

# **Bradford Community Housing Trust**

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## **Procedures (Group)**

### **Anti Social Behaviour Procedure**

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Lead Officer: Head of Legal Services

# BRADFORD COMMUNITY HOUSING TRUST

## ANTI SOCIAL BEHAVIOUR PROCEDURE

### 1. Introduction

Bradford Community Housing Trust (BCHT) recognises that all residents have the right to the peaceful enjoyment of their home. Equally every resident has a responsibility not to interfere with their neighbour's right to the peaceful enjoyment of their home.

The tenancy agreement between BCHT Limited and its tenants is a legally binding contract. We will take whatever action is necessary and appropriate, including the use of injunctions, Anti Social Behaviour Orders and evictions, to ensure conditions of tenancy are complied with and that individuals' rights to the peaceful enjoyments of their home is not impaired.

As part of our commitment to tackling nuisance and anti social behaviour a dedicated team of Tenancy Enforcement Officers, has been established to provide a co-ordinate and timely response to these issues.

Our Mediation Service works closely with Tenancy Enforcement, supporting the Trusts holistic approach to dealing with anti-social behaviour. We adopt forward-focused methods when dealing with conflict, concentrating on prevention of conflict rather than just dealing with past events.

This document has been prepared to outline BCHT's procedure for receiving, investigating and responding to incidents of nuisance and anti social behaviour and should be read in conjunction with the Anti Social Behaviour (ASB) Policy, Racial Harassment and Hate Crime Policy, and Domestic Violence policy, copies of which are attached at Appendix 1.

**All complaints will be treated seriously, recorded immediately and investigated thoroughly.**

The actions detailed below may be used against **any person** who commits ASB against any tenant, resident, member of our staff or our partners and/or contractors staff, or other persons engaged in lawful activity on our estates. Equally BCHT will, if necessary take action against any tenant who interferes with the quality of life of other residents or those engaged in lawful activity on our estates.

## 2 **Making a Complaint about ASB – Initial Action on ASB Complaints Received**

A complaint can be made verbally (in person or over the phone), in writing or through a third party such as a Councillor, a friend or another agency/department.

A complaint should ideally be made at the relevant local Housing Office. However, **any Housing Office and/or BCHT Officer** can take a complaint of ASB from **any person**.

When an officer receives a complaint the details will be recorded on the initial ASB report form which can be found on the IBS Housing Management System. A copy of the initial report form will immediately be forwarded electronically to the relevant Housing Officer and to their line manager.

The electronic initial ASB report Form will be printed off signed and dated by the interviewing officer and the complainant if they are present, if not then they will be asked to sign it during any follow up interview. The identity of a complainant will not be revealed to the person acting anti-socially or any other party without their permission.

If the complaint has an element of Racial Harassment or other Hate Behaviour (see appendix 1 for guidance on recognizing such complaints) it will be treated as a priority and immediately forwarded or emailed to the Tenancy Enforcement and Mediation Manager who will issue the case to the Racial Harassment Officer, or in the case of other hate behaviour to a Tenancy Enforcement Officer. The procedure for dealing with Hate cases will then be followed. (See appendix 1)

BCHT is a member of Bradford Hate Crime Alliance, and the officer taking the initial report will also complete the Multi-Agency Hate Incident Reporting form and forward it to the Bradford Hate Crime Alliance office, Unit 33, Carlisle Business Centre, 60 Carlisle Road, Bradford, BD8 8BD.

In appropriate cases, details of the complaint will be forwarded to other relevant agencies (e.g. Police) where the complainant gives permission.

All initial complaints of ASB will be acknowledged in writing, providing name and contact details for the Housing Officer responsible for the initial investigation within 7 days.

In all but the more serious instances, the local Housing Officer, who will have the best contacts in the area and may have local knowledge of the situation, should undertake the initial interviews and take the first action. In many cases, a quick response from the local staff will result in the situation being resolved at an early stage.

People may also make anonymous complaints. Anonymous complaints **will not** be ignored and will be formally recorded and investigated wherever

possible. Where investigation is not possible, the complaint will be recorded, logged on the electronic IBS system and held on file for 12 months. It may be possible that the information within the complaint may support further evidence gained from other sources.

