



Antisocial Behaviour Procedures Document

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Scope and purpose of this Procedures document

This document supports Cambridge City Council's [Our vision](#) statement and is intended to fulfil the requirements of the [Housing Act 1996](#) with regards to the publication of the policies and procedures of a local housing authority in relation to antisocial behaviour (ASB). It tells you how you can expect officers in the Council, who deal with ASB, to deal with reports made to them.

This document does not say what the guiding principles are in terms of the kind of service level and quality of service, or what we want our services to achieve for people experiencing ASB: these are covered in our Policy document.

The procedures described in this document mainly concern our landlord and Community Safety Partnership roles and so tend to say more about the work of our housing section (City Homes) and our 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.

We also have due regard to the [public sector Equality Duty](#), which requires us to consider all individuals when carrying out our day-to-day work: to ensure the elimination of discrimination, the advancement of equal opportunity and the fostering of good relations between different people. Further guidance on the public sector Equality Duty can be found on the [GOV.UK webpage](#) relating to the [Equality Act 2010](#).

How we categorise reports of antisocial behaviour

All reports of antisocial behaviour (ASB) made to the Community Safety Team are assessed (triaged) according to their seriousness, using the categorisation guidelines in the following table. How a report is triaged is an important judgement which may affect how quickly we deal with it, although we will always keep an open mind and alter the rating if we feel the seriousness has changed.

Antisocial behaviour categorisation table

Category	Definition	Response time ¹
High	<ul style="list-style-type: none"> □ Reports involving serious risk to individuals or the neighbourhood, which may include a serious threat of violence or other criminal activity (please see the note below). □ Reports where individuals with care and support needs² are involved. □ Reports, originally classed as ‘Medium’, where it now appears to the case officer that a more serious position has developed or may be developing. <p>Please note that incidents such as serious threats of violence or abuse, assault, violent criminal activity, drug dealing or hate crime must be reported to the police by either phoning 101 (999 in an emergency) or reporting online.</p>	1 working day
Medium	<ul style="list-style-type: none"> □ Reports of behaviour that is persistent or unreasonable and cannot be addressed by mediation (please see mediation details below): <p>By phone (where a Council tenant is involved): <i>Neighbour Relations Service – 0800 028 3866</i></p> <p>By phone (in all other cases): <i>Citizens’ Advice Bureau – 0344 848 7979</i></p> <p>Online: CAB advice on neighbour disputes</p> <p>GOV.UK advice on how to resolve neighbour disputes</p>	3 working days

¹ From initial report

² As set out in the [Care Act 2014](#)

Category	Definition	Response time ³
Low	<ul style="list-style-type: none"> ❑ Initial reports of disputes between neighbours or other neighbour nuisance that cannot be resolved by mediation (please see mediation details on previous page) <p>We will not get involved with incidents such as:</p> <ul style="list-style-type: none"> ❑ parking issues outside your home ❑ civil disputes between neighbours, for example over boundaries or shared driveways ❑ day-to-day noise, for example from washing machines, toilets flushing, vacuum cleaners, footsteps on floors ❑ neighbours' gardening or lawn-mowing ❑ DIY or car repairs (unless they are being done late at night or as part of an illegitimate business) ❑ ball games, children playing in public or communal areas, or youths gathering socially (unless they are causing a nuisance) ❑ barbecues, cooking smells, babies crying, the hours people keep or other lifestyle differences. 	5 working days

How we share information

Cambridge City Council, along with agencies, such as the police, fire and rescue service, and registered social landlords, use the secure, web-based E-CINS (Empowering-Communities Inclusion and Neighbourhood Management System) to manage casework and share information.

³ From initial report

Antisocial behaviour in the wider community

The Council's duty to help deal with antisocial behaviour (ASB) in the wider community arises from each of its three roles (i.e. that of landlord, environmental protection agency, and under its statutory obligation arising from the Crime and Disorder Act 1998) as explained in the Policy document. Officers from all three areas of responsibility will frequently work together, both on agreed projects and on specific reports as these arise, though the lead agency for co-ordinating community-wide activity is the Community Safety Team. ASB in the wider community will either have a housing-related element or be linked to a public space.

