

## ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	<b>Meeting:</b>	<b>Cabinet Member for Safe and Attractive Neighbourhoods</b>
2.	<b>Date:</b>	<b>17th September, 2012</b>
3.	<b>Title:</b>	<b>Refreshed Anti-Social Behaviour Policy and Summary of Anti-Social Behaviour Policy and Procedures</b>
4.	<b>Directorate:</b>	<b>Neighbourhoods and Adult Services</b>

### 5. Summary

The purpose of this report is to seek approval for the adoption of the refreshed interim Anti Social Behaviour (ASB) Policy (Appendix 1) and associated Summary of the ASB Policy and Procedures (Appendix 2)

All local housing authorities are required to have in place and publish a policy, and procedures for dealing with occurrences of anti social behaviour.

This duty was introduced by Section 12 of The Anti-Social Behaviour Act 2003. The required policy and related procedures were adopted by the Council and have been in place since December 2004. They were last reviewed and refreshed in March 2011.

The policy and procedures must be kept under review in order to ensure that changes in legislation and working practices are current.

In May 2012 the government published the White Paper, 'Putting Victims First – *More effective responses to anti-social behaviour*'. The White Paper proposes changes to how ASB is tackled by all agencies and it is anticipated that the changes within the paper will become law by late 2012, early 2013. These changes will require further amendment of our current documents.

The refreshed documents have been subject of appropriate consultation including RMBC Legal Services.

### 6. Recommendations

- **That the refreshed interim ASB Policy & Procedures and Summary be approved as 'interim' operating policies pending confirmation of new legislation outlined in the government White Paper: 'Putting Victims First – More effective responses to anti-social behaviour'**
- **That the documents content be re-visited when any change in legislation is confirmed as a result of the White Paper (Anticipated late 2012, early 2013)**

## 7. Proposals and Details

All local housing authorities are required to have in place and publish a policy and procedures for dealing with occurrences of anti social behaviour.

This duty was introduced by Section 12 of The Anti-Social Behaviour Act 2003. The required policy and related procedures were adopted by the Council and have been in place since December 2004. They were last reviewed and refreshed in March 2011.

The abolition of 2010 Rotherham Ltd and the return of Housing Services to the Council has required cosmetic changes to the documents to reflect that re-organisation. In addition the following amendments have been made since the 2011 refresh.

These changes have been made to reflect the shift in focus in how we deal with victims across all the different strands of ASB. The Policy is now made up of 13 sections as opposed to the previous 11. This makes it easier to locate information and easier to read.

This is an interim document and will require a further, more in depth refresh later this year to reflect the forthcoming changes in the Government White Paper.

### ASB Policy May 2012

- **Section 2.** This now states a clear commitment to tackling ASB in line with other area's policies and makes clear our strategic approach. Reference is also included to the Tenancy Conditions and Tenants Handbook, although the latter is itself currently subject of a separate review.
- **Section 4.** Whilst the definition of ASB remains the same a list of examples of the different types of ASB has been added.
- **Section 5.** A brief explanation of the Regulation of Investigatory Powers Act has been added as well as Safeguarding and the Domestic Violence Crime and Victims Act 2004. Reference is also now made to the 'Respect – ASB Standard for Housing Management'
- **Section 6.** Gives more detail on how complaints can be reported and how they can be dealt with. It also includes a new section - Supporting and Caring for Victims and Witnesses of ASB. This now identifies who provides the support, from providing evidence at court to the practical help which can be given.
- **Section 7.** This section has been re-written to include examples of current preventative measures.
- **Section 8.** This section makes reference to the Safer Neighbourhood Team, including Anti-Social Behaviour Officers and the Community Protection Team.

- **Section 9.** Lists some of the services available to assist in the rehabilitation of offenders.

The changes to the 'ASB Summary of Policy and Procedures' reflects the changes detailed above.

## **8. Finance**

Delivery will be sustained by existing funding from both the Council's General Fund and the Housing Revenue Account.

## **9. Risks and Uncertainties**

This is a statutory requirement. If we do not accept this as an interim measure, customers will not be aware of the developments since the last publication.

## **10. Policy and Performance Agenda Implications**

There is clear linkage between how, as a partnership, Rotherham tackles ASB and the objectives within the RMBC Corporate Plan – Helping to create safe and healthy communities, People feel safe where they live, Anti-social behaviour and crime is reduced, People from different backgrounds get on well together. Improving the environment, Clean streets.

## **11. Background Papers and Consultation**

Both papers were refreshed in consultation with RMBC ASB Unit, Community Protection, Domestic Violence Co-ordinator, and the Community Cohesion Officer, Area Partnership Managers, Housing Managers and Housing Champions.

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