Complaints will be investigated consistently irrespective of the status of the person making the complaint or the person alleged to be behaving anti-socially.

If the person alleged to be behaving anti-socially is a BCHT tenant, private tenant, or owner-occupier it makes no difference if the person making the complaint is a BCHT tenant, private tenant or owner occupier.

Likewise if the person complaining is a BCHT tenant the complaint will still be dealt with even if the person alleged to be behaving anti-socially is a private tenant, owner-occupier or their household member.

### 3. **The Role of the Housing Officer**

The role of the Housing Officer is to take the details of a complaint, carry out the initial investigation, take preliminary action and make appropriate referrals to the Tenancy Enforcement Team following discussion with their respective line manager.

The role includes: -

- Taking full details of all further complaints and completing the ASB case management file
- Issuing and advising on the completion of Incident Logs where appropriate
- Carrying out initial interviews and investigations
- Referring cases to Mediation
- Liaising with other agencies (e.g. Social Services, Education) involved to gain additional information
- Keeping accurate records of all details of a case, including telephone calls
- Taking initial actions (e.g. Issuing Warning letters, warning interviews etc.)
- Referrals to other agencies where appropriate, such as Social Services, About Turn and St@y Project
- Gathering evidence in the early stages, including collection of incidents logs and detailing relevant information in the case
- Assessing case for referral to the Tenancy Enforcement Team and making appropriate, timely referrals
- Liaising with the Tenancy Enforcement Officer on any proposed action
- Working with and assisting The Tenancy Enforcement Officer in carrying out specific tasks in relation to a case as and when required
- Identifying serious cases which need immediate legal action

**Urgent or serious cases can be referred immediately where there is a serious risk or threat of violence to the complainant or members of staff,**

**or where serious incidents occur that may require an injunction, as speed is of the essence in bringing a successful injunction action.**

In serious cases where there have been acts of violence or threats of violence, or damage has been caused to property and in all cases of Racial Harassment or other Hate Crime, the Housing Office should make an immediate referral to the Enforcement Team.

The IBS system holds templates of the forms referred to.

#### **4. Processing a complaint of ASB--Interviewing the Complainant**

In some cases giving advice to the complainant over the phone may solve the problem. In other cases however, it will be necessary to carry out a private and confidential interview with the complainant to obtain full details of the problem.

The interview should take place as soon as possible after the incident has occurred as undue delay may result in the complainant forgetting some of the finer details. All interviews should take place within 7 working days.

The interview with the complainant will ascertain: -

- **Who or what is causing the nuisance?**
- **What is the exact nature of the problem?**
- **Has the complainant tried to resolve the problem himself or herself?**
- **When does it happen?**
- **Where does it happen?**
- **Who is affected?**
- **Why does it happen?**

The interviewing Officer will in all cases make a full and detailed note of the interview using the Interview with Complainant Case History and Report form (available electronically on IBS system). The complainant should be asked to sign the notes to confirm that it is an accurate record.

#### **What Happens Next?**

In cases where an incident might be a 'one off' (e.g. a party), the complainant may be given advice that they should first try to resolve the problem themselves by approaching their neighbour. They will be given the leaflet offering practical advice and assistance on how to go about this which is available from Local Housing Offices.

If the complaint is deemed to be unreasonable or if there is no course of action available this will be explained to the complainant.

If the complaint is deemed to be reasonable there are a number of courses of action available. These should be discussed with the complainant and will include, where appropriate:

- Mediation
- Writing to perpetrator
- Visiting the perpetrator
- Possible Referral to another agency (e.g. Police if criminal activity, Environmental Health etc.)
- Referring to the Tenancy Enforcement Team for further action

### Action Plans

At the end of the interview, an initial action plan for dealing with the complaint will be drawn up, in consultation with the complainant. This could include any of the actions detailed in Section 14 of this procedure and will include a clear role for the complainant, such as keeping a log of further incidents. The Housing Officer will ensure that the complainant understands how important his or her contribution to the case is, and will deal with any questions or concerns the complainant may have. The Action Plan form is available electronically on the IBS system.

## 5. **The Use of Incident Log Books**

The complainant may be asked to assist the investigation by gathering further evidence of any further incidents or ongoing problems. This evidence is likely to be the complainant keeping an Incident Log, with the time, date and details of the actual incident recorded as accurately as possible. It is important that the log sheets be completed as soon as possible after an incident has occurred and are as detailed as possible.

