



UTTLESFORD

**Anti-Social Behaviour
Policy**

Version One – 2014

Introduction

Uttlesford District Council recognises that the problems created by Anti-Social Behaviour (ASB) need to be addressed in a fair but firm manner. Residents are entitled to live in a quiet and peaceful environment and where appropriate the Council will endeavour to act quickly and efficiently to tackle incidents of ASB.

Uttlesford District Council will not tolerate incidents of ASB and this will be made clear to all tenants, prospective tenants and residents of the district.

The Council's ASB Policy applies to tenants and residents, their families and any other occupants and visitors. The same principles apply to members of staff and other people working on behalf of the council.

In response to the Anti-social Behaviour, Crime and Policing Act 2014 Uttlesford District Council has fully reviewed its ASB Policy and Procedures.

1. Scope and purpose of this policy document

This document is one of two that tells you about Uttlesford District Council's anti-social behaviour (ASB) responsibilities and what we do to tackle ASB.

This is the policy document. It tells you what we mean by 'anti-social behaviour' and sets out our objectives for the Council's ASB services. It says what we want our services to achieve for people experiencing ASB, and details the kind of service level and quality we aim to provide. It also explains the broad approach we have agreed to adopt in order to support and advance our objectives.

This document does not say how we will deal with ASB on a day-to-day basis. This is explained in our procedure document, which should be read alongside this one.

2. The Council's ASB responsibilities

The Council has a wide range of responsibilities to tackle ASB. These arise from three distinct roles which are:

a. Our landlord role

As a landlord, the Council has a duty to respond to ASB affecting the properties we manage. Our landlord duties and powers are different from, and usually act in addition to, the duties and powers we have to deal with ASB in the wider community. In this document (and the procedure document) we will make it clear when a policy or a power applies only to Council tenancies.

b. Our role as a part of the Uttlesford Community Safety Partnership

Under the Crime and Disorder Act 1998, the Council must work with the police and other agencies to reduce crime and disorder in Uttlesford. In this role we play a key part in dealing with anti-social behaviour of all kinds and also undertake project and preventative work.

c. Our environmental protection role

The Council has a range of responsibilities to deal with 'environmental' ASB like noise, graffiti, litter, dumped rubbish and abandoned cars. These responsibilities arise from a number of Acts and local byelaws, but in particular from the Environmental Protection Act 1990.

While these are distinct roles, there are very strong links between all three and close working arrangements have been developed between the teams that deliver the various services. However, the policies described in this document mainly concern our landlord and Community Safety Partnership roles and so tend to say more about the work of the Council's Housing Department and the Council's Community Safety Team. Environmental ASB is tackled by a number of different teams within the Council each of which works to its own set of policies and procedures.

3. What is anti-social behaviour?

Uttlesford District Council considers anti-social behaviour to be:

- behaviour capable of causing nuisance or annoyance to any person, including Council tenants, other residents, council staff, contractors, partner agency staff or any other person lawfully going about their business ;or
- any act that causes, or is likely to cause, harassment, alarm or distress to one or more persons not of the same household; or
- using or threatening to use Council property for unlawful and or immoral purposes

3.1 Examples of ASB

Anti-social behaviour may include (but is not limited to):

Noise:

- loud televisions and music
- persistent, unnecessary or excessive noise
- shouting or yelling
- persistent alarms
- excessively loud or frequent parties
- dogs persistently barking

Intimidation, harassment and violence:

- verbal or written abuse
- threats of violence
- assault
- damage to property
- keeping and failing to control an aggressive dog

- Using or allowing the premises to be used for illegal or immoral activity such as prostitution, handling or storing drugs and handling or storing stolen goods.

Environmental ASB:

- dumping rubbish and littering
- vandalism
- dog fouling
- graffiti
- fly-posting
- abandoned vehicles

Hate behaviour directed at a person's:

- race or nationality;
- gender;
- sexual orientation;
- disability; or
- faith

ASB affecting our landlord role (in addition to the above):

- failure by tenants to prevent children or visitors from behaving anti-socially;
- failure by tenants to observe any ASB-related tenancy condition;
- any act (whether or not committed by a tenant or leaseholder); which directly or indirectly adversely affects the Council's housing management function;
- misuse of communal areas (including parking areas); and
- use of motor vehicles in an anti-social manner by tenants or visitors.

4. What is not ASB?

ASB can be difficult to define and there are some types of behaviour that are not classed as ASB and will not be investigated by the District Council. Examples include;

- Children playing in the street or communal areas
- Young people gathering socially unless they are being intimidating
- Being unable to park outside your own home
- DIY and car repairs unless they are taking place late at night
- Civil disputes between neighbours e.g. shared driveways
- One off complaints against noise e.g. parties.

5. The Council's objectives

The Council's ASB policy is founded on the following 5 objectives.

