

Epping Forest District Council
Housing Directorate Strategy & Statement
on Anti-Social Behaviour Policies and
Procedures

1. Introduction

- 1.1 This Housing Directorate Service Strategy relates to the Council's approach to the policies and procedures in relation to anti-social behaviour on housing estates. The Strategy sets out how this element of the service is delivered by Housing and includes links with other services both internally and externally.
- 1.2 Dealing with tenants who commit acts of anti-social behaviour is an important service to the community and is delivered through the Council's Area Housing Offices, which work in partnership with the Police and other agencies. It seeks to ensure that those who commit acts of anti social behaviour are dealt with effectively.
- 1.3 Tenant's responsibilities in respect of nuisance and anti-social behaviour are set out clearly under Section 6.2 of the Tenancy Agreement.
- 1.4 This Anti Social Behaviour Strategy has been formulated in accordance with the provisions of the Housing Act 1996 and the Anti Social Behaviour Act 2003. It meets that part of the requirement under Section 218 (A) of the Housing Act 1996, that social landlords must publish a statement of their policies and procedures and an associated summary.
- 1.5 This Strategy has been formulated in consultation with the Epping Forest Community Safety Partnership and representatives of the Tenants and Leaseholders Federation. It also includes information contained in Housing's Policies and Procedures. The efficiency of these systems was confirmed when Housing were awarded the international quality standard of ISO 9001:2000 accreditation for all of its services and the Customer Service Excellence award for excellence in customer care. This Strategy was considered and endorsed by the Council's Housing Scrutiny Panel on 28 October 2010 and approved by the Housing Portfolio Holder on 9 November 2010.

2. Background to Anti-Social Behaviour Policies and Procedures

- 2.1 Tackling anti-social behaviour is a key part of the Housing Management role within Housing (covered by a separate Housing Management Strategy). Work on anti-social behaviour is delivered through two Area Housing Offices (north and south), the Limes Farm Estate Office, Chigwell, which is a sub office of the Area Housing Office (South).

- 2.2 In addition, important work is carried out by staff in the Environment and Street Scene Directorate including dealing with noise nuisance involving both tenants and owner-occupiers, dealing with fly-tipping and abandoned vehicles etc. (Graffiti removal is managed by the Safer Communities Team). Environment and Street Scene provide an emergency call-out service for noise complaints reported outside of normal office hours and is available to all Council tenants. The Council also employs a Safer Communities Co-ordinator who attends Community Safety Partnership meetings and acts as the Council's liaison officer on crime reduction issues.
- 2.3 At each of the Area Housing Offices the Area Housing Managers have formal Section meetings at least every two months to ensure staff communication on anti-social behaviour work and other services.
- 2.4 The Director of Housing chairs quarterly Customer Improvement meetings with the Assistant Director of Housing (Operations) and each Area Manager to monitor performance on a number of areas, including the number of notices served for anti-social behaviour, and tenancy demotion orders etc. It is also an opportunity to discuss policies and procedures in order to maximise performance.
- 2.5 Area Housing Managers are responsible for monitoring the performance of their staff and ensuring the correct action is taken in response to any incidents of anti-social behaviour.

3. Coverage

- 3.1 This Housing Service Strategy covers:
- a) Making a Complaint about Anti-Social Behaviour & its Definition
 - b) Security of Tenure: Dealing with Anti-Social Behaviour.
 - c) Procedures for applying for Demoted Tenancy Orders & seeking Possession of a Demoted Tenancy.
 - d) Demoted Tenancy - Reviews.
 - e) Introductory Tenancies
 - f) Procedures for applying for Anti- Social Behaviour Orders & Injunctions
 - g) Epping Forest Community Safety Partnership
 - h) Data Sharing Protocol.
 - i) Police Dispersement and Property Closure Powers.
 - j) Anti Social Behaviour Operational Incident Panel.
 - k) Hate Incident Panel
 - l) District-wide Incident Diary.
 - m) The role of the Corporate Anti-Social Behaviour Co-ordinator.
 - n) Policy on Dealing with Domestic Violence.
 - o) Racial, Harassment Policies.
 - p) Priority Transfers
 - q) Dealing with complaints about high hedges.
 - r) Mediation Services.
 - s) Protection and Training of Staff.
 - t) Dealing with Graffiti.
 - u) Complaints Procedure.
 - v) Appeals.

