

Antisocial Behaviour Procedure for Community Safety

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Introduction

This procedure provides information on how the Runnymede Borough Council's Community Safety Team (CST) ordinarily responds to reports of antisocial behaviour (ASB). This document should be read in conjunction with our antisocial behaviour policy.

It provides further details about the following:

- Reporting antisocial behaviour
- · Responding to a report of antisocial behaviour
- Supporting Witnesses
- Supporting Perpetrators
- Remedies for resolving antisocial behaviour
- Monitoring antisocial behaviour

Purpose

This antisocial behaviour procedure has been drafted in line with the following principles and aims to ensure that all victims and witnesses of antisocial behaviour can expect a response which.

- Is fair, accountable, consistent, proportionate, and transparent.
- Is an effective use of resources through a risk-based methodology.
- Improves protection for the community and businesses within.
- Reduces the regulatory burden.
- Actively seek to involve the community in any resolution, or review and development of the policy.

Aims & Objectives

A key priority of the Runnymede Community Safety Partnership (RCSP) is to reduce crime and antisocial behaviour. The Council is committed to tackling antisocial behaviour through prevention, education and enforcement.

The Council will work in partnership with our colleagues from both statutory partners such as Surrey Police, and non-statutory partners where appropriate to.

- Reduce antisocial behaviour and create sustainable long-term solutions to prevent antisocial behaviour.
- Put victims of antisocial behaviour at the heart of any resolution.
- Develop, review and update policies aimed at tackling antisocial behaviour.
- Use all legislation available to tackle antisocial behaviour where enforcement is necessary.

- Take a multi-agency approach to tackling antisocial behaviour ensuring the right agency is leading.
- Provide clear guidance around policy so that public expectation can be always met.
- Embrace best practise and be open to change when further guidance is published.

Expectations

The Council expects residents, and visitors to the area, to be tolerant of others and will not accept reports of behaviour that most people accept as a reasonable part of everyday life. The Council recognises that some behaviour can be perceived as unpleasant or inconsiderate, yet it may not be antisocial behaviour requiring investigation, such as children playing without the presence of negative behaviours, or parking outside of a property with no parking restrictions in force. Everyone has a right to enjoy their homes and public spaces and are entitled to go about their daily lives without having concerns that a report will be made against them.

The Council have therefore developed a threshold and framework which it will operate within to assess those behaviours that are not acceptable and considered to be unreasonable standards of behaviour.

All reports raised as antisocial behaviour will be recorded. The Community Safety Team are appropriately trained and will exercise their professional judgement to assess reports that they receive. In situations where the Community Safety Team assess the behaviour reported does not amount to antisocial behaviour, the customer will be provided with self-help options where appropriate, such as signposting to mediation services.

The Council consider the following, non-exhaustive list, as some examples of the more common types of antisocial behaviour.

- Antisocial behaviour related to drug or alcohol abuse.
- Vandalism to Runnymede Borough Council property.
- Extreme noise that is persistent and capable of causing nuisance or annoyance to a reasonable person.
- Persistent pet and animal nuisance where the animal's behaviour is capable of causing nuisance or annoyance to a reasonable person.
- Violence or threats of violence against people or property.
- Domestic abuse.
- Verbal abuse, harassment, intimidation, or threatening behaviour.
- Hate-related incidents (based on race, ethnicity, nationality, sexual orientation, gender, disability, religion, age)
- Other criminal activity in addition to those covered by the bullet points above.

The Council considers noxious odour created by the smell of cannabis use to be antisocial behaviour and where use is linked to a residential property, the Community Safety Team may work alongside Surrey Police and Registered Housing Providers to investigate the report. The Community Safety Team are unlikely to be able to act if:

- There is no evidence to prove where the noxious odour is coming from.
- Officers are unable to witness the smell.

- The report is made by one household against another (word against word) and is unsubstantiated.
- There is minimal impact to the reporter and/or community.

The Council consider the following, non-exhaustive list, as some examples of the common types of reports made under antisocial behaviour which would not be deemed as antisocial.

- Isolated incidents of loud music, an argument, a bonfire etc.
- Cooking smells.
- Civil disputes such as boundary disputes, interference with wheelie bins, parking disputes, ball games etc.
- Daily living noise which is not excessive or unreasonable such as household items, doors closing etc.
- Noise from a baby crying or children playing.

Definition

The <u>Anti-social Behaviour</u>, <u>Crime and Policing Act 2014</u> (ASB, C&P 2014) defines antisocial behaviour as;

- a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
- b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises; or
- c) conduct capable of causing housing-related nuisance or annoyance to any person

This definition is broad and open to interpretation based on an individual's experience and expectations - antisocial behaviour can mean different things to different people. For this reason, the council will rely on the definitions from the Oxford Dictionary for 'harassment', 'alarm' and 'distress'.

