct a wider investigation which may involve contacting other potential reporters or witnesses, in addition to making enquiries with any relevant Council departments or partner agencies such as the Metropolitan Police.

### **3.3 Interviewing the alleged perpetrator**

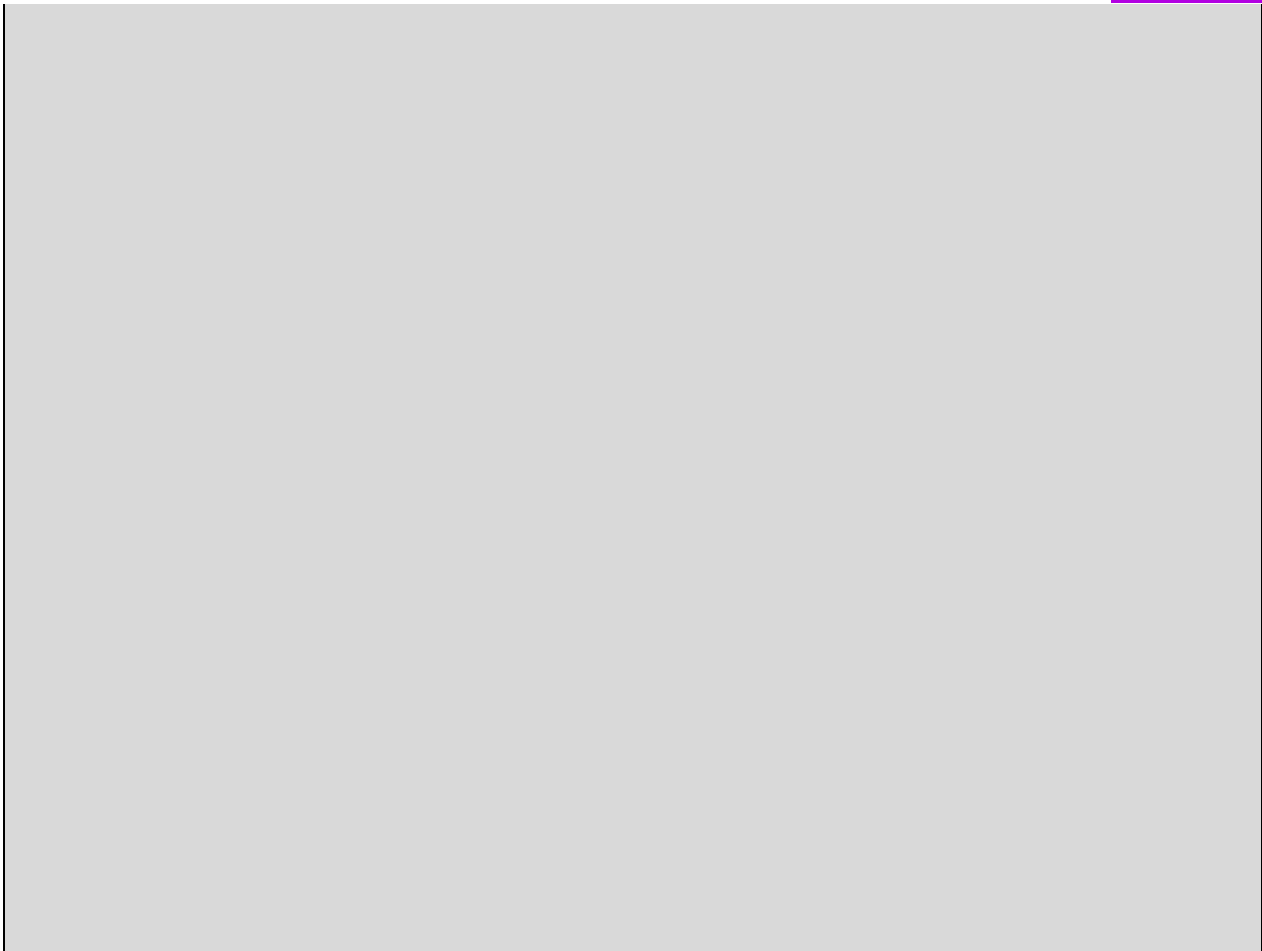
During most investigations (except where a without notice injunction is being considered), contact will be made with the alleged perpetrator. The alleged perpetrator will be given a fair opportunity to respond to the ASB allegations. The Investigating Officer will explain the consequences of perpetrating ASB and summarise the next steps in the investigation.