4. Relationships with Other documents

- 4.1 Tenants' responsibility in respect of Anti-Social Behaviour is set out in Section 6.2 of their Tenancy Agreement, which forms a contract between the tenant and the Council. The Standard Tenancy Agreement was reviewed during 2002 with the new Agreement coming into force in January 2003, with new conditions (set out in Section 8 of this Strategy) relating to Anti-Social Behaviour and Nuisance.
- 4.2 The Council has produced a summary of this Service Strategy in the form of an information leaflet to all tenants, explaining the action which will be taken should they experience acts of Anti-Social Behaviour. The leaflet is available at both Area Housing Offices, the Limes Farm Office, Chigwell and other Council and CAB offices, with relevant information featured from time to time in the tenants' magazine "Housing News".
- 4.3 The Council has adopted its Housing Charter, which sets out, in simple, clear and precise terms the Council's general approach to all its housing services. In addition, there are a number of agreed service standards which will be publicised setting out our aims in all aspects of our "interfaces" with customers.
- 4.4 The Council has a good working relationship with each of the three Citizens Advice Bureaux within the District, and holds quarterly liaison meetings.
- 4.5. A booklet entitled Housing Appeals and Complaints sets out for all tenants the Council's policies on such matters.
- 4.6 Housing has detailed Policies and Procedures for all of its functions, including the approach taken in regard to Anti-Social Behaviour and Nuisance.

5. Aims and Objectives

- 5.1 The aim of the Council's Housing Service Strategy on Anti-Social Behaviour Policies and Procedures is:

"To seek to improve the quality of life of the Council's tenants with a commitment to eradicate all types of anti-social behaviour, working closely with tenants, agencies and partnerships".

- 5.2 This aim will be met by:
 - a) Complying with the statutory requirements, as detailed in Section 6 of this Strategy.
 - b) Advising tenants of the action that can be taken should they become a victim of any anti-social behaviour incident.
 - c) Taking the appropriate action through the Courts against perpetrators.
 - d) Liaising with other agencies, particularly the Police.

e) Regularly reviewing the policy and procedure on anti-social behaviour in consultation with all relevant parties.

6. Statutory Requirements

6.1 The relevant statutory requirements for Anti-Social Behaviour are as follows:

a) Anti-Social Behaviour Act 2003:

- Closure Notices (Part 1 Section 1).
- Publishing of Policies and Procedures (Part 2 Section 12).
- Injunctions (Part 2 Section 12).
- Security of Tenure (Part 2 Section 12).
- Dispersal of Groups (Part 4 Section 30).
- The Environment/Noise/Graffiti (Part 6 Sections 40/41/42).
- High Hedges (Part 8 Sections 65/66/67).

b) Housing Act 1996:

- Introductory Tenancy Scheme (Section 124)
- Injunction against nuisance (Section 153 (a))

c) Housing Act 1985:

- Notice of proceedings for possession or termination (Section 83).
- Grounds and Orders for Possession (Section 84).
- Variation of terms of tenancy (Section 102 & 3).
- Provision of information and consultation (Section 104).
- Consultation on matters of housing management (Section 105).
- Demoted Tenancy Orders (Section 82A inserted by Section 14 (2) of the Anti-Social Behaviour Act 2003).

d) Protection from Eviction Act 1977:

- Requirement of landlord to apply to Court before regaining possession.
- Any Notices served must give the tenant 28 days notice.

e) Local Government Act:

- Valid service of Notice (Section 233)

f) Human Rights Act (Articles 6,8, and 14):

- Rights of a fair trial, respect for family life, home and correspondence.

g) Data Protection Act:

- The protection and use of personal data held by the Council.

h) Crime and Disorder Act 1998

i) Disability Discrimination Act 1995

j) Homelessness Act 2002

k) Race Relations Act 1976

7. Client Consultation, Information & Involvement (Statutory Requirement)

- 7.1 The way in which tenants and partner agencies will be consulted, informed and involved with regard to the Council's policies and procedures on Anti-Social Behaviour in accordance with the legislation is as follows:
- a) Consultation with the Epping Forest Tenants and Leaseholders Federation.
 - b) Consultation with partner agencies through the Community Safety Partnership.
 - c) Policies and Procedures through the Cabinet or Housing Portfolio Holder.
 - d) One to one consultations with tenants.
 - e) Information to tenants in publications e.g. Summary leaflet of this Strategy, Housing News, etc.
 - f) Posters displayed throughout the District.
 - g) Quarterly liaison meetings with the Citizens Advice Bureaux.