1. No one should have to put up with ASB

Our policy is to:

- 1.1 make people aware of what anti-social behaviour is;
- 1.2 publicise and promote our various services to combat ASB;
- 1.3 encourage people to report ASB and make it possible for them to do this using a range of reporting methods;
- 1.4 seek to respond to each reported case of ASB as quickly as possible and
- 1.5 support victims of ASB throughout the case to the extent the seriousness of the case requires.

2. Reports of ASB will be treated seriously and dealt with professionally.

Our policy is to:

- 2.1 assess (and periodically reassess) the seriousness of anti-social behaviour reported to us, and take action according to our target times;
- 2.2 treat all reports as confidential, sharing information only with other organisations that can help with the problem (for example the police) and observing data protection laws and information sharing agreements;
- 2.3 ensure that criminal ASB reported to the Council is quickly passed on to the police;
- 2.4 register each case we take on;
- 2.5 fully investigate the complaint, which will may involve interviewing any alleged perpetrator and may involve interviewing third party witnesses;
- 2.6 quickly refer cases between the different departments of the Council and to other agencies as necessary;
- 2.7 continue to treat any case referred to another Council department or external agency as a 'live' case until, in the opinion of the Housing Management and Anti-Social Behaviour Co-Ordinator, the case can be closed;
- 2.8 formally close all cases in writing;
- 2.9 respond promptly to complaints about the service and advise anyone not satisfied with the way their case was handled how to make a formal complaint; and

- 2.10 explain our reasons should we choose to take no action, and advise on self-help or other alternative courses of action whenever it is possible and appropriate to do this.

3. ASB will be dealt with firmly, fairly and proportionately.

Our policy is to:

- 3.1 take any necessary early action to protect people and property;
- 3.2 investigate the circumstances and seek to understand all the facts of any matter reported to us;
- 3.3 seek always to resolve cases at the lowest level of intervention taking formal action when the ASB is serious or persistent or when it threatens people's safety or health;
- 3.4 use any of the tools and powers available to us under the law and council policy, according to our best professional judgment;
- 3.5 take it into account (and adjust our approach as necessary) when a victim or a perpetrator is a vulnerable person;
- 3.6 not necessarily intervene in low level disputes between households concerning minor lifestyle differences, for example, noise made by younger children playing in their home, garden or in communal areas, or parking disputes involving non-allocated spaces;
- 3.7 with the consent of the people involved, we may refer suitable low-level cases to a mediation service; and
- 3.8 not necessarily intervene where the issue involves private sector housing (owner-occupied or privately rented), or private businesses, where there is no statutory duty on the council to act.

4. We will work with partners in order to deliver an effective, value for money ASB service across the community.

Our policy is to:

- 4.1 play a full part as a key member of the Uttlesford Community Safety Partnership;
- 4.2 participate in relevant strategic or preventative initiatives;
- 4.3 participate in permanent or ad-hoc multi-agency workgroups dealing with specific ASB issues;
- 4.4 work with housing associations, private landlords, letting agents and businesses, providing professional advice and support as required so that these organisations can act confidently to prevent or tackle ASB making use of their own resources.

5. We will provide a high quality service which meets people's identified needs.

Our policy is to:

- 5.1 ensure that staff dealing with ASB are appropriately trained;
- 5.2 ensure that staff dealing with ASB understand and follow agreed policies and procedures;
- 5.3 the policy will be reviewed on a regular basis reflecting new legislation and lessons learnt;
- 5.4 formally seek the views of service users and partner organisations when the documents are reviewed;
- 5.5 seek to ensure that all our activities are prioritised and undertaken with regard to clear evidence of need; sound consideration of how effective the work undertaken is likely to be, and a clear understanding of the outcomes sought.

6 Examples of tools that we can use to tackle ASB

6.1 Tenancy Agreement

Under the terms and conditions of Uttlesford District Councils tenancy agreements, tenants are responsible for the behaviour of everyone (including children) living in or visiting their home and neighbourhood.

Upon moving into Council Housing the tenant will receive a tenants' handbook, which clearly outlines the rights and responsibilities placed on the tenant for the duration of his or her tenancy and the consequences of any breaches.

6.2 Mediation

In many cases of ASB mediation can be an effective tool, solving the issue quickly by bringing all parties to the table. This can be very effective in neighbour disputes, family conflicts, lifestyle differences such as noise nuisance complaints and similar situations where it can sometimes be difficult to identify the victim and the perpetrator.

6.3 Acceptable Behaviour Contracts (ABC)

ABC's are voluntary written agreements between the person who has been involved with Anti-Social Behaviour and one or more local agencies whose role it is to prevent such behaviour usually the District Council and the Police. The contract will contain a number of Anti-Social Behaviour acts that the person has been involved in and agrees not to continue e.g.

- Not to be abusive, offensive, threatening or intimidating to members of the public.