Harassment The act of annoying or worrying somebody by putting pressure on them or saying or doing unpleasant things to them.	
Alarm Fear and worry that somebody feels when something danger unpleasant might happen.	
Distress	A feeling of great worry or unhappiness; great mental pain.

The impact behaviours can have on a community, or individual can be devastating. From individuals feeling targeted, to a community losing faith in the services there to protect them, the consequences in not challenging antisocial behaviour can lead to long term lasting damage.

Evidence suggests that when antisocial behaviour is challenged at an early stage and not allowed to manifest over time, it significantly reduces the likelihood of the behaviour continuing. Conversely if left unchallenged it is likely to escalate into behaviours that can cross into a criminal threshold.

Responsibilities

Due to the vast nature of antisocial behaviour, there is no single agency or department within the Council that holds sole responsibility for progressing reports of antisocial behaviour. Each report will be reviewed and assigned to the most appropriate team, such as, but not limited to

- A report of antisocial behaviour caused by a Runnymede Borough Council tenant will be progressed by the council's Housing Department.
- A report of antisocial behaviour which may amount to a <u>statutory nuisance</u> will be progressed by the council's Environmental Health Department.

Where a report of antisocial behaviour falls under the responsibility of another agency, the council will not intervene. This may be when

- A report of antisocial behaviour is caused by a social housing tenant which is managed by a registered social housing provider. <u>Click here to navigate through to</u> the relevant social housing provider to make a report.
- A report of antisocial behaviour is also a crime. Click here to report to Police.

Reporting antisocial behaviour

All reports of antisocial behaviour which are to be raised for the attention of Runnymede Borough Council's Community Safety Team should be reported online via our electronic report form. Where an online form cannot be raised, a report of antisocial behaviour can be made by these alternative means:

- Telephone 01932 838383
- Letter Addressed to: C/O Community Safety Team, Runnymede Borough Council, Civic Offices, Station Road, Addlestone, Surrey. KT15 2AH
- 3rd party¹– via local councillors, Surrey County councillors, MP etc.

All reports will be handled in the strictest of confidence.

¹ It will be the responsibility of the 3rd party to ensure the report is subsequently passed onto the Community Safety Team.

Responding to a report of antisocial behaviour

Timescales

Upon receipt of a report, the Community Safety Team aim to respond within 3 working days (weekends and bank holidays not included). Reports made via our <u>online form</u> will receive an automated response detailing a unique reference number. This reference number will begin with the letters 'ASB' followed by 6 numbers - example: ASB000000

Reports made by any means other than the online form will require the Community Safety Team to manually record the details on the record management system before a unique reference number can be obtained and provided.

Antisocial behaviour reports will be progressed based on available evidence and as such it is not possible to provide a formal timeline for how long a report will remain open.

Types of antisocial behaviour reports

At the point of submission, via the online report form, the reporter selects the 'type' of antisocial behaviour they would like to report under. The options available are:

- Begging
- Damage to council property
- Drug/substance misuse & dealing
- Inappropriate vehicle use
- Nuisance behaviour
- Neighbour nuisance
- Unauthorised encampments

Once received by the Community Safety Team, the report will be allocated to an officer who will first review the report details to determine if the 'type' of antisocial behaviour is correct. If deemed incorrect, the officer will recategorise the report accordingly. Officers have additional 'types' to choose from, in recognition that some reports are misdirected to the Community Safety Team. These 'types' are:

- Fly-tipping
- Litter
- Graffiti
- Abandoned vehicle
- Noise
- Uncontrolled pets
- Doa foulina
- Non-ASB

These options are not available on the antisocial behaviour form at the point of submission to deter misreporting. Instead, the reporter can access the appropriate report form elsewhere on the Council's website.

PEN Category

In addition to the 'type' of report, the Community Safety Team will assign a 'PEN' category. This is determined based on how many people are affected:

Personal	This is when a person targets a specific individual or group.
Nuisance	This is when a person causes trouble, annoyance or suffering to a community
Environmental	This is when a person's actions affect the wider environment, such as public spaces or buildings.

NB: Reports deemed 'Non-ASB' will not be assigned a PEN category.

Progression of reports

The Community Safety Team will determine if a report of antisocial behaviour is suitable for progression by the team. In some cases, reports are best progressed by another department or external agency. In these cases, the Community Safety Team will provide the reporter with signposting information and/or forward details of the report directly onto the relevant department/agency.

In cases where the Community Safety Team can suitably progress the report, officers will take a victim centred approach, alongside available evidence, to determine the most appropriate course of action.

We aim to address antisocial behaviour in a way which is fair, transparent, and consistent across cases of a similar nature. However, each case of antisocial behaviour is likely to have its own unique set of individual circumstances. This means that we may use our discretion to vary our approach to ensure the best outcome for reporters/victims, witnesses and/or the perpetrator, in keeping with our responsibilities under the Equality Act 2010 and the public sector equality duty. Where discretion is used, we will always act in the spirit of this procedure.