8. General Principles – Anti Social Behaviour

- 8.1 Section 5 of this Housing Directorate Service Strategy sets out the aims and objectives of dealing with Anti-Social Behaviour. This Section details the general approach taken and the procedures and policies which are in place in order to combat the problem.
- 8.2 The Council has agreed the following measures to be used to combat problems of anti-social behaviour;

Making Complaints/Definition of Anti-Social Behaviour

- 8.3 Anti social behaviour is defined in the Housing Act 1996 as:

“conduct which is capable of causing nuisance annoyance to any person, directly or indirectly and relates to or affects the housing management functions of a relevant landlord or consists of, or involves, using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose”.

It includes noise, intimidation, harassment, aggressive and threatening language, actual violence against people and property, selling drugs, hate incidents, abandoned cars and fly tipping. Those persons to whom the conduct may cause annoyance or nuisance include anyone who has the right to live in a property owned or managed by the Council, and those living in any other property in the neighbourhood and anyone else lawfully in such property, or in the locality, for example, working or using local facilities.

- 8.4 Any person who feels they are threatened with such behaviour can report the matter and seek advice in person, by letter or telephone, from housing management staff at either the Civic Offices, Epping the Area Housing Office at the Broadway Loughton, or the Limes Farm Office, Chigwell. Support will be offered to complainants, including keeping them informed of any developments and referring them to appropriate support services where necessary. Should any complainant need to provide statements at Court, officers will give them support. Every effort will be made to keep the identity of complainants confidential if requested.

Security of Tenure: Dealing with Anti-Social Behaviour

- 8.5 The Council revised its Standard Tenancy Agreement in January 2002. This included more comprehensive conditions being placed upon tenants in terms of not committing acts of anti-social behaviour or nuisance. Section 6.2 of the standard Tenancy Agreement is as follows:
- Neither to cause by himself or his agents nor to allow members of his/her household or visitors to cause a nuisance or annoyance to other persons in the locality including neighbours or to any tenant, agent, employee or contractor of the Council.
 - Not to cause or commit or allow anyone living with the Tenant or the Tenant's visitors to cause or commit any form of harassment or other anti-social behaviour. Harassment and anti-social behaviour is any act or omission which interferes with the peace and comfort of or which may cause nuisance annoyance or injury or offence to any other tenants, member of their household, visitor, neighbour, the Council including the Council's employees and contractors or any other member of the general public and includes (but is not limited to);
 - a) Harassment on the grounds of age, gender, race, culture, ability or lifestyle.
 - b) Violence or threats of violence to any person.
 - c) Abusive or insulting words or behaviour.
 - d) Offensive drunkenness.
 - e) Damage or threat of damage to property belonging to another person including damage to any part of a person's home.
 - f) Writing graffiti and in particular graffiti, which is abusive, threatening or insulting.
 - g) Making unnecessary or excessive noise by any means whatsoever including arguing and door slamming.
 - h) Using or allowed use of the Premises for prostitution and/or for dealing in or the illegal use of any controlled drugs.
 - i) Using the Premises for handling or storage of stolen property
 - j) Any nuisance or annoyance caused by pets including barking and fouling.
 - k) Playing ball games close to someone else's home.

