



SHEFFIELD CITY
COUNCIL

HOUSING & NEIGHBOURHOOD SERVICE: OUR APPROACH TO ANTI-SOCIAL BEHAVIOUR

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This document outlines the approach the Housing and Neighbourhoods Service will take when dealing with reports of anti-social behaviour.

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This document is the responsibility of:

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Housing & Neighbourhoods Service
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Overview of Our Service

1. Strategic Statement

Sheffield City Council believes that everybody should feel safe and secure and should not suffer from anti-social behaviour, nuisance or harassment.

We will take steps to prevent anti-social behaviour from occurring and where it does we aim to take swift and effective action to find a lasting solution.

Our focus is on reducing the harm caused to victims, communities and in some cases those causing anti-social behaviour.

We will work in partnership with other organisations, victims, witnesses and members of the community, to ensure that Sheffield is a safe and secure place to live, work and visit.

2. Definition of Anti-Social Behaviour

2.2. The term 'anti-social behaviour' is used to describe a variety of problems which are capable of causing nuisance, annoyance, harassment, alarm or distress. This could range from a relatively minor issue to serious criminal activity. We do not adopt a single definition of anti-social behaviour but instead consider each report based on the circumstances, such as frequency, harm caused, and impact on victim.

2.3. Council Housing Tenants are required to comply with the conditions set out in their tenancy agreement (called 'You and Your Home'). We will take appropriate action if the tenancy conditions are breached. Condition 16 covers anti-social behaviour:

"16. You, your household and visitors must not do anything which is illegal, dangerous or which would cause nuisance, annoyance, harassment, alarm or distress to other people. This condition applies within the boundary of and in the locality of your property"

2.4. When someone reports an anti-social behaviour issue to the Council, the appropriate department will assess it to determine the most appropriate action. We will give advice if it needs to be dealt with by another service (such as the Police or a Registered Housing Provider). The information in this document applies to reports dealt with by the Housing & Neighbourhood Service.

3. Examples of what may/may not be anti-social behaviour

3.1. The examples below are intended to illustrate the types of behaviours which we may or may not consider to be anti-social. However each issue will be looked at individually and decisions will be made on the specific circumstances of that particular issue.

3.2. Examples of behaviours we may consider to be anti-social are:

- Playing excessively loud music/television/video games
- Threatening or verbally abusing another person
- Damaging property
- Attacking another person
- Failing to control a pet
- Misusing drugs or alcohol
- Incorrect disposal of rubbish

3.3. Examples of behaviours we may not consider to be anti-social are:

- Reasonable household noise
- Carrying out DIY at reasonable times
- Babies crying
- A one-off party if noise was the only issue and it is unlikely to be repeated
- Children playing (including ball games). We will not consider this to be anti-social behaviour unless there is evidence of other issues such as verbal abuse or deliberate damage.

4. Expectations

- 4.1. We expect people to be respectful and considerate towards their neighbours and not do anything which spoils the quality of life of other people in their community.
- 4.2. We also expect people to be tolerant and accept the reasonable needs and choices of other people.
- 4.3. We will expect people to take responsibility for minor personal disputes with their neighbours and where necessary will offer advice and information to enable this to happen effectively
- 4.4. If someone is suffering anti-social behaviour we will do all that we can to help them. We can only do this by working together and we therefore expect people who ask for our help to cooperate with reasonable requests to assist us in resolving their case. This may include:
 - Agreeing to self-resolution actions such as talking to their neighbour.
 - Keeping appointments with us
 - Keeping a record of incidents
 - Taking part in mediation or a Community Justice Panel.

Without this cooperation we may not be able to resolve the problem.

Working with Vulnerable People

5. Supporting Victims and Witnesses

- 5.1. We recognise that experiencing anti-social behaviour can be a worrying and stressful time. We understand the harm it causes and impact it has on quality of life.
- 5.2. We will therefore provide a victim focused service by assessing the impact on people and tailoring support based on individual needs.
- 5.3. We will keep in regular contact with victims and witnesses throughout the investigation and ensure they understand what action we are taking and why.
- 5.4. We will give advice, support and guidance throughout our investigation.
- 5.5. Examples of how we may support victims based on their individual circumstances are:
 - Provide a single point of contact (e.g. their Neighbourhood Officer if they are a Council Tenant).
 - Referral or signposting to other organisations for support (e.g. Victim Support).
 - Visits to Court before a trial and advice/support throughout any legal hearings.
 - Coordination of action and support between organisations.

6. Support for Vulnerable Perpetrators.

- 6.1. Where necessary we will work with the person responsible for causing anti-social behaviour to identify support needs which may address the underlying causes of their behaviour. This may be for reasons such as drug or alcohol addiction, mental health issues or support with parenting. Doing this may be the best way to find a lasting solution to the problem.
- 6.2. If someone has been offered support but does not engage with it and their anti-social behaviour continues, we will take appropriate action.

We will ensure that any action we take is reasonable and proportionate and meets our obligations under the Equality Act 2010 and any other relevant legislation. We will make reasonable adjustments to our policy and procedures where appropriate.

Taking Action

7. Overview

- 7.1. We will investigate reports of anti-social behaviour and seek both sides of the story where necessary.
- 7.2. We will utilise the full range of tools and powers available to tackle anti-social behaviour.
- 7.3. We will decide on the most appropriate action based on factors such as the evidence available, the impact on the victim and the best way to achieve a lasting solution.