Where complaints are received about regular/ongoing problems an Incident Log Book (s) will be issued to the complainants. The logbook contains instructions on completing logs, and an example sheet.

The importance of completing the sheets with all the required information as soon as possible after an incident will be explained to the complainant. If other people witness the ASB, for example if an incident occurs when they are visiting the complainant, those people can also complete a log sheet.

### Why are Anti-social Behaviour Logs Important?

The log sheets will enable the investigating officer to:

- Assess the seriousness of the problem
- Assess the prospects for success of any action we take
- Build a case for further action

- Provide evidence for Court proceedings

All log sheets should be signed by the witness(es) and this point must be made clear to them.

The investigating officer must make arrangements to collect and re-issue the log books at regular intervals.

Complainants and witnesses will not be asked to complete Log sheets indefinitely. The number and frequency of the instances of the nuisance which will be needed to support action will depend on how serious the nuisance is. In cases of serious anti-social behaviour such as harassment and abuse one or two episodes will support action, in less immediate types of nuisance such as noise cases it will be necessary to collect evidence over a more lengthy period of weeks or even months. If in doubt seek guidance for the Tenancy Enforcement Team.

If a complainant is unable to complete incident log sheets e.g. because of a disability, language or literacy problems alternative arrangements should be made. These could include:

- Loan of a tape recorder/Dictaphone should complainants prefer to record incidents in this manner.
- Translating incident log sheets from the complainants first language into English
- One to one interviews facilitated by an interpreter.
- Allowing another named person to complete diary sheets on their behalf – this could be the investigating officer

## **6. Where it is necessary to Interview other Witnesses**

When the initial interview is completed an investigation will be carried out in order to establish the full facts surrounding the case. All other witnesses identified by the complainant or named in the Incident Logs sheets should be contacted and initial details taken such as contact details and a brief summary of their information.

Photographic evidence should be collected by the Housing Officer where possible, e.g. damage to property, vandalism or graffiti.

## **7. Contacting Other Agencies**

If there is an indication that other agencies such as Social Services, YOT, Probation and the Police may be involved with the person about whom the complaint has been made they should be contacted to establish whether or not they are currently involved. If they are then information should be sought about the nature and extent of their involvement.

Data Protection constraints may prevent such agencies from disclosing information in response to an informal enquiry, in this case the Housing Officer

should gather as much information as possible and if further information is necessary refer the case to the Tenancy Enforcement Team to make an enquiry under the terms of the Data Exchange protocol between BCHT and these agencies.

Where the alleged perpetrator appears to have and special needs then a referral must be made to the appropriate agency (see section 15 below).

#### 8. **Risk Assessment**

After the witnesses have been interviewed, the investigating officer should complete a Risk Assessment Form using the guidance included in the electronic pack on the IBS system.

If the case is considered to be low or medium risk the Housing Officer should interview the alleged perpetrator.

If the case is considered high risk the case should be referred to Tenancy Enforcement.

#### 9. **Interviewing the Alleged Perpetrator**

The alleged perpetrator will be interviewed at an early stage, using the "Alleged Perpetrator Interview Form" from the electronic pack. This will enable the investigating Officer to establish the full facts and will give the alleged perpetrator the opportunity to address the behaviour.

A letter will be sent to the alleged perpetrator informing them that complaints have been received and inviting them to an interview.

The purpose of the interview is to: -

- Establish the facts of the case and give a chance to the alleged perpetrator to give his/ her side of the case.
- If appropriate impress upon the alleged perpetrator that the allegations are serious and that the Trust will not tolerate anti-social behaviour
- Re-inforce the Trust's policy regarding anti-social behaviour and by explaining the potential consequences of such behaviour, to stop the anti-social behaviour

In some cases making the alleged perpetrator aware of the problems they are causing will be enough to resolve the complaint.

Where, after consideration of all the details, the interviewing officer considers that the initial complaint is valid they will inform the perpetrator of the possible consequences of continuing to behave in such a manner. This will be documented.