- Should any such incidents occur, the Tenant accepts that the Council may serve a Notice of Seeking Possession on the Tenant to take possession of the Premises, seek to demote their tenancy or make an application to the Court to obtain an Injunction (with a possible power of arrest) against any person whether or not they are the Tenant in accordance with the Housing Act 1996, or Crime and Disorder Act 1998, or any legislation in force at the time.
- 8.6 The Council recognises that tackling anti social behaviour is a key part of improving the quality of life for its tenants. When a complaint relating to a breach of Section 6.2 of the Tenancy Agreement is made, the complainant will be asked to put the complaint in writing and be given the name of the Housing Management Officer who will investigate the case. The officer will interview the person to establish the nature of the problem, agree an action plan, and explain the powers available to deal with the situation.
- 8.7 The Housing Management Officer will, if appropriate, visit the perpetrator following a detailed study of the case, after referring to the Council's "No Lone Visit" guidance. During any visit the officer will advise the alleged perpetrator of the allegation and discuss with them the complaints without revealing the identity of the complainant if requested. When satisfied that the tenant is the cause of the problem and sufficient evidence is available, the perpetrator will be advised of the remedial action to be taken and the time limit within which the problem must be rectified.
- 8.8 The perpetrator will be advised in writing of the agreed action, with a full report placed on the tenancy file. If the problem remains unresolved a further visit will be made by the officer and a final warning and time limit be given. Failure to comply will result in a Notice of Seeking Possession being served, an anti-social behaviour order being sought, or an application being made to the Court for a Tenancy Demotion Order. In some circumstances more than one of these actions may be taken. If the perpetrator is committing serious undisputed acts of anti-social behaviour or nuisance then appropriate action will be taken immediately with all relevant agencies being notified. Area Housing Managers will ensure that cases are dealt with consistently across the District.

Demoted Tenancy Orders & Possession of a Demoted Tenancy

- 8.9 As a local housing authority, the Council are able to apply to the County Court for a Demotion Order in respect of a secure tenancy. A Demotion Order ends a secure tenancy and, if the tenant remains in occupation of the property after the date that the secure tenancy is ended, creates, in the place of the secure tenancy, a less secure "demoted tenancy" for a minimum period of twelve months. Demoted tenants lose many of their rights, including the Right to Buy and any discount accrued for any demoted tenancy period, and succession rights are revised with any successor tenant not becoming secure until the end of the demoted tenancy period.
- 8.10 Demoted tenants are automatically promoted back to the higher form of security (i.e. secure tenant) after twelve months unless a Notice of Proceedings for Possession has been served during that period.

- 8.11 The Court may only make the Order if the tenant, another resident or visitor has behaved in a way which is capable of causing nuisance or annoyance, or if such a person used the premises for illegal purposes, and the Court is satisfied it is reasonable to make the Order.
- 8.12 The Area Housing Manager would authorise an application to the County Court for a Demoted Tenancy Order provided procedures set out in the previous section have been correctly followed, (Security of Tenure: Dealing with Anti-Social Behaviour) and he is satisfied that there was sufficient evidence to prove that the tenant is committing acts of anti-social behaviour. At this point an appropriate, prescribed Notice will be served.
- 8.13 If the Court grants a Demoted Tenancy Order, the tenant will be advised in writing that their tenancy has been demoted for a period of 12 months and this is part of a warning system which informs them that, should they continue to carry out acts of anti-social behaviour, the Council will proceed to Court immediately for possession. Furthermore, tenants will be notified that, now their tenancy is demoted, it removes a number of their tenancy rights. However, they will be informed that if they stop committing anti-social behaviour, they can at a later date, regain the higher level of security and rights.
- 8.14 If the demoted tenant continues to carry out acts of anti-social behaviour the Council will proceed to Court for possession. This action will be authorised by the Area Housing Manager, who will satisfy himself that, prior to possession proceedings, all procedures have been followed correctly.

Possession of a Demoted Tenancy - Right to Review

- 8.15 Under the regulations, following the service of the appropriate Notice, a demoted tenant may apply for a review of the decision to apply to Court for possession to an Officer who is senior to the person who took the decision, and who has not been involved in the case. The process for this review has been agreed by the Housing Portfolio Holder, the officer reviewing the case will be the Assistant Director of Housing (Operations) or in his absence, the Director of Housing. The demoted tenant has the right to request that the Review be by way of an oral "Hearing" which would be undertaken by the officer reviewing the case, in the presence of the Area Housing Manager who made the original decision. They would be given no less than five clear days notice of the Review.

Introductory Tenancy Scheme

- 8.16 On 1 April 2006, the Council introduced an Introductory Tenancy Scheme for all new potentially secure tenants. Under the scheme, all new tenants are not secure until after a twelve-month "trial" period. During the twelve-month period, Introductory Tenants do not have the same statutory rights as secure tenants. Therefore, if the Council wished to seek possession of the property for any breach of a tenancy condition, (e.g. anti social behaviour) provided certain procedures are followed, the Introductory Tenancy could be terminated, simply by the issuing of a Notice of Proceedings without grounds having to be stated, with the courts having no alternative but to grant possession provided the Council has followed the correct procedures.