- 7.4. Action we take will be proportionate to the behaviour exhibited and circumstances of the case.
- 7.5. In general we will aim to use 'informal' interventions and give perpetrators of anti-social behaviour a reasonable amount of time to change their behaviour before escalating a case. However if the evidence and circumstances justify it, we may take legal action straightaway.
- 7.6. We will work in partnership and coordinate any enforcement with other organisations and Council teams to ensure that the most appropriate action is taken.

8. Preventative Action

- 8.1. We will take steps to try and prevent anti-social behaviour from occurring in the first place.
- 8.2. Prevention of anti-social behaviour is built into our Allocations Policy. We will take steps to prevent people responsible for causing anti-social behaviour from obtaining or moving between Council tenancies. These steps are set out in our Allocations Policy.
- 8.3. We will also work with partner organisations to:
 - identify areas/issues of concern at an early stage.
 - identify support to vulnerable people where appropriate

9. Informal Action

- 9.1. Where appropriate we will use informal, 'non-legal' actions to attempt to resolve issues at an early stage. These actions may include:
 - Warning letters/meetings
 - Mediation
 - Acceptable Behaviour Contracts
 - Breach of Tenancy Cautions
- 9.2. We may take certain actions as an alternative to taking legal action. These may include:
 - Family Intervention Tenancies
 - Restorative Justice (e.g. via a Community Justice Panel).

10. Legal Action

- 10.1. We will take legal action where it is necessary to resolve the issue. This may be because a serious incident or breach of tenancy has occurred or it may be a result of continuous and/or escalating incidents which have been not resolved by informal means.
- 10.2. Decisions on whether to take legal action and what type of action is most appropriate will be made by the Anti-Social Behaviour and Community Safety Team and based on the facts of each case.
- 10.3. Legal action we can take may include:
 - Possession (eviction) proceedings
 - Injunction
 - Closure Power
 - Community Protection Notice
 - Criminal Behaviour Order
- 10.4. We may also work with other Council Teams (such as Environmental Protection or Trading Standards) and other organisations such as South Yorkshire Police to ensure the most appropriate enforcement action is taken (see section 12 below).

11. Publicity

- 11.1. Where we believe it is in the public interest, we will publicise details of Court results in the media. We will prepare a press release containing the name, age and street of the person/persons causing anti-social behaviour along with details of the case and court decision.
- 11.2. We do this to make sure communities are aware of the action we take and to discourage other people from causing anti-social behaviour.

Working in Partnership

12. Coordination of Action

- 12.1. As described in section 10 above we will work in partnership with other organisations and Council teams to ensure appropriate action is taken to address anti-social behaviour. This may mean we take action after and as a result of action taken by another team/organisation (for example taking possession proceedings as a result of a criminal conviction or serving a Notice of Seeking Possession after a Noise Abatement Notice) or it may mean we ask another organisation to take action as an alternative to us taking action (for example Environmental Protection seizing noise making equipment rather than us seeking an injunction).

13. Sharing Information

- 13.1. We will seek information from and share information with other Council teams and other organisations for the purpose of effectively investigating and tackling anti-social behaviour.
- 13.2. We will ensure that we share information in a way that complies with our obligations under the General Data Protection Regulation.
- 13.3. The way we share information to tackle anti-social behaviour is covered by the Sheffield Crime & Disorder Information Sharing Protocol.
- 13.4. We will respect privacy and requests to remain anonymous. We will not tell people who are alleged to be causing anti-social behaviour, who has complained about them unless we have permission.
- 13.5. It may sometimes only be possible to resolve an issue by making people aware who has complained about them. For example when a neighbour dispute may be resolved by mediation or a Community Justice Panel, or because witness evidence is required in legal proceedings. Where this is the case, we will discuss it with the people involved prior to taking action.

Ending our investigation

14. Closing the case

- 14.1. We will regularly review cases and close them at the appropriate time. We will aim to do this only when the situation is fully resolved and no further action is required. However in some cases we may have to close the case because we have concluded that no action is possible (for example because evidence is not available).
- 14.2. We will always tell the person who reported the problem that we intend to close the case and why. Where necessary we will also give them advice on what to do next.
- 14.3. If there are further incidents reported after a case has been closed we take appropriate action based on the circumstances of the report. This may mean we start a new investigation or we escalate the case from the last action. In some cases we may decide that a new investigation is not required, for example where the report is of a substantially similar nature to something we have already investigated and concluded that action is not possible. We will always explain what we are doing and why to the person making the report.

15. Measuring Performance

- 15.1. We will measure our ASB service based on how satisfied our customers are. We will send a customer survey to a sample of customers once their case is closed. We ask them questions such as how satisfied they were with:
- The service they received when they first reported the problem
 - The service they received throughout the investigation
 - The outcome of their report.
- 15.2. We will ensure our performance results are available to customers.

16. Feedback and Complaints

- 16.1. We welcome any feedback from customers and will seek to fully resolve any complaints about our service. Any complaints about our service will be dealt with under Sheffield City Council's complaints procedure.

17. The Community Trigger / ASB Case Review

- 17.1. The Community Trigger (also known as the 'ASB Case Review') is a power available to people who are suffering anti-social behaviour and feel that the organisations involved are not doing enough to resolve the problem.
- 17.2. The Trigger can be raised with Sheffield City Council or South Yorkshire Police. Where it meets the criteria the Anti-Social Behaviour and Community Safety Team, alongside any other organisations involved, will review the action taken and make recommendations on any further action which can be taken to resolve the problem.
- 17.3. Further information about Community Triggers can be found on the Sheffield City Council or South Yorkshire Police websites or from the Anti-Social Behaviour and Community Safety Team.