- Not to cause criminal damage
- Not to be found drunk and disorderly in a public place
- Not to write graffiti
- Positive measures may also be included to help improve their behaviour e.g.
 - To attend school/college on the required days stated in your timetable
 - To engage with the Youth Offending Team

The contract is not legally binding and usually lasts for six months. If a person fails to attend the interview or does not agree to sign, the contract may be used as evidence in Court if further action is taken. If a person breaches the conditions of the contract, enforcement action may be taken and this may include seeking an Injunction or Anti-social Behaviour Order.

6.4 Injunctions

Anti-Social Behaviour Injunctions.

The Housing Act 1996 sections 153A, 153B, 153C and 153D enable social landlords to apply to the court for an injunction to prevent Anti-social behaviour, unlawful use of premises and breaches of the tenancy agreement. An injunction is a civil remedy obtained through the County Court and either compels a person to do something or forbids a person from doing something. The injunction is effective for twelve months from being served. An injunction may be used to address the following;

- Car repairs on a person's property
- Untidy gardens
- Noise nuisance
- Damage or unauthorised alterations to property.

The Housing Act 1996 also allows for a power of arrest in relation to a breach or an anticipated breach of the terms of the tenancy agreement. The Local Authority, in accordance with the Anti-Social Behaviour Act 2003 is able to take injunction against anyone, not just tenants, who is causing a nuisance which affects the way in which their property stock is managed.

Anti-Social Behaviour Orders were introduced by the Crime and Disorder Act 1998. They are Civil Orders designed to protect the public from behaviour that causes or is likely to cause harassment, alarm or distress.

An ASBO is a community based order that involves local people in the collection of evidence as well as helping to enforce breaches.

The civil nature of the order enables hearsay evidence and professional witnesses to be used in Court enabling those reporting the Anti-Social Behaviour to be protected.

An Order will be in effect for a minimum of two years and if breached can carry a maximum sentence of five years imprisonment, a five thousand pound fine or both.

6.5 Demoted Tenancy

Sections 14 and 16 of the Anti-Social Behaviour Act 2003 allow the local housing authority to apply to the court for a demotion order, which when applied to a secure tenancy results in a non-secure tenancy. This removes the tenants 'Right to buy', 'the right to exchange' and their security of tenure for a minimum of one year. If however, the behaviour of the tenant is modified within this period, a new secure tenancy agreement will be issued.

6.6 Possession Orders (for Uttlesford Council Tenants)

Possession proceedings allow landlords to apply for and possibly take back possession of a property in cases where there has been a breach of the tenancy or where the Local Authority considers other Orders or Agreements to be inappropriate.

A notice of seeking possession will be served in the first instance and then an application to the County Court for a court hearing must be made. It is at this hearing that the judge will decide if it is reasonable for the perpetrator to lose their home.

6.7 Suspension of certain rights in connection with ASB

Section 192 of the Housing Act 2004 enables landlords of secure tenants to seek an order suspending the right to buy for a specified period in respect of the tenancy on the grounds of anti- social behaviour.

The court may only grant such an order if it is satisfied that the tenant or a person residing in or visiting the property has engaged or threatened to engage in anti-

social behaviour (which includes using the premises for unlawful purposes) and that it is reasonable to make the order.

6.8 Amendments to the discretionary grounds for eviction

Section 98 of the Anti-Social Behaviour Crime and Policing Act came into force on 13 May 2014. This section inserted new provisions into the 1985 and 1988 Acts to enable the landlord to seek possession where a tenant (or a person living in or visiting the tenants home) is guilty of conduct likely to cause nuisance or annoyance to the landlord, or someone employed in connection with the landlords management functions, where the conduct relates to or affects those housing management functions. There is no requirement for this conduct to have taken place within the locality of the tenant's home.

7 Support for victims of ASB

A Housing Officer is available during normal office hours for Council tenants. This officer will normally be the first point of contact and will make an initial assessment of the severity of the problem. A home visit will be offered. The Housing Officer may work alongside other relevant officers of the council.

Uttlesford District Council will work with local agencies and community groups to help provide support, both practical and emotional, for victims of anti-social behaviour.

The council is committed to providing a high level of service to both victims and witnesses of ASB. The Council will consider using professional witnesses and hearsay evidence. The Council recognises that racial and homophobic harassment is a serious offence and will remove racist, sexist and homophobic graffiti and carry out emergency repairs as a matter of urgency after an incident is reported.

The Council will keep the victims of ASB updated with action being taken.

The Anti -Social Behaviour, Crime and Policing Act 2014 includes new measures designed to give victims and communities a say in which ASB is dealt with.

7.1 Anti-Social Behaviour Case Review (Community Trigger)

ASB Case Reviews, due to commence in October 2014, give victims and communities the right to request a review of their case and bring agencies together to take a joined up problem solving approach to find a solution. The Council as a statutory authority will have a duty to participate in case reviews where necessary.

Across Essex a consistent approach has been developed to support all agencies involved in the use of the new legislation, aiming to provide victims of ASB with a clear and effective response regardless of where they live in the County.