Dealing with children, young people and individuals with care and support needs

In the course of an investigation, an officer may come across a person whose welfare may raise concerns. Such people may have no direct connection to the matter under investigation, but it remains a duty for officers to ensure that these concerns are properly logged and passed to social services. For these purposes, an adult is classed as someone aged 18 years and over.

Initial action

- Lead officer will discuss their concerns with the designated officer and complete either an adult safeguarding referral form or child safeguarding referral form, as appropriate.
- Lead officer will copy the referral to the relevant safeguarding officer within the City Council.
- Lead officer will update E-CINS, where appropriate.

Assessing reports of antisocial behaviour (Community Safety Team)

Initial action

- Report of antisocial behaviour (ASB) received by the Community Safety Team (via phone, email or online report).
- Officer takes full details, obtains and records consent to record and share data, and checks E-CINS.
- If a report has already been opened on E-CINS, the officer records the incident as a separate report; otherwise a new report is opened.

Risk assessment

- Officer carries out a risk assessment, based upon the details provided, and notifies the senior officer.
- If a risk assessment has already been carried out, the officer is to check whether the new information changes the category and notify the senior officer.

Additional information

- If ASB involves criminality or hate crime, environmental issues or racial harassment; the police, Environmental Health Services and the Senior Community Safety Officer (Community Cohesion), respectively, are notified and further access given to the report on E-CINS, as deemed appropriate.

Allocating a lead officer

Categorisation

- Senior officer checks details of report on E-CINS and the risk assessment, where appropriate.
- If the category is “Low” and relates to a dispute involving a council tenant, the appropriate Housing Officer will lead.
- If the category is “Medium” or “High”, it will be referred immediately to an ASB Officer in the Community Safety Team.

Non-council tenants

- Where the antisocial behaviour (ASB) relates to a dispute involving a [Registered Social Landlord](#) tenant, a leaseholder, an owner-occupier, a private tenant or a landlord, the senior officer is to allocate the most appropriate lead officer, taking into account the categorisation and involvement of landlords and other agencies.

Street-based antisocial behaviour

- Where the ASB involves the wider community, the senior officer is to allocate the most appropriate lead officer, considering the categorisation and involvement of other agencies.

Temporary accommodation

- Where the ASB involves individuals in temporary accommodation, the senior officer is to allocate the most appropriate lead officer, taking into account the categorisation and involvement of other agencies.

Role of the lead officer

The lead officer will take responsibility for:

- ❑ Contacting and regularly updating the victim and any witnesses;
- ❑ Contacting and agreeing outcomes with the alleged perpetrator;
- ❑ Contacting and working with other agencies, as appropriate, to achieve a solution;
- ❑ Updating E-CINS; and
- ❑ Finalising the case, once all solution avenues have been explored.

Progressing a case and gathering evidence

If there is a likelihood that a case may go to court, the lead officer will need to gather good quality evidence. Lead officers may gather evidence by using one or more of the following:

- ❑ incident report forms;
- ❑ letter drops to the neighbouring area where antisocial behaviour (ASB) has been reported, asking non-leading questions;
- ❑ contact with other appropriate agencies, such as the police and Environmental Health service;
- ❑ photographs of the consequence of the ASB, such as broken property, fly-tipping, etc.;
- ❑ closed-circuit television (CCTV) systems⁴; or
- ❑ formal witness statements, especially in situations of harassment, threat or intimidation.

To tackle ASB effectively, victims and any witnesses must feel able to provide evidence in confidence and without fear. In serious cases, especially those which may end up in court, the lead officer will always consider compiling a witness impact statement detailing the effects of the alleged perpetrator's behaviour on the victim's life. This should be written to a standard that will allow it to be used as evidence in court.

Lead officers will ensure that any instructions to 3C Legal Practice will include full consideration of the needs of the victim, and will always advise victims of the final outcome of cases and of any measures aimed at preventing problems from recurring.