It may be possible and/or necessary at this stage to issue a warning or to get an undertaking/promise from the perpetrator not to continue with the behaviour. The warning or undertaking will cite the alleged breach of tenancy and/or details of alleged anti social behaviour. Any warnings given or undertakings made must be confirmed in writing.

**Any counter allegations made by the alleged perpetrator must be assessed in the same way as the original complaint and, if deemed necessary, investigated.**

If the alleged perpetrator fails to attend the interview a further letter will be sent straightaway stating that, unless contact is made, BCHT will assume that the allegations are accepted and will proceed with appropriate action.

Details of any action taken should be recorded in the Case Management file, and detailed notes kept on the file.

10. **Action after Interview**

At this stage it is necessary to assess the case so far and decide on the appropriate course of action. Such action could include

- a) Refer to Mediation
- b) Issue a warning to the alleged perpetrator
- c) Referral to another agency
- d) Referral to Tenancy Enforcement

**If the case is urgent/serious (i.e. there has been violence or threats of violence and/or the case has a racial or other hate element) it will be immediately referred to the Tenancy Enforcement Team.**

Whatever the outcome of the assessment, this will be confirmed in writing to all parties concerned.

11. **Referring a Case to the Tenancy Enforcement Team**

Except in urgent cases, which will be referred immediately to Tenancy Enforcement, the Housing Officer should ensure that as far as possible, all the steps detailed below have been taken before any cases are submitted. This will minimise the delay in further action being taken.

It is the responsibility of the Housing Officer therefore to ensure that when a case is referred the ASB Case management File submitted contains:

- All the Initial ASB report and Interview forms.
- Details of all initial investigations have been carried out.

- Details of any verbal warnings and copies of the warning letters and Caution that have been issued requiring that the perpetrator control the problem behaviour.
- The initial Action Plan
- Risk assessment (fully completed)

Cases are referred to the Tenancy Enforcement Team electronically by completing the referral form and submitting this to the Enforcement Manager with the above information.

## 12. **Role of the Tenancy Enforcement Team**

The Tenancy Enforcement Team has been established to deal with serious and/or difficult cases of anti-social behaviour and nuisance.

The team will take referrals when all reasonable initial attempts made by the local Housing Office to resolve the problems have been exhausted.

The aim of the team is to:

- Carry out more detailed investigations on referred cases
- Identify potential legal or other remedies to problems
- Prepare and run Court Cases in conjunction with Legal Services
- Support victims of ASB and nuisance
- Provide guidance, information advice and support, where required, to Area Housing Staff in the early stages of tackling problems.

The team also has a remit to work closely with other agencies involved in tackling ASB including the Police, Social Services, the Youth Offending Team, and Bradford Council's Safer Communities Partnership.

The team will keep the Area Housing Officer updated periodically on each case referred.

Cases will normally only be taken on when:

- A reasonable preliminary investigation has been carried out into the background of the complaint
- All the relevant documentation has been completed and submitted to the Tenancy Enforcement and Mediation Manager along with the Enforcement Case File
- No clear solution to the problem can be identified or the solution requires specialist input/action
- There is a strong need for the team to provide support for the victims of ASB and nuisance

- Legal action is necessary ensure the ASB stops

**Serious cases may be taken at an earlier stage, for example when there is a significant risk to an individual's personal safety or where an injunction is required.**

### 13. **The Role of the Tenancy Enforcement Officer**

The role of the Tenancy Enforcement Officer is to take referrals from Area Trusts and to prepare and collate the evidence required on a file to deal with the ASB problem and take legal action when required.

The role includes: -

- Liaising closely with other staff in carrying out investigations
- Providing advice and support to complainants
- Gathering evidence, including the detailed witness statements for use in legal action
- Liaising with other agencies who are or may need to be involved in the case
- Liaising with the Police to exchange information and gather evidence
- Reviewing problems and considering the range of actions available to resolve them
- Working with Legal Staff to prepare cases for court
- Offering training and guidance to staff on agreed procedures and possible ways of dealing with ASB
- Supporting witnesses throughout the investigation of referred cases, the court process and beyond.

The Tenancy Enforcement Officers are allocated cases on an area basis.

The Tenancy Enforcement Officer and Tenancy Enforcement and Mediation Manager will review all files referred to the Tenancy Enforcement Team monthly. During the review, possible courses of action and the evidence required will be discussed. The Officers will agree an action plan with a review date.