[The Essex ASB Case Review Guidance can be found at Appendix 1](#)

Information Sharing

Where appropriate, the council will share information with the Police and other key agencies under joint information exchange protocols so that all agencies can carry out their functions and duties in accordance with the Crime and Disorder Act 1998. The council will also work to ensure that residents of the district are encouraged and are able to report incidents confident in the knowledge that they will be recorded and investigated where appropriate.

The District Council will work within the provisions of the Data Protection Act which provides a background for the sharing of information and the need for confidentiality and privacy.

8 Discretion

This policy commits us to dealing with ASB in Uttlesford in a way that will always be fair and, in all important respects, consistent across cases of a similar kind. However, our services are constantly evolving and each ASB case we deal with is likely to be unique in some or other aspect. This means that we may occasionally use our discretion to vary our approach from that described in this document. We may do this in any individual case, following appropriate consultation, or we may make any change of approach apply in all subsequent cases, in which case we will formally amend our policy and procedure.

9 Supporting Legislation

Data Protection Act 1998 and 2003

Crime and Disorder Act 1998

Anti -Social Behaviour Act 2003

Police Reform Act 2002

Police and Criminal Evidence Act (PACE)

Mental Health Act 1983 (amended 2007)

Environmental Protection Act 1990

Criminal Justice and Police Act 2001

Housing Act 1996

The Noise Act 1996 as amended by ASB Act 2003 and the Clean Neighbourhoods and Environment Act 2005

Children's Act 2004

Harassment Act 1997

Human Rights Act 1998

Homelessness Act 2002

Freedom of Information Act 2000

Equalities Act 2010

APPENDIX 1

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BACKGROUND

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

An Act to make provision about anti-social behaviour, crime and disorder, including provision about recovery of possession of dwelling-houses; to make provision amending the Dangerous Dogs Act 1991, the Police Act 1997, Schedules 7 and 8 to the Terrorism Act 2000, the Extradition Act 2003 and Part 3 of the Police Reform and Social Responsibility Act 2011; to make provision about firearms, about sexual harm and violence and about forced marriage; to make provision about the police, the Independent Police Complaints Commission and the Serious Fraud Office; to make provision about invalid travel documents; to make provision about criminal justice and court fees; and for connected purposes.

[13th March 2014]

The Act includes new measures designed to give victims a say in the way anti-social behaviour is dealt with and provides for the introduction of ASB Case Reviews (previously referred to as the Community Trigger) in October 2014.

Across Essex a consistent approach has been developed to support all agencies involved in the use of the new legislation, aiming to provide victims of anti-social behaviour with a coherent and effective response regardless of where they live in the County.

Anti-social behaviour (ASB) is a broad term used to describe the day-to-day incidents of crime, nuisance and disorder that can make many people's lives a misery from litter and vandalism to public drunkenness or noisy and abusive neighbours. Such a wide range of behaviour means that responsibility for dealing with anti-social behaviour is shared between a number of agencies, particularly the police, councils and housing providers.

PURPOSE

Victims of anti-social behaviour will be able to use the power in the event that they feel that agencies have not taken action in respect of their complaint, and where the case meets the locally defined threshold.

For the purpose of the ASB Case Review, anti-social behaviour is defined as behaviour "causing harassment, alarm or distress" to a member, or members, of the public. However, when deciding whether the threshold is met agencies should consider the harm or potential harm caused to the victim, rather than rigidly deciding whether each incident reached the level of harassment, alarm or distress.

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In instances where the threshold is met relevant bodies including councils, the police, clinical commissioning groups and housing providers have a duty to undertake an Anti-Social Behaviour Case Review by way of a Review Panel. It is intended that the purpose of the review panel should be for agencies to take a more joined up, problem solving approach aiming to find a solution for the victim.

The ASB Case Review can also be used by any person on behalf of a victim, for example a family member, friend, Carer, Councillor, MP or other professional person. It is intended to ensure that all victims are able to use the review, however, the victim's consent should be sought by the person using the ASB Case Review on their behalf.

The ASB Case Review can be used by someone of any age, and agencies should make it as accessible as possible to all victims.

THRESHOLD

The need for a national threshold of 3 incidents of ASB within the last 6 months where the victim considers no action has been taken was acknowledged and accepted by the Home Affairs Select Committee¹.

The adopted model includes a lower threshold where the victim perceives the ASB to be of a Hate Crime nature to 1 incident within last 6 months where the victim considers no action has been taken has been adopted.

QUALIFYING COMPLAINTS

The legislation sets out what will be considered a 'qualifying complaint' for using the ASB Case Review to prevent someone reporting historical incidents of anti-social behaviour in order to use the ASB Case Review. The legislation sets out the following standards: *(agencies can set different levels if appropriate for their area, as long as it does not lower the standard set out)*

- The anti-social behaviour was reported within a month of the alleged behaviour taking place; and
- The application to use the ASB Case Review is made within six months of the report of anti-social behaviour.