⁴ CCTV can provide good evidence but there are technical limitations (which lead officers should always explain to victims of ASB), strict privacy controls imposed by the law and the Corporate CCTV Code of Practice. The CCTV Shared Service controls a network of fixed monitored cameras and re-deployable cameras.

Initial checks

- ❑ Lead officer will contact the victim to establish basic facts of the complaint and explain the investigation procedure.
- ❑ Lead officer will check with other appropriate agencies and databases to establish whether any party involved may pose a risk to staff or others.
- ❑ Lead officer updates E-CINS.

Incident reporting

- ❑ Lead officer will make incident report forms available (either on-line or hard copy) to the victim and any witnesses in order to keep an accurate diary of incidents.
- ❑ Lead officer will agree with the victim and any witnesses the period over which the diary of incidents should be kept.
- ❑ Lead officer may decide to refer the case to the Problem Solving Group⁵.
- ❑ Lead officer updates E-CINS.

Contacting the alleged perpetrator

- ❑ Where the identity and contact details of the alleged perpetrator are known, the lead officer will make a judgement call as to whether to make contact with them early in the case or wait until the evidence-gathering period has concluded.
- ❑ Lead officer updates E-CINS.

Contacting the victim and any witnesses

- ❑ Lead officer will maintain contact with the victim and any witnesses in all cases to keep them up to date with developments that may occur.
- ❑ If there are cases where enforcement action has been started and any orders are due to expire (for example, a notice of seeking possession) the lead officer will, in discussion with the Community Safety Manager, alert any witnesses in the case, if appropriate to do so. This will be assessed on a case by case basis by the lead officer.

Dealing with alleged perpetrators

The lead officer must consider, in dealings with the alleged perpetrator, that they may require support themselves and that the antisocial behaviour (ASB) exhibited may be a consequence of underlying issues.

⁵ A group, consisting of representatives from the City and County Councils, the police, the Clinical Commissioning Group and providers of social housing, that meets monthly to discuss multi-agency solutions to ASB cases.

We also have due regard to our duty towards City Homes tenants who are at risk of homelessness under the [Homeless Prevention Duty](#).

Interview

- Lead officer will arrange to interview the alleged perpetrator, ideally in a Council office with a second person present (another council officer, police officer or specialist professional). If the interview is to be conducted at the perpetrator's home, all necessary risk assessment checks are to be carried out before visiting with a second person.
- Lead officer will provide the alleged perpetrator an opportunity to explain their version of events and account for the alleged ASB.
- Lead officer will record full notes of the interview and update E-CINS.

Further action

- Lead officer will consider all the facts and evidence from the alleged perpetrator and, balancing against the facts and evidence from the victim and any witnesses, agree the best course of action to remedy the antisocial behaviour (ASB).
- If there is no case to answer, both the alleged perpetrator and victim will be contacted and advised of this and a resolution by other means sought (such as, mediation).
- Lead officer updates E-CINS.

Closing cases

- Lead officer, where appropriate, will, in discussion with the Community Safety Manager, advise any witnesses that the case will be closed by the Community Safety Team. This is ordinarily because the case has been resolved by the action that has been taken. In some cases, it will not be appropriate to advise any witnesses of this. A judgement will be made by the lead officer and reasons for the decision noted on E-CINS.

Remedies

Our policy commits us to trying to reach a fair and lasting solution to ASB problems as quickly as possible. In most non-serious cases, we will start with low-level action and then, if this does not stop the problem or reduce it to a reasonable level, start to take increasingly stronger measures.

The Council (on its own or in partnership with other agencies) can deal with ASB problems in a variety of ways. The approach we will take in any individual case will depend on a large number of factors, in

particular whether the problem is housing-related, environmental or involves ASB in the wider community.

We are committed to using the tools and powers available to us under the law, according to our best professional judgement. However, legal remedies will usually take time, will be expensive and the solution may be beyond our control. Lead officers will explain to victims of ASB that if a case goes to court, it will be the Court and not the Council that will decide whether an action, like an injunction or eviction, is justified.

What follows is an example of *some* of the remedies available to the Council.