The Tenancy Enforcement Officer will provide the Housing Officer and the witnesses with regular updates on progress of the case at every significant stage and at least monthly.

Legal action may not be appropriate in every case referred and where possible the Tenancy Enforcement Officers, in consultation with the Housing Officer, will make the necessary referrals to support agencies to try and resolve cases and foster a multi-agency approach.

### 14. **The Role of the Mediation Officer**

The role of the Mediation Officer is to accept referrals for mediation from a variety of sources, assess the suitability of each case for mediation referring unsuitable cases to other agencies where appropriate, and to provide a speedy response in order to resolve cases as quickly as possible.

The Mediation Officers have access to a pool of trained volunteer mediators who are totally impartial and seek remedies that do not rely on a legal process, but encourage people in conflict to resolve their problems by mutual agreement.

#### 15. **Action by the Tenancy Enforcement Team**

Upon receipt of a referred case the Tenancy Enforcement Officer will carry out an assessment of the case in order to assess the most appropriate course of action under the circumstances. This may be done alone or in conjunction with the Tenancy Enforcement and Mediation Manager, Housing Manager or a Legal Officer.

Except in very serious and/or urgent cases the initial actions that will be considered include:

- **Approaching the perpetrator and discussing the problem behaviour.** This will emphasise the seriousness of the situation and the impending nature of further action should the problems continue. Consideration will be given to carrying out a joint visit/interview with the local Police Officer to impress upon the perpetrator the seriousness of the situation and to emphasise that we work in partnership
- **Warning letters.** If it is not possible/appropriate to make contact with the perpetrator, the Tenancy Enforcement Officer may send a warning letter. Again this will emphasise the seriousness of the situation and inform them of the consequences of failing to address their behaviour.
- **Acceptable Behaviour Contracts (ABC).** These are voluntary contracts signed by the perpetrator, agreeing not to commit any further acts of Anti Social Behaviour.
- **Parental Control Agreements (PCA).** If the person to be subject to the ABC is under 18 their parents/guardians should be asked to sign a PCA. This will reinforce the message that the behaviour will not be tolerated and requires that the parent/guardian agree to take steps to ensure the problem behaviour is addressed. Again the consequences of failing to change the behaviour will be stressed.
- **Anti-Social Behaviour Order Warning Letter.** If the person receiving the warning letter is under 18, their parent, guardian or other responsible adult should be present. All persons being issued with an ASBO warning letter should be asked to sign the letter stating that they understand the content of the letter, and the consequences of not changing their behaviour.

- **Referral to another agency** In some circumstances it will be appropriate for the Tenancy Enforcement Officer to make a referral to other agencies/specialist staff for intervention and support, and in some cases the rehabilitation of perpetrators. The Housing Officer may do this either during the initial investigation, or upon assessment of the case after referral. There are a variety of agencies/staff who may become involved, including:
  - **Social Services** may be able to help with vulnerable tenants such as those who are ill, elderly, have disability or if children and/or young people are at risk especially where the problems are related to or affected by the ASB.
  - **Bradford Health Care Trust** may be able to help with people who have health related problems (e.g. Drug/ alcohol dependency, mental or physical health problems and/or disabilities) were the problems are related to or affected by the ASB.
  - **Mental Health Services** may be able to help in cases where there is an indication of mental health problems. In the case of children and young people this is the Child and Adolescent Mental Health Service. In the case of adults it is the Community Mental Health Team.
  - **Education** bodies such as Education Bradford and individual schools may become involved in cases that are connected to educational issues (e.g. If there is truanting or where there are special educational needs)
  - **Environmental Health** can assist in cases by working alongside the Tenancy Enforcement Officers and taking action under Environmental Protection Act 1990. This is particularly useful when the nuisance involves noise of dumping/keeping offensive material.
  - **Police** may be informed and assist where there has been criminal activity or to highlight an area as a 'hot spot'.
  - **Targeted Response Groups** these groups bring together specific agencies (e.g. the Police, Youth Services, local organisations etc.) to tackle specific, local issues
  - **Youth Offending Team** may provide intensive supervision and support to all young people to subject to an ASBO. This support mirrors the National Standards for supervision and support for Young People subject to criminal proceedings.