RISK ASSESSMENT

Victims vulnerabilities will be assessed through the risk based harm model already in use across Essex.

¹ House of Commons Home Affairs Committee The draft ASB Bill: pre-legislative scrutiny. Twelfth Report of Session 2012-13. www.publications.parliament.uk

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INFORMATION SHARING

Agencies have signed up to the Essex Trust Charter and/or local Community Safety Partnership Data Sharing Protocols already exist, the requirement to establish another data sharing protocol for the purposes of the Essex ASB Case Review was not considered to be necessary.

Requests for Information will be made through the form attached at Appendix ?

VEXATIOUS AND COMPLAINTS PROCEDURES

A statement is to be included within local authority vexatious complaints policies stating that *“vexatious complaints relating to the ASB Case Review Process will be dealt with through the local authority policy”*.

Local authorities will need to agree this approach locally with Registered Social Landlords and Housing Providers that operate in their area.

Reference is to be made within Complaints Procedures to show how complaints of ASB are dealt with.

APPEALS PROCESS

The review procedures must include provision about what is to happen when an applicant is dissatisfied with the way in which the relevant bodies have:

Dealt with an application for a review; or
Carried out an ASB Case Review

In such cases these will be sent to the Chair of the relevant Community Safety Partnership in the first instance and notified to PCC's office.

SINGLE POINT OF CONTACT (SPOC)

Each area is to identify a SPOC who has some level of independence and who would not generally be involved in ASB case management. In some areas this will be Community Safety Manager, in others this may not be appropriate and will need to be determined locally.

PUBLISHING THE ASB CASE REVIEW PROCEDURE AND CONTACT DETAILS

The responsible bodies must publish the ASB Case Review procedure, including the point of contact for making an application to use the ASB Case review.

The ASB Case Review procedure will be published on local Council websites and will include details on how to make an application, contact details, phone no.

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email address. It is intended for generic materials to be produced and used County-wide.

ROLE OF THE POLICE AND CRIME COMMISSIONER

The local PCC must be consulted on the ASB Case Review procedure when it is established must be consulted whenever the procedure is reviewed. The PCC may be involved in the auditing and monitoring of the use of the ASB Case Review, as well as provide a route for victims to appeal decisions as to whether the threshold was met or the way the ASB Case Review was conducted.

The Essex model has made provision for the PCC to be notified of an appeal by the Chair of the local Community Safety Partnership.

The PCC may chose to monitor the use of the ASB Case Review across the County to identify any learning points to be disseminated to local Single Points of Contact.

GUIDANCE FOR USE OF THE MODEL

Step 1: Gateway to ASB Case Review

Victims will be able to access the ASB Case Review through the on-line reporting form which is required to be publicised on local Council websites. Hard copies of forms must be made available upon request – mechanism for doing this to be determined locally.

Each area is to have its own dedicated email address and telephone nos. promoted locally.

Upon receipt of the reporting form there is to be an acknowledgement sent within 3 working days, realistically this can be sent automatically through email or local areas may wish to use the letter attached to this guidance.

Step 2: Determine if Threshold has been met

The reporting form will be sent through to local Single Point of Contact, who along with the ASB Manager/lead will determine whether the threshold has been met. In some cases this may be obvious; in others it may be that an initial scoping exercise is undertaken with the relevant agencies to assist the determination.

The SPOC will send a determination letter to victim within 10 working days advising of decision, along with details of the appeal process if the threshold hasn't been met.

Step 3: Information Requests

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If the threshold has been met the SPOC will send an information request to the relevant agencies asking for details of the case to be submitted to the identified SPOC within 10 working days and advising that their agency is required to part of the ASB Case Review Panel.

Step 4: Review Panel Meeting

The identified SPOC will arrange and Chair a review panel meeting where previous actions will be considered and recommendations will be provided. The Review Panel must formulate an action plan, details of which will be sent to the applicant. This must take place within 10 working days of the information requests being received.

Step 5: Decision Letter to Applicant

If the Review Panel determines that all agencies have taken appropriate action and that no further resolutions can be offered, a letter advising of the determination and providing details for decision will be sent to victim, along with details of the appeals process if they are dissatisfied with the outcome. Decision letter is to be sent within 10 working days.

If the Review Panel determines that further action can be taken, a letter will sent to the victim advising of the action plan detailing next steps and advising of anticipated timescales for delivery. This decision letter will provide details of the appeals process if they remain dissatisfied with the outcome. Decision letter is to be sent within 10 working days.