## What is domestic abuse?

The **Domestic Abuse Act 2021** defines domestic abuse as:

**'Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality.'**

This can **encompass but is not limited to** the following types of abuse:

Abusive behaviour is classed as domestic abuse if the perpetrator is **personally connected** to the victim.  
Personally connected means they are, or have:

Ensure staff attend council provided learning and development on domestic abuse, including the compulsory training for managers

Ensure all staff are familiar with the council's statutory duties in relation to domestic abuse

Ensure staff are aware of the domestic abuse objectives within the council's objective library, and that these are used within appraisals and work plans appropriately

Ensuring all staff are aware of local referral pathways for specialist support and that these are embedded in our procedures

Ensuring all staff are aware of domestic abuse procedures

Ensuring all housing staff are familiar with the correct process for responding to victims and survivors who are at high risk of harm, including making MARAC (Multi-agency Risk Assessment Conference) referrals

Ensuring all staff are familiar with the correct process for making safeguarding referrals for children and adults at risk where appropriate

All ASB professionals can access **further information** about domestic abuse and how we work in the detailed domestic abuse guidance for staff and the 'at a glance' guide for staff, available here:

<https://lbbd.sharepoint.com/sites/Intranet/SitePages/Domestic-Abuse.aspx>

or

<https://bdsafeguarding.org/domestic-abuse/>

or

<https://www.lbbd.gov.uk/adult-health-and-social-care/health-and-wellbeing/domestic-abuse/professionals-guidance-and-advice>

This toolkit should inform the work of all officers dealing with potential and identified domestic abuse cases.

## **6.0 ASB CASE CLOSURE**

### **6.1 Reasons for Case Closure**

Investigating Officers will close cases in a timely manner so that cases are not open longer than necessary. The Investigating Officer will communicate with reporters and partners when resolutions have been reached

## **8.1 Community Trigger**

You can ask for the Community Trigger to be activated if you consider no action has been taken after you have complained to us at the council, police or a registered housing provider about 3 separate incidents of antisocial behaviour in the last 6 months.

You can also ask for the Community Trigger if 5 individuals in the local community have

# London Borough of Barking and Dagenham Council Anti-Social Behaviour Policy and Procedures Statement

## 1.0 Strategic Overview

The London Borough of Barking and Dagenham community safety strategy (2023 to 2026) sets the vision for the Council. Our key aim is to be a place where residents from all backgrounds feel safe, can aspire and live well, keeping our children and young people safe, tackling crime that affects people the most, reducing offending, tackling violence against women and girls and standing up to hate, intolerance and extremism. Our approach is to become more proactive, pre-emptive and creative, focusing on a person's or community's strengths and opportunities.

The first thematic priority of the Council's community safety strategy is to tackle Anti-Social Behaviour (ASB) through a triple-track approach of early intervention and prevention, non-negotiable support and strong enforcement action when necessary. We aim to strengthen community capacity to resolve issues, protect and support victims and use informal and formal tools and powers to tackle ASB. By working together, we are building more resilience in communities to challenge the corrosive effect of ASB, intimidation and harassment caused by a minority of people.

The Anti-Social Behaviour Act 2003 places a legal requirement on all social landlords to publish an Anti-Social Behaviour Policy and Procedures Statement. This document fulfils this legal requirement specifically relevant to non-secure tenants living in the Council's temporary accommodation schemes and dispersed properties across our Borough.

The Council applies a harm-centred approach to tackling ASB. The Council will consider the harm caused to individuals and communities along with the type of ASB reported and the available evidence to determine a course of action that the Council deems appropriate.