The Tenancy Enforcement Team has established protocols with the principal support agencies listed for the referral of suitable cases to them. Referrals should be managed via the Tenancy Enforcement Team.

This is not an exhaustive list and the Tenancy Enforcement Team will be flexible in its approach to working with partners in providing a comprehensive range of initiatives.

If there is no change and/or improvement in the behaviour or if the case is deemed to be too serious/urgent for the above actions, the Tenancy Enforcement Officer will consider other more appropriate courses of action.

The Tenancy Enforcement Team works closely with our partners within the Bradford Safer Communities Partnership. Tenancy Enforcement Officers can access a wide range of measures including:

- **Action by Environmental Health for Statutory Nuisance or Noise Nuisance.** If a case involves an element of statutory nuisance (e.g. if there is ongoing and persistent noise nuisance) The Tenancy Enforcement Officer can contact Environmental Health with a view to instigating action under the Environmental Protection Act 1990.

In very serious cases and /or urgent cases, that is cases where there has been violence, threats of violence, damage to a persons property or home or sustained harassment or abuse Court Orders will be obtained. Different types of Order are appropriate to address different circumstances, the options are:

- **Injunctions** are orders of the Court requiring that someone behaves in a particular manner, or ceases a particular course of action.
- **Injunction Without Notice.** Where violence has occurred, or serious threats have been made and it is necessary to protect a victim from serious harm, subject to sufficient evidence being given to Tenancy Enforcement, Legal Services may apply to the Court for an immediate injunction. In very serious cases, a power of arrest may be attached.
- **Undertakings** If an injunction has been applied for the alleged perpetrator may attend court and agree to sign an Undertaking. This is a voluntary agreement, made in front of the Court by the alleged perpetrator, to carry out/not to carry out the act (s) which would have formed basis for the injunction
- **Anti Social Behaviour Orders (ASBO's).** ASBO's are orders of the Court that can be made against anyone over the age of 10 who is guilty of "behaviour which caused or was likely to cause harassment alarm of distress to one or more people not of the same household as himself/herself." (C&D Act 1998). An ASBO is a prohibitory order (i.e. it can only be used stop someone doing something). In order to gain an ASBO it is usually necessary to be able to demonstrate a pattern of behaviour over a period of time.
- **Obtaining a Court Order for Demoted Tenancies** Under the ASB Act 2003 legislation it will be possible to apply to the Courts to have a assured tenancy 'demoted' if the tenant, their visitors or household members are guilty of ASB. This means that the tenancy will no longer be Protected / Assured and the tenant only has the rights of an Assured Short-hold Tenant. It also means that if the problems continue the possession process is simplified. A tenancy will remain 'demoted' for a period of not less than 12 months. If the ASB continues after the tenancy is demoted, possession

of the property can be gained by following the process for gaining possession of an assured short hold tenancy.

- **Possession Proceedings.** In extreme cases of ASB or in serious Harassment or Hate Related Cases, consideration should be given to applying to Court to regain possession of the property.

When considering this type of action the Tenancy Enforcement Officer, in conjunction with the Housing Manger and Tenancy Enforcement and Mediation Manager, should assess the reasonableness of the action proposed (e.g. Is it reasonable to evict a whole family because of the behaviour of one child?)

- **Dispersal Orders via the Police** If there are problems with large groups gathering in a particular area and causing ASB the Police have the power to apply for a Dispersal Order. This will allow them to break up any group of 2 or more who are gathering within a specified area. They also have the power to prevent those people from returning to the area for a period of 24 hours.
- **Closure of Premises.** Where premises are being used for the production, supply or use of class A drugs, and anti-social behaviour is being caused as a result, a senior Police Officer can issue a Closure Notice.

#### General Issues on Investigations

- **Use of Professional Witnesses/Surveillance During the course of an investigation it may be necessary to consider the use of professional witnesses and/or surveillance. If this becomes a consideration, refer to the Enforcement Manager/ Legal Services Manager.**

#### 15. Data Collection

The Tenancy Enforcement Team and Area Trusts' Housing Staff hold a large amount of personal and sensitive data on both paper and computer files. This information is kept secure. The data will only be used in a responsible way and only for the matter for which it was intended. Information will never be revealed to any unauthorised person or organisation.