Step 6: Response to Trigger

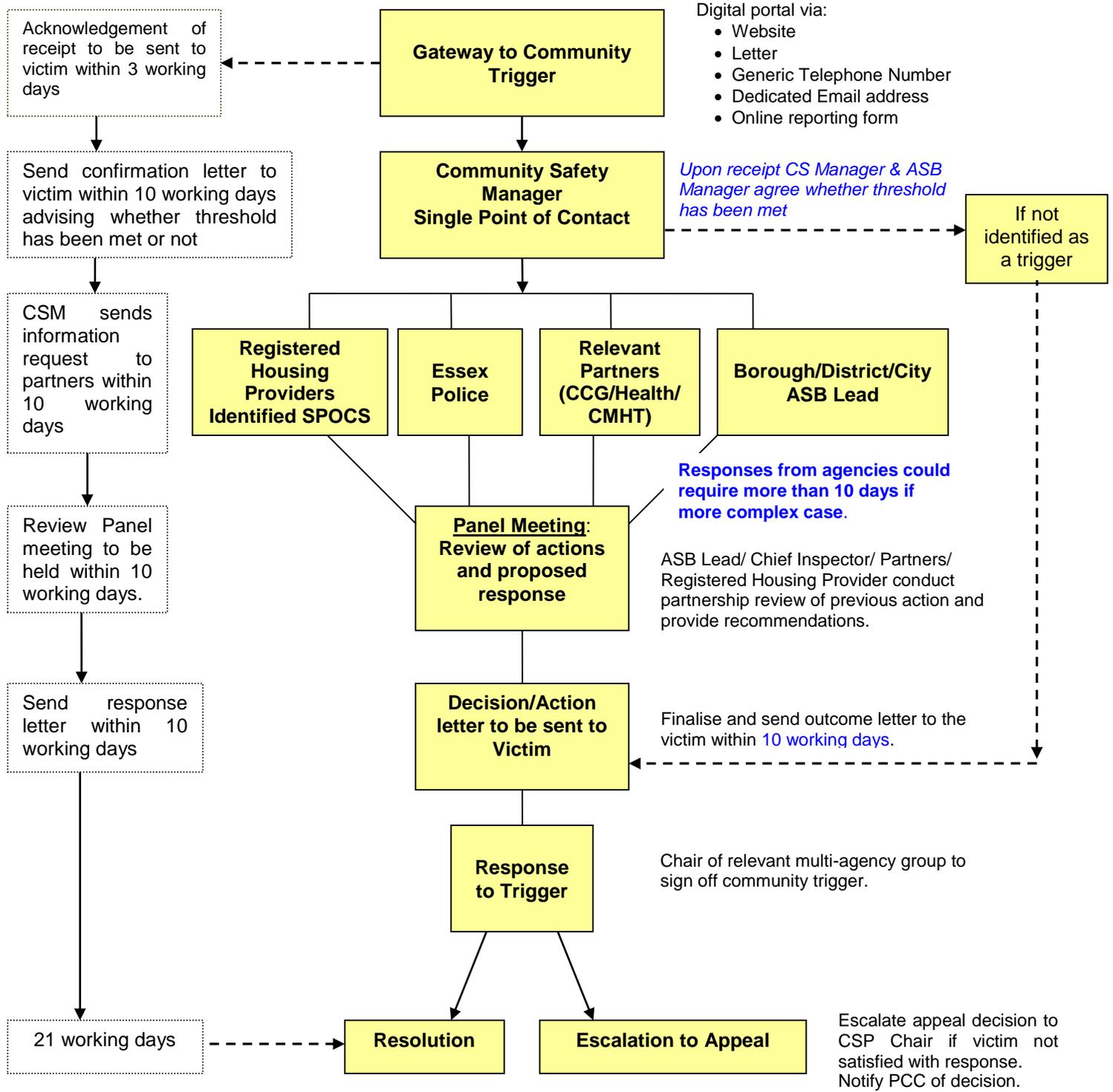
The Chair of the Community Safety Partnership (or other identified partnership) will sign off the ASB Case Review and the method for achieving this will be determined locally.

Step 7: Escalation to Appeal

If the applicant remains dissatisfied with the outcome they have a right to appeal the decision and the case will be escalated to the CSP Chair (or other identified person) who will review the details of the case and consider if the grounds for appeal. The CSP Chair will notify the PCC of decision.

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ESSEX ASB CASE REVIEW MODEL



ACKNOWLEDGEMENT LETTER

Dear

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
ANTI-SOCIAL BEHAVIOUR (ASB) CASE REVIEW**

I write to confirm receipt of your request for an Anti-Social Behaviour Case Review to be conducted in respect of the anti-social behaviour you are experiencing where you deem no action has been taken.

The ASB Case review threshold is defined as follows:-

- Three incidents of ASB reported within the last six months where the victim considers no action has been taken
- One incident of Hate Crime nature reported in the last six months where the victim considers no action has been taken.

XXXXX will be contacting you within 10 working days to confirm whether your request has met the threshold.

If you wish to report any further incidents of Anti-Social Behaviour these can be reported by either contacting Essex Police on 101 or the (insert name of Council) Anti-Social Behaviour team on XXXXXXXXXXXXX or in an emergency always dial 999.