Through applying effective ASB case management principles, starting at the point of contact and continuing throughout the management of a case, officers will take action that is appropriate and proportionate to the harm caused to the victim or witness, the nature of the complaint and the quality of evidence available.

The focus of our casework will be as much about supporting the complainant or witness of ASB as



Investigating Officers will be mindful of the need to ensure that domestic abuse victims are supported in accessing remedies specifically designed to deal with domestic abuse (for example non-molestation orders, Domestic Violence Protection Notices / Orders).

The use of measures designed to tackle ASB will normally be used only when the Metropolitan Police have been consulted and there is no other option available in order to provide protection and prevent the impact on the wider community.

This list of types of ASB the Council will investigate is non-exhaustive and this policy is not an



### **3.0 How cases are prioritised**

The Council will prioritise reports of ASB involving the use or threatened use of violence to person or property and / or reports involving significant harm or risk of harm to individuals, families or neighbourhoods e.g., hate incidents. These types of cases will involve making urgent contact with the complainant and consideration of the potential need to apply for a

Informal and/or formal action may be taken against a tenant to address the behaviour of others who live with them or visit their property.

## **6.0 Victim / witness support**

Victims and witnesses (“Reporters”) are at the centre of the action we take to investigate and resolve reports of ASB. All Reporters will be provided with a named officer who will be responsible for investigating their report. Support to Reporters will be assessed individually with each Reporter that engages with us to ensure that the support offered is tailored specifically to individual needs.

A harm-centred approach is taken. This





under the Act were designed to tackle serious ASB. The very fact the Act specifies the 7 day time limit underlines its importance.

**The Council has no basis to seek possession of a property where we are not the landlord.**

The use of informal and legal action will be decided by the Council having considered the circumstances of each individual case and will be proportionate to the type of ASB and the risk of harm.

Generally, we would wish to obtain agreement with complainants about the particular actions to be followed. There may be occasions where the complainant would wish that the Council takes no specific action on their report. The situation may however be serious enough that we feel we have

The decision to publicise will be considered carefully based on the facts of each case. The Council will consult with relevant partners such as the Metropolitan Police and the Directorate of Children and Families if an individual is engaged with services, including Youth Justice in respect of young people, to consider the following:

If we consider it important to access specific information from independent professionals in order to assess how we deal with a case, we will ask the reporter for their written consent to do so, unless there is an urgent overriding safeguarding concern involving a risk of harm to the reporter, or another person.

ASB information is recorded on a secure case management system and case files are stored securely. Data is held in accordance with the Council's data retention and destruction schedule.

We have a duty to share information with relevant agencies as defined in the Crime and Disorder Act 1998. We will share information with accordance to the Data Protection Act 1998 and data sharing principles.

#### **14.0 Training and Service Development**

The Council is committed to continually reviewing the service we provide so that we can identify and share practice and identify any service improvements. Ways in which we continue to develop include facilitating internal and external staff training, conducting regular case reviews between Investigating Officers and managers, along with group case supervision and consulting with the public when significant changes are made to the service. Our performance is monitored through a range of indicators including number and types of cases, customer response times and the types of informal and formal ASB actions. We have recently introduced a customer survey which we will undertake with ASB complainants and consult with residents before making any significant changes to Council services.

We report quarterly to our Community Safety Lead and provide reports to our Communities Scrutiny Committee and Community Safety Partnership Board.

#### **15.0 Availability of the ASB Policy and Procedures Statement**

A copy of this ASB Policy can be found on the Council's Community Safety website at [Community safety and crime | London Borough of Barking and Dagenham \(lbbd.gov.uk\)](https://www.lbbd.gov.uk/community-safety-and-crime)

Please contact the ASB Team if you require a translated copy of the Statement and Summary or a copy in an alternative format (i.e., Braille and large print).

#### **16.0 Review of Policy and Procedures Statement**

This policy and procedures statement will be reviewed periodically or in line with changes in relevant legislation.

Date: 16 June 2023

Review by 16 June 2026

Author: Community Safety Operations Manager, Ben Forbes

Approving Body: Community Safety Partnership Board

Date: 28<sup>th</sup> June 2023