- 8.17 Before the Council applies to the court for possession, it will give the Introductory Tenant at least two warnings, then serve a Notice of Proceedings setting out the Council's decision to apply for such an order and the date before which the Council cannot apply for a court order, which must be at least four weeks from the date of service. If a notice has been served and the twelve-month trial period subsequently elapses, the tenancy continues to be an introductory tenancy until the proceedings have been determined.
- 8.18 Introductory Tenants who are served with notice are advised that they may request a review of the decision to seek possession within 14 days of the notice being served. The Council will not proceed with an application for possession until it knows whether the Introductory Tenant intends to exercise their right to review. If a review is requested, the Council will review its decision by way of an Officer Review Panel comprising the Assistant Director of Housing (Operations) and the Area Housing Manager neither of whom would have had any involvement in the original decision to seek possession. The Reviews would be a "paper" review unless the tenant informs the Council that they wish to have an oral hearing.

Anti- Social Behaviour Orders & Acceptable Behaviour Contracts

- 8.19 In normal circumstances where it is believed that any perpetrators have a willingness to alter their behaviour, an Acceptable Behaviour Contract (ABC) would be the first step in attempting to remedy the situation. In this case, following consultation with all agencies involved, representatives from both the Police and the Council would invite the perpetrators to attend a meeting to discuss the contract, seeking their agreement to abide by its terms for a specified period of time. If the conditions of the ABC are broken during its duration an application may be made to the Court for an Anti-Social Behaviour Order (ASBO). If the acts of anti-social behaviour are particularly severe then the decision may be taken to apply for an ASBO in the first instance. Prior to obtaining either an ABC or an ASBO the Police and the Council would need to be satisfied that appropriate consultation had taken place and sufficient evidence was available including recorded diary incidents, etc.

Epping Forest Crime and Disorder Reduction Partnership

- 8.20 The Epping Forest Community Safety Partnership is a multi-agency group "sharing the commitment" to tackle crime and disorder across the District. The lead agencies are Essex Police, Epping Forest District Council, Essex County Council, Essex Fire and Rescue Service and the Primary Care Trust. The Partnership has published a three-year Crime Reduction Strategy to tackle crime in the community. The Strategy has been written following an extensive crime audit and consultation process. The various agencies on the panel exchange information as a means of preventing and dealing with incidents and developing protocols. This Strategy has been considered and agreed by the Anti-Social Behaviour Group.

Hate Incident Panel

- 8.21 The Epping Forest Community Safety Partnership, which comprises representatives from numerous local agencies, set up a Hate Incident Panel in 2002 which is chaired by the Area Housing Manager (North). The multi-agency Panel considers and attempts to resolve cases of Hate Crime. An information pack is available giving advice on how the Police, Citizens Advice Bureaux, Essex Racial Equality Council, West Essex Victim Support etc. can help those in need of assistance. Any Anti-Social Behaviour involving a hate incident will be referred to the Hate Incident Panel.

Anti-Social Behaviour & Violent Crime Tasking and Operational Groups

- 8.22 The Epping Forest Community Safety Partnership set up an Anti Social Behaviour Co-ordinating Group in January 2000. An action plan is monitored at each meeting. The Panel have undertaken a range of activities including, in liaison with the Council's Planning and Economic Development Services, producing a designing-out crime leaflet, assisting in the promotion of the Housing Directorate's twenty-four hour emergency Careline alarm service to clients who have experienced a bogus caller incident, and monitoring CCTV installations within the District.

Police Dispersement and Property Closure Powers

- 8.23 Part Four of the Anti-Social Behaviour Act provides powers to the Police to establish "designated areas" in which it has been recognised that there are, or have been, anti-social behaviour problems. In these areas the Police can use "dispersement powers" to break up groups of two or more people. Through the Community Safety Partnership, where Housing staff are concerned about such behaviour on its estates, the Area Housing Manager for the area will attend the meetings to discuss the possibility of using these powers with all other agencies. Similarly, the same approach would be taken should there be any concerns that one of the Council's tenanted properties is being used for the production of Class A drugs, and Property Closure Powers are believed to be appropriate.