Yours sincerely

SPOC name and title

TRESHOLD NOT MET

Dear

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 7: ANTI-SOCIAL BEHAVIOUR (ASB) CASE REVIEW**

Thank you for your recent request dated (insert DATE) to have your anti-social behaviour case considered for an ASB Case Review.

As previously identified the threshold for the ASB Case Review is defined as follows:-

- Three incidents of ASB reported within the last six months where the victim considers no action has been taken
- One incident of a Hate Crime nature reported in the last six months where the victim considers no action has been taken.

Having reviewed the details of the case we do not feel that your request meets the threshold for the ASB Case Review for the following reasons:

- Outline reasons here –

If you are dissatisfied with this outcome you have the right to appeal to (insert name of CSP Chair) within 21 days of the date of this letter. A copy of this process is included with this letter.

If you wish to report any further incidents of Anti-Social Behaviour these can be reported by either contacting Essex Police on 101 or the (insert name of Council) Anti-Social Behaviour team on XXXXXXXXXXXXX, in an emergency always dial 999.

Yours sincerely

Insert name of SPOC and title

THRESHOLD MET

Dear

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
ANTI-SOCIAL BEHAVIOUR (ASB) CASE REVIEW**

Thank you for your recent request dated (insert DATE) to have your anti-social behaviour case considered for an ASB Case Review.

I can confirm that having considered the details of your case it does meet with the previously determined threshold, and as such the ASB Case Review process has commenced.

Further information will now be sought from relevant partners and other agencies in regard to their involvement in your case to enable us to undertake a full review. It may be necessary for us to contact you again in order to clarify information or obtain further details.

An ASB Case Review Panel Meeting will be scheduled to review the information where representatives from agencies or partners that have been involved in your case will be present, in order to discuss the case fully. The purpose of this meeting is to also identify any further actions that can be taken, if deemed necessary, to ensure that a positive resolution is reached for you.

Once this has been completed you will receive a letter advising you of the outcome of the review along with details of any recommendations that have been made. It is anticipated that the review process will take 21 working days in total, although in more complex cases this may be longer, in which circumstances you will be notified.

In the meantime if you have any further queries please do not hesitate to contact XXXX (insert NAME and TELEPHONE NO.) direct on XXXXXX.

If you wish to report any further incidents of Anti-Social Behaviour these can be reported by either contacting Essex Police on 101 or the (insert name of Council) Anti-Social Behaviour team on XXXXXXXXXXXXX, in an emergency always dial 999.

Yours sincerely

Insert SPOC name and title

REVIEW PANEL OUTCOME LETTER – FURTHER ACTION

Dear

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
ANTI-SOCIAL BEHAVIOUR (ASB) CASE REVIEW**

I refer to my previous correspondence confirming to you that your ASB case had met the threshold to activate the ASB Case Review Process.

I write to advise you that details of your case were reviewed by the ASB Case Review Panel at the meeting held on (insert DATE) XXX, resulting in the following action plan being agreed by the agencies involved:

- insert DETAILS here -

You will soon be contacted directly by the agencies responsible for delivering the action plan to provide you with an update on progress and reassurance that activity is taking place with a view to bringing this matter to a resolution.

This review will be concluded once the action plan has been fully implemented and in doing so it is hoped that this will bring a positive resolution to the anti-social behaviour you have been experiencing.

I trust this clarifies the situation, however, should you have any further queries please do not hesitate to contact me directly on (insert TELEPHONE NO.) XXXXX.

If you wish to report any further incidents of Anti-Social Behaviour these can be reported by either contacting Essex Police on 101 or the (insert name of Council) Anti-Social Behaviour team on XXXXXXXXXXXX, in an emergency always dial 999.

Yours sincerely

Insert (NAME AND TITLE)

REVIEW PANEL OUTCOME LETTER – NO FURTHER ACTION

Dear

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
ANTI-SOCIAL BEHAVIOUR (ASB) CASE REVIEW**

I refer to my previous correspondence confirming to you that your ASB case had met the threshold to activate the ASB Case Review Process.

I write to advise you that details of your case were reviewed by the ASB Case Review Panel at their meeting held on (insert DATE) XXX. Having reviewed all of the information available to the Panel it was felt that relevant agencies had taken appropriate action to resolve the ant-social behaviour you were experiencing as follows:

- provide a brief overview of action taken –

The Review Panel have therefore concluded that no further action would be taken in relation to this case.

I trust this clarifies the situation, however, should you have any further queries please do not hesitate to contact me directly on (insert TELEPHONE NO.) XXXXX.

If you are dissatisfied with this outcome you have the right to appeal to (insert name of CSP Chair) within 21 days of the date of this letter. A copy of this process is included with this letter.

If you wish to report any further incidents of Anti-Social Behaviour these can be reported by either contacting Essex Police on 101 or the (insert name of Council) Anti-Social Behaviour team on XXXXXXXXXXXXX, in an emergency always dial 999.