Antisocial behaviour cases will typically progress via one of the below interventions and/or legal remedies.

Interventions

- Verbal warning
- Warning letter
- Referral to support agency (such as mental health or substance misuse service)
- Mediation
- Support Coaching
- Acceptable Behaviour Contract/Agreement (ABC/ABA)
- Good Neighbour Agreement
- Dear Neighbour Leaflet
- Cannabis Calling Card
- Community Protection Warning

Legal Remedies

Community Protection Notice (must issue a Community Protection Warning first)

- Closure order (partial or full)
- Civil injunction
- Criminal behaviour order
- Public space protection order

Behaviour can impact people differently based on previous experiences and personal circumstances. The Community Safety Team may carry out an antisocial behaviour risk assessment, to understand the impact of the antisocial behaviour. The result of the assessment will be used to determine the appropriate intervention or enforcement action, alongside evidence.

Evidence may be collated via an array of methods including but not limited to;

- Door-step conversations / House to House enquiries
- Letter drop (to identify additional impacted parties and/or independent witnesses)
- Diary sheets
- Photographs
- Videos
- CCTV recordings
- Noise recordings
- Witness statements
- Interviews
- Crime reference numbers
- Disclosures from other agencies/departments

It may not be possible for officers to obtain evidence first-hand, so we expect reporters to fully engage with us, providing evidence where appropriate and safe to do so.

Partnership Working

We work with partner agencies wherever necessary to achieve the best possible outcome. This may mean your case is discussed with other internal departments or external agencies. Additionally, your case may be discussed in a multi-agency forum with all relevant parties present. If this is the case, we will endeavour to inform you of this prior to any discussions taking place.

Such forums may include, but are not limited to: -

- Community Harm and Risk Management Meeting (CHaRMM)
- Joint Action Group (JAG) Meeting
- Serious Organised Crime Joint Action Group (SOC/JAG)
- ASB Case Review (formally known as Community Trigger) Panel Meeting
- Case Conferences

Cases and reports of antisocial behaviour are shared or discussed with other agencies in accordance with the Community Safety Privacy Notice and in keeping with GDPR and the Data Protection Act.

Closing an antisocial behaviour case

When a report of antisocial behaviour is received, we aim to investigate, monitor and progress the case to its conclusion as soon as possible. There are several circumstances when a case will be closed including where:

- The antisocial behaviour has ceased.
- There is insufficient evidence to take any action*
- The behaviour cannot be reasonably classed as antisocial behaviour.
- The perpetrator has moved.
- The reporter/victim has moved.
- Where no reports of antisocial behaviour have been received for four weeks.

*If there are concerns that requested materials have not been returned due to a fear of reprisal, language barrier or other recognised reason, you will be contacted to establish what your expectations are and if we can offer any reasonable assistance.

There may be occasions when cases are closed before the expiry of four weeks, such as in agreement with the reporter/victim. If there are further incidents of antisocial behaviour from the same source (perpetrator), your case may be reopened and consideration given to suitable means for progression in line with this procedure. If the antisocial behaviour is from a different source, a new case may be opened, and you can expect to go through the same process as detailed above.

Antisocial Behaviour Case Review

The Antisocial behaviour case review (ASBCR), formally known as the Community Trigger, was introduced by the Antisocial Behaviour, Crime and Policing Act 2014. It gives victims and communities the right to request a review of their antisocial behaviour case and, where the threshold for a review is met, brings agencies together to take a joined up, problem solving approach to find a solution. Further information on the ASBCR can be reviewed on: ASB Case Review – Runnymede Borough Council.

The Antisocial behaviour case review is not a complaints process.

Compliments and Complaints

We strive to provide a high-quality service to the best of our ability to all reporters/victims, however we recognise that we do not always meet the standards we set ourselves. For details on the Council's complaints policy and procedure please visit: Complaints — Runnymede Borough Council

If you are not satisfied with the way we have handled a report of antisocial behaviour, you can make a complaint by

- Completing our <u>Make a complaint</u> e-form and submitting this online
- By telephoning us on 01932 838383, or
- By visiting (during normal office hours) or writing to us at the Civic Centre, Station Road, Addlestone, KT15 2AH

Compliments and feedback

If you have been impressed by the way we have provided our services, or if our staff have excelled in their duties, we would like to hear from you. Compliments will be passed on to staff so they will know their efforts were appreciated.

For all information contained within this document contact:

Runnymede Borough Council The Civic Centre Station Road Addlestone Surrey KT15 2AH

Tel 01932 838383

email: safer.runnymede@runnymede.gov.uk

www.runnymede.gov.uk

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