District – Wide Incident Diary

- 8.24 The District-wide crime and anti-social behaviour incident diary has been introduced by the Community Safety Partnership. This provides a simple means for the public to report incidents on a standard form used by all appropriate agencies. The incident diary will assist in monitoring trends in crime reporting and will assist with liaison and exchange of information between these agencies.

Corporate Anti-Social Behaviour Co-ordinator

- 8.25 The Council employs its own Anti-Social Behaviour Co-ordinator. The purpose of this post is to be the key co-ordinator in all matters relating to anti-social behaviour, and to ensure the production of agreed protocols to deliver a strategic and corporate response to such issues. The Co-ordinator participates in multi-agency task groups where cases of anti-social behaviour are considered and appropriate actions agreed and recorded including collation of evidence and prepared statements. In addition, the post-holder is responsible for attending public meetings, participating in the provision of training, implementing a media strategy to maximise publicity and acting as a deterrent and to help to reduce the fear of crime.

Policy on Dealing with Domestic Violence

- 8.26 The Council supports the 'Stay Safe' scheme operated by Harlow Women's Aid, launched in January 2003. The aim of Stay Safe is to assist women experiencing, or at threat of, domestic violence to remain safely in their own homes, rather than to seek to move. It can also be used to support women moving on from a refuge. Support is intensive and of the same extent and standard as that given to women in a refuge. Regular risk assessments are made. Meetings take place away from homes and, on average; the support worker will spend around 3 hours per week on each case. Tailor made plans are made, setting out the action required to provide the practical support, information, advice and guidance needed in each case. The plans are kept under review. The scheme is funded from the Supporting People budget.
- 8.27 Although referrals to Stay Safe may be made by other agencies, most are through the Council's Homelessness Prevention Service, which monitors use of the scheme. It has capacity for 12 cases at any time.
- 8.28 The Council, working in partnership with East Thames Housing Group has provided a women's refuge "Brook Haven" on a site provided by the Council in the north of the District. It provides three two bedroom and two one bedroom flats. The scheme employs three staff through East Thames Living to manage the scheme.
- 8.29 The Council has a Priority Move policy whereby; if any tenant is confirmed as being either a victim or a potential victim of domestic violence they will be given additional priority for a move to like-for-like accommodation in another area.
- 8.30 The Housing Directorate's twenty-four hour emergency Careline alarm Service offers alarms to those victims or potential victims of domestic violence, which enables them to summon help should they need urgent assistance.

Racial and Harassment Policies

- 8.31 The Council has a written statement of equal opportunity in the provision of housing services. In addition, the Race Relations Code of Practice in Rented Housing has been adopted. In accordance with the code, the ethnicity of housing applicants and applicants housed are recorded and monitored annually. The ethnicity of sheltered housing residents is monitored separately. Statistical information is reported on an annual basis to the Council's Housing Scrutiny Panel.
- 8.32 Equal opportunities are set out in the Housing Charter and the Council has a recruitment and selection policy which aims to eliminate discrimination.
- 8.33 The eligibility criteria for the allocation of housing ensures applicants are given fair access. Details are set out in the Council's Allocations Scheme.
- 8.34 Customer Impact Assessments have been undertaken for all of the Council's relevant services with action plans drawn up for service improvements.
- 8.35 The Council's Housing Directorate has a separate Harassment Strategy.

Priority Moves

- 8.36 In exceptional circumstances, it is necessary for some tenants to be given additional priority for an urgent move to alternative accommodation for housing management reasons. Such circumstances include victims of serious anti-social behaviour, domestic violence etc. Housing follow strict procedures to ensure fairness to others on the housing register. Priority moves are agreed at Assistant Director level on the basis that the tenant is personally at risk at their current address. Advice is often sought from the Police, Social Services, GPs, Hate Incident Panel, etc. before any decision is made. Priority moves are only made on a like-for-like basis, to ensure that applicants do not seek transfers to "improve" their housing situation.

Complaints about High Hedges

- 8.37 Housing receive few complaints about high hedges. However, should any be received in the future, in accordance with Part 8 of the Anti-Social Behaviour Act 2003 where the complainant alleges that his reasonable enjoyment of his property is being adversely affected by the height of a high hedge situated on land occupied by one of its tenants or any resident, an investigation will be undertaken by either the Environment and Street Scene or the Planning and Economic Development Directorate.
- 8.38 If the investigating officer finds that the complainant has not taken all reasonable steps to resolve matters, the matter will not be proceeded with.
- 8.39 If it is found that the hedge specified in the complaint is adversely affecting the complainant's reasonable enjoyment of the domestic property specified, the tenant or resident will be asked to undertake the required remedial work to reduce the hedge. If the tenant or resident fails to comply, consideration will be given to taking legal action to require the tenant to comply.