Yours sincerely

Insert (NAME AND TITLE)

APPEAL LETTER TO PCC

Dear insert (NAME OF PCC)

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
ANTI-SOCIAL BEHAVIOUR (ASB) CASE REVIEW – NOTIFICATION OF APPEAL**

I write with reference to the above and to advise you that Basildon Borough Council received a request from insert (NAME, ADDRESS) XXXXX for their ASB case to be reviewed. This request was received on insert (DATE) XXXX.

You will be aware that the threshold for the Essex ASB Case Review is defined as follows:-

- Three incidents of ASB reported within the last six months where the victim considers no action has been taken
- One incident of Hate Crime nature reported in the last six months where the victim considers no action has been taken.

Having considered the details of the case it was felt that the request did not meet the threshold to commence an ASB Case Review for the following reasons:

- Outline reasons here –

Unfortunately, insert (NAME) was dissatisfied with the response and as such wishes to appeal against this decision.

As the Chair of the Community Safety Partnership I will review this decision and notify you in due course of the outcome.

Should you have any further queries please do not hesitate to contact me directly on insert (TELEPHONE NO.) XXXXX.

Yours sincerely

Insert (CSP CHAIR NAME AND TITLE)

ASB Case Review Online Reporting Form

ASB Case Review Threshold

- Three incidents of ASB reported within the last 6 months where the victim considers no action has been taken.
- 1 incident of Hate Crime nature reported in the last 6 months where the victim considers no action has been taken.

Date Reported

Have you reported this issue before? (Please specify as much detail as possible including crime reference number)

Can you confirm that the incidents you have reported are in relation to

. Anti-social behaviour

Do you think the incidents/concerns are because of

<input type="checkbox"/> a. Ethnicity	<input type="checkbox"/> d. Sexual orientation
<input type="checkbox"/> b. Religion or Faith	<input type="checkbox"/> e. Being transgender
<input type="checkbox"/> c. Disability	<input type="checkbox"/> f. None of the above

Who have you reported this issue to

<input type="checkbox"/> a. Police	<input type="checkbox"/> f. Community Safety
<input type="checkbox"/> b. Environmental Health	<input type="checkbox"/> g. School
<input type="checkbox"/> c. Social Services	<input type="checkbox"/> h. GP
<input type="checkbox"/> d. CMHT	<input type="checkbox"/> i. Other (please specify below)
<input type="checkbox"/> e. Voluntary Agencies	

Does this issue affect more than one household of business premises?

Please specify where these incidents have happened

Please specify who was involved in the incident/problem

Please specify what has happened

Has anyone else witnessed this?

How are the incidents affecting you?

--

Can you confirm that (as far as you know) no action has been taken?

- a. Yes
- b. No

If action has been taken please tick the correct box below

<input type="checkbox"/> a. Verbal Warning	<input type="checkbox"/> f. Notice of Seeking Possession
<input type="checkbox"/> b. Written Warning	<input type="checkbox"/> g. Notice to Quit
<input type="checkbox"/> c. Mediation	<input type="checkbox"/> h. Possession Order
<input type="checkbox"/> d. Acceptable Behaviour Contract	<input type="checkbox"/> i. Injunction
<input type="checkbox"/> e. Good Neighbourhood Agreement	<input type="checkbox"/> j. Other (please specify below)

--

Your contact details

Please provide your details so that we can contact you. If you are completing this form on behalf of a friend/relative/client of your service, please provide details of the person affected by this situation. We will use this to ask you any further questions or provide feedback on your referral if necessary.

Name
Address (including postcode)
Home phone number

<i>Mobile phone number</i>
<i>Email address</i>

Which of the following describes you best

<input type="checkbox"/> Council Tenant	<input type="checkbox"/> Owner occupier
<input type="checkbox"/> Leaseholder	<input type="checkbox"/> Housing Association
<input type="checkbox"/> Private Tenant	<input type="checkbox"/> Other

--

Please provide your landlord's name or the name of your contact officer

Landlord's Name
Landlord's Address (including postcode)
Landlord's Contact Number

Please provide contact details of your Managing Agent

Managing Agent's Name
Managing Agent's Address (including postcode)
Managing Agent's Contact Number

Equalities monitoring (optional questions)

Gender

<input type="checkbox"/> Male
<input type="checkbox"/> Female
<input type="checkbox"/> Transgender

Age

--

Sexual Orientation

- Heterosexual
- Homosexual
- Bisexual
- Other – Please state below

--

Religion – Please State

--

Please give details of any disability

--

Ethnicity – Please State

--

Keeping you informed

We will keep you informed about the progress of your referral.
 Our promise is to acknowledge receipt of your referral immediately.
 An initial assessment of your referral will be carried out in 3 working days and you will be contacted.
 If your referral meets the criteria an officer from an appropriate lead agency will review your situation and agree the appropriate actions within 28 days.

Information Request Form

TBA