**The identity of complainants, witnesses or victims will not, under any circumstances be revealed to any other person (including other agencies) without their prior permission.**

It may be necessary to share information with our partners (e.g. the Police) for the purposes of prevention and detection of Crime and Disorder (C&D Act 1998).

All information will only be shared in line with the Bradford Safer Communities Partnership's agreed Information Sharing Protocol and our own Data Protection Policy.

For further advice contact the Tenancy Enforcement and Mediation Manager

## 16. **Witness Support**

BCHT recognises the important role our complainants and witnesses play in assisting us to tackle ASB problems. The speed and success of any action to deal with a problem is often dependent on the full participation of the witnesses involved.

Support will be provided to our witnesses throughout the whole process of dealing with a problem. The level of support given will be tailored to meet the needs of the particular individual and the circumstances of the case. As a minimum standard regular contact with witnesses will be maintained, keeping them as fully informed as possible throughout the process. Other support may include:

- Providing additional security measures to their home
- Arranging for interpreters for people for whom English is not their first Language.
- Explaining each stage of the process in detail to witnesses.
- Providing support before, during and after court action this may include arranging pre hearing court visits, arranging transport to and from Court, maintaining contact after a court hearing etc.
- Using professional witnesses and/or surveillance to gather additional evidence to support a case.
- Liaising with Victim Support and other relevant agencies to provide additional support and/or counseling

In extreme circumstances moving witnesses, either temporarily or permanently for their protection. If this course of action is deemed necessary (e.g. if the remaining in the property is deemed to pose too great a risk to the complainant because of violence and or serious threats). The Tenancy Enforcement Officer, Housing Manager and/or the Tenancy Enforcement Manager should contact Housing Advice for assistance.

## 17. **Training**

In order to provide an excellent service we will ensure that staff are properly trained to use the procedures to combat anti-social behaviour. Specialist Tenancy Enforcement Officers will receive external accredited training. We will provide training internally to Housing Officers. Officers who feel that they require further training should ask their manager to approach the Tenancy Enforcement Manager who will arrange training to meet identified needs.

## 18. **Publicity and Working with the Media**

Proof that BCHT is successful dealing with ASB cases is essential if our customers are to have confidence in the service. BCHT will ensure that our successes are publicized and will work with the media to encourage positive reporting of the way in which we are tackling ASB.

In order to do this we will publicise our successes by means of: -

- Press releases, to the local press, local radio and television.
- Publicity Materials (e.g. advertising the services, posters and leaflets publicising the services, leaflets on ASBO cases etc.)
- Awareness Raising Sessions and Campaigns

To ensure that publicity is secured in an appropriate and lawful manner the enforcement officer will:

- Instruct the Legal Officer with conduct of the case to make appropriate representations to the Court
- Agree a publicity strategy with partner agencies in ASB cases
- Liaise with BCHT Marketing and Communications Team on the preparation of a press release

#### 19. **Monitoring**

Effective monitoring of both ASB and the services we provide to tackle it will enable us to:

- Distinguish between the different types of ASB within BCHT estates
- Identify ASB hot spots and develop local solutions to local problems
- Evaluate the effectiveness our procedures and improve them as necessary.

All staff dealing with ASB will ensure that:

- All reports of ASB are recorded and all relevant documents are completed as promptly and fully as possible and are logged
- All reported incidents are categorised accurately
- Any follow up action is carried out within any time scales specified
- All incidents, actions, interviews etc are recorded and input onto the database, providing as much detail as possible

In addition to this:

- The Tenancy Enforcement and Mediation Manager, Tenancy Enforcement Officers and Housing Managers will carry out monthly reviews of progress on all cases that have been referred.
- The Tenancy Enforcement Team will monitor reported incidents will chase progress, offer advice etc as is required.
- Complaints about the service will be recorded

20. **Complaints Procedure**

If at any stage the complainant/witness/victim is dissatisfied with the service being provided with regard to dealing with their ASB complaint, they should be referred to BCHT's Complaints Procedure. Details of this procedure are available from all BCHT offices.

The complaint will be fully investigated and responded to in line with the Complaints Procedure.