- 8.40 Should the tenant refuse, then a remedial notice will be issued with a copy being sent to every complainant and every owner and every occupier of the neighbouring land notifying each of those persons of the reason for the decision. The tenant will have the right to appeal against the notice to the appropriate Directorate.
- 8.41 If the decision taken is that no action should be taken, then all appropriate persons will be notified of the reason for not proceeding.

Mediation Services

- 8.42 Mediation is a way of solving disputes between tenants by using a professional mediator who is completely impartial, experienced at mediation techniques, and who has not been previously involved with the problem. The mediator works with the parties concerned in order to construct a solution. This is a voluntary, non-judgemental process with all proceedings being confidential, taking place at a neutral venue avoiding, if necessary, face-to-face contact between the parties. Any agreement reached can be put in writing and signed by all parties.
- 8.43 The process can be used when attempting to resolve matters of anti-social behaviour on housing estates, or serious disputes between neighbours, which may lead to breaches of tenancy conditions and Court action.
- 8.44 The Council has a budget for meeting the cost of mediation and works in partnership with an accredited mediation service to provide the mediation.

Protection and Training of Staff

- 8.45 The Council has a Health and Safety Policy, which is circulated to all staff who sign to confirm receipt. The Housing Directorate has a Service Safety Team, chaired by the Area Housing Manager (South). Any safety issues are reported to the relevant Area Housing Manager. Reporting of health and safety incidents is a standard agenda item at the monthly meeting of all housing Managers. There is also a comprehensive accident reporting procedure in place.
- 8.46 The Council has a Lone Worker Policy which includes guidance to staff. A procedure is in place where any staff working outside of normal hours contact the Council's out of hours service to confirm that they have returned home safely.
- 8.47 All front-line staff attend courses on handling aggression and restraining techniques courses, and are provided with personal attack alarms.
- 8.48 Appropriate staff are trained on the procedure for third party reporting of hate incidents.
- 8.49 All training needs are identified as part of the annual Performance Development Review process.
- 8.50 All appropriate staff have been briefed on the requirements of the Anti-Social Behaviour Act 2003 and the contents of this Strategy

Dealing with Graffiti

- 8.51 The graffiti removal service is provided by the Council's Safer Communities Team free of charge. Any person who wishes to report graffiti on housing-owned land can do so by using the graffiti hotline. All reports are referred to a specialist contractor with any offensive graffiti being removed within 7 days of it being reported. Other types of graffiti would be removed within 14 days, or possibly sooner, depending on the demands on the service at the time.

Compliments & Complaints Procedure

- 8.52 Should any customer, including a tenant, of the Council wish to praise a service or member of staff, they can fill in the form contained in the Council's corporate Compliments and Complaints booklet and send it to the Chief Executive who will make sure the compliment is passed on to the service or person concerned.
- 8.53 If any customer, including a tenant or housing applicant of the Council, is unhappy because the Council has either failed to do something we should have done, done something we should not have done, or agreed to do something but has then been slow to act, they can follow the step-by-step complaints process.
- 8.54 There are five steps to the complaints procedure as follows:
- Under Step One, the customer is asked to try and resolve the problem with the member of staff dealing with the matter. If the customer has a disability which makes it difficult for them to use a telephone or computer, someone can contact the Council on their behalf, or arrangements will be made for them to meet in person with a member of staff.
 - Under Step Two, if the customer is unhappy with the way in which the matter was dealt with, they can complain to the relevant Head of Service. The Head of Service, or another senior officer, will then review the decisions made so far and look at what other action the Council may need to take.
 - Under Step Three, if customers are still unhappy they can complain to the Chief Executive who may investigate the matter personally, or more usually ask the Corporate Complaints Officer to investigate the matter. At this stage the customer may ask their local councillor to review the matter.
 - Under Step Four, if the customer is unhappy with the outcome of Step Three, they can appeal to the Complaints Panel which is a Panel of five district councillors.
 - Under Step Five (being the final Step), if a customer cannot resolve the complaint with the Council, they may take the case to the Local Government Ombudsman.

