

## **RESPONSE TO FOI 101003171997 - Anti Social Behaviour**

### **Community Safety Strategy**

We are currently updating our Community Safety Strategy which involves consultation with all relevant organisations in the community. The Strategy will build on the current cross working between Agencies to help us provide an improved Service.

### **Meetings with Housing Department**

There have been 4 meetings held in 2022 between the Community Safety function and the Housing Department to agree a more efficient and effective process in dealing with Neighbour Nuisance complaints through to ASB Housing Complaints. The aim is to ensure the correct type of complaint is being directed to the appropriate Service area in the first instance to help ensure quick contact with complaint and investigation and resolution of complaint. The Notes of these meetings are not available as they are confidential i.e. members of staff affected by any changes have currently not been informed.

### **Weekly Community Safety Hub and Partnership Working**

Weekly Community Safety Hub meetings are held to discuss the more complex cases with all relevant Partners e.g. Police Scotland, Social Work, Scottish Fire & Rescue, Housing and Community Safety.

Individual Case Conferences, with the above Partners, are also organised as and when required, to progress the more complex cases.

### **From Community safety Staff Meetings in 2022**

#### **17/03/2022:**

Staff reminded that if they contact the complainant by email and do not receive a response, then they should knock on the door and speak with them etc.

Staff should ensure the complainant is given information on what is happening with their complaint, given realistic timescales and manage their expectations.

#### **28/04/2022:**

Staff reminded that they need to make every effort to contact complaints by all available methods e.g. telephone, email or knocking on doors. If Legal action requires to be taken, then it is essential that we can evidence that every available option has been tried to make contact.

#### **21/07/2022:**

It was confirmed to staff that it is the Officers' responsibility to make a decision on whether the behaviour is antisocial, based on the evidence they collate e.g. noise app recordings, visits carried out etc, and to send out a Warning Letter when they decide it is antisocial behaviour.

Staff reminded that the Legal definition of antisocial behaviour is –

The Legislation provides that a person engages in antisocial behaviour if they: act in a manner that causes or is likely to cause alarm or distress; or pursue a course of conduct that causes or is likely to cause alarm or distress to at least one person not of the same household as them.

Officers cannot take mental health issues into account when deciding if the behaviour is antisocial.

It is not possible to provide definitive examples of antisocial behaviour. It is the Officer's decision to make based on evidence collated.

In an attempt to have early intervention and to stop complaints escalating/counter complaints being received, we will respond to tenancy complaints contained in the Police Daily Brief.

### **Training**

Effective ASB Case Management Principles for Local Authorities  
Delivered by Janine Green on 13 September 2022

The course covered the 5 stages of case management - report, investigate, action, monitor and close. It explored best practice considerations and actions at each stage, with the overall objective of dealing with cases efficiently, decisively and in a way that stops the harm as quickly as possible.

Specifically, attendees considered:

- Diagnosing reports of ASB correctly, based on behaviour type and levels of risk
- Conducting robust investigations and how to determine whether there is enough evidence to prove an incident has occurred
- Deciding on the best course of action, including support for those causing the harm
- Best practice when monitoring and closing cases of ASB

### **What constitutes ASB Behaviour meeting held on 29 09 2022 within the Community Safety Team**

Items covered –

Clear Operational Procedures to be used to ensure consistency of data being recorded.

It is important that Officers are making decisions on what an average person would feel and not taking ultra-sensitive opinions/feelings etc into account whilst dealing with complaints. Decisions need to be made using the Professional Officer's judgement.

The complainant should not be the one making a decision on how the complaint should be decided. Officers reminded that there is support available to them when doing their job.

EH & TS Manager confirmed that the support provided is being looked at as part of the Community Safety Strategy and discussions with Housing.

It was noted that mental health issues are NOT ASB – these should be referred to Social Work.

It was noted that more support needs to be established for mental health issues. Whilst there are some current avenues for support e.g. cuckooing, Arrows etc., it was acknowledged that the Community Safety Strategy will enable this to be pushed through further.

EH & TS Manager reminded staff that if they have any complaints which are borderline, then they should arrange to talk these through with Management. Much of the work will come down to the Officer's Professional call and to manage the expectations of the complainant.

Staff were reminded to have the confidence to make a decision and that Management will back staff up. It is acknowledged that mistakes can happen.

EH & TS Manager advised that all information provided needs to be corroborated to determine the actual facts, including complaints. Officers to ensure all information is recorded in the back office system (UNI-form).

It is important that ALL attempts of contact with the complainant is recorded in UNI-form.

EH & TS Manager advised that when officers have left messages or attended and had no response then Officers should send out a letter to the complainant explaining that they had tried to contact them. The letter will cover Officers if there are any issues where the complainant states they have not been contacted.

EH & TS Manager advised that if the complainant cannot be contacted, then send out a letter confirming you have tried to contact them. Ensure that Proof of Posting is obtained on this letter. This will cover the Officer if there are any queries.

The Complainant should be advised that a complaint has been received regarding their behaviour. If there is corroboration of the complaint and there is ASB and if the behaviour continues then a Written Warning should be issued. A verbal warning is not admissible in Court. If the behaviour still continues and it is a tenancy issue and should be passed to Housing to action.

Any ASB cases involving the travelling community's dogs should be passed to the Travelling Persons Officer based in Housing.