Appeals

- 8.55 If a tenant is unhappy with a decision taken by a Housing Manager, in the first instance, they can appeal to the appropriate Assistant Director of Housing who will review the decision. If they are still unhappy and wish to appeal further, they can proceed to either the Housing Appeals and Review Panel, or Step 3 of the Customer complaints and Compliments scheme depending on the nature of the matter.
- 8.56 The Housing Appeals and Review Panel enables Council tenants and other housing clients to appeal against decisions made by Council officers on certain matters relating to housing. The Panel is made up of five District Councillors who would independently review any decision.
- 8.57 People making appeals are able to attend a hearing and, if they wish, bring someone with them to present their case on their behalf. At the hearing the appellant can explain to the Panel why they disagree with the decision taken.
- 8.58 A comprehensive Housing Appeals and Review Application Pack, including guidance notes and application form is sent out to tenants on request.

9. Action Plan

- 9.1 The following actions (some of which are contained in Sections 8 and 9 of this Strategy) will be undertaken in the future by Housing to combat the problem of anti-social behaviour and nuisance;

Action	Lead Officer/s	Timescale	Resources Implications
Continue the Demoted Tenancy process when appropriate cases arise	Asst. Director of Housing Area Housing Managers	When cases arise	Within existing Resources
Produce and circulate an updated summary leaflet of the Anti-Social Behaviour Strategy for the general public	Asst. Director of Housing Principal Housing Officer (Information)	December 2010	Within existing Resources
Consider increasing the number of CCTV installations	Area Housing Managers	On-going	Within existing resources

10. Future Developments

10.1 The following “SWOT” analysis identifies the strengths, weaknesses, and opportunities and threats for the areas covered by this Strategy.

<p>Strengths</p> <p>Anti-Social Behaviour Act 2003 powers Experience of housing management staff The Community Safety Partnership The multi agency Anti-Social Behaviour Group The Council’s Safer Communities Team Standard Tenancy Agreement Greater knowledge of the public due to the production of this Strategy and summary leaflet New women’s refuge Mediation service</p>	<p>Weaknesses</p> <p>Staffing levels below the national and county average Lenient approach of the Courts Reluctance of victims to provide evidence</p>
<p>Opportunities</p> <p>Introductory Tenancy Scheme Increased CCTV installations</p>	<p>Threats</p>

11. Resourcing the Strategy

11.1 For housing management purposes the Epping Forest District is split into two areas, with one Area Housing Office based at The Broadway, Loughton in the south of the district and the other based at the Civic Offices, Epping.

11.2 The number of staff involved in covering all housing management duties in 2006/2007 is 14 full-time equivalent. Area Housing Managers are based at each of the Area Housing Offices. One of the Housing Management Officers at each of the Area Housing Offices is designated as an Assistant Area Housing Manager, as well as at the Limes Farm Estate Office, Chigwell.

11.3 All staff is included in the Council’s Performance Development Review process, whereby they have an annual interview to assess their own performance and to discuss their targets for the forthcoming year and their training needs. There is a six-monthly update on progress. All new staff receive induction training and have access to a mentor. Training received by staff, which relates to this Strategy, is as follows:

- Court skills training
- Dealing with aggression
- Various IT courses
- Staff briefings on various matters
- Data Protection training
- Recruitment and selection training for Managers
- Protection of vulnerable adults from abuse
- Performance Development Review training for Managers and Seniors
- Managing sickness absence training

11.4 Housing Management staff delivering the Strategy in 2010/11 is approximately 3.5 FTE, which is within the staffing levels detailed in Paragraph 13.2. This is based on the estimate that all staff in the Section spends around 25% of their time on aspects of the Strategy. The projection for the number of staff, required to deliver the Strategy over the following three years is detailed in the following table;

Staff Resources Projections				
Year	2006/2007	2007/2008	2008/2009	2009/2010
Housing Management Staff	3.5	3.5	3.5	3.5

12. *Reviewing the Strategy*

12.1 The Strategy for Anti-Social Behaviour will be reviewed by the Housing Scrutiny Panel in consultation with the Tenants and Leaseholders Federation, and the Anti-Social Behaviour Group, no later than October 2013.