Written warnings

The Council will usually give a written warning rather than a verbal warning as there is a formal record, which may be used as evidence should further enforcement action be taken.

Written warnings will set out the details of the ASB and why this behaviour is not acceptable, including the impact on any victims or local community.

- Lead officer will, following investigation, decide to issue a written warning and write to the alleged perpetrator, detailing the nature of the antisocial behaviour (ASB) and what must be done to stop it. If the alleged perpetrator is a council tenant, the letter may detail any relevant breach of tenancy and the consequence of that breach.
- Lead officer will ask for the letter to be acknowledged and will set a time frame for resolution of the ASB.
- Lead officer updates E-CINS.

Acceptable Behaviour Contract

An Acceptable Behaviour Contract (ABC) is a formal written agreement in which the perpetrator acknowledges their behaviour and its effect on others, agreeing not to act antisocially in the future.

ABCs can be an effective way of dealing with antisocial individuals, especially where there are several problem behaviours. They can be very effective at tackling problem behaviours before they escalate.

The lead officer will, if possible, discuss the terms of the ABC with the perpetrator before they are drafted and signed, as this encourages compliance.

Although there are no formal sanctions linked to the refusal to sign an ABC, refusal may persuade a court that only a civil injunction or a criminal behaviour order will prevent the ASB.

The consequences of failure to comply with the ABC will be made clear in the document.

- Lead officer will consider whether the actions taken by the perpetrator concerned warrants the use of an ABC.
- Lead officer will notify the Chair of the Problem Solving Group (PSG) that a referral will be made to the next available meeting.
- Lead officer will bring all available evidence to the meeting for discussion, including details of any discussion with the perpetrator about the terms of the ABC.
- Where agreed, a smaller focus group will draw up an ABC for the relevant parties to sign.
- Lead officer will arrange to meet the perpetrator concerned, with an appropriate adult present where the perpetrator is aged between 10 and 18, and explain the ABC in detail.
- Once signed, the lead officer will update E-CINS and monitor compliance.

Neighbourhood Resolution Panel Scheme

The [Neighbourhood Resolution Panel Scheme](#) (NRPS) is a form of restorative justice. Restorative justice provides the victim with an opportunity to tell the perpetrator about the damage that their actions have caused and enables them to work with others to resolve the aftermath of the behaviour and its implications for the future.

The NRPS provides a restorative process that brings both victim and perpetrator into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and trying to find a positive way forward.

Referrals to the NRPS come from the police, the City Council, Registered Social Landlords and other agencies, and largely involve low-level crime and antisocial behaviour (ASB). The scheme focuses on

bringing parties together in a restorative meeting known as a 'panel', which is facilitated by trained volunteers.

A case is referred to the NRPS, once all parties have given their consent and have expressed a willingness to participate in a panel meeting. The perpetrator must also have accepted some responsibility for their actions. Potential referrals are considered on a case-by-case basis by the scheme co-ordinator, focusing on the specific circumstances of the case, the needs and wishes of the victim and associated risk assessments.

When a referral is accepted, the co-ordinator identifies two volunteers to work together to prepare participants and facilitate all aspects of the panel meeting. The panel meeting will take place in a neutral venue such as a community centre. Representatives from referring agencies may attend and participate.

The panel meeting is quite structured. The perpetrator is asked to explain their actions and is invited to listen to the views of the victim. All supporting parties are then given the opportunity to express their views. Once everyone has had their say, the volunteers will help the parties come to an agreement. This might be anything from a simple apology to a written undertaking or good neighbour agreement. Whatever is agreed by the parties is recorded in writing and signed by all those involved. Compliance with the agreement is monitored by the scheme co-ordinator and any non-compliance is referred back to the original referring agency to determine an alternative course of action.

- Lead officer will consider referral only if both parties agree to participate and there is a perpetrator who has not participated in restorative justice for the same or a similar matter, or is not a prolific and priority offender or prolific young offender.
- Lead officer assesses the risk based upon any disabilities, substance misuse or history of intimidation, victimisation, violence or aggression. Only low or medium risk cases can be referred.
- Lead officer completes a referral form and submits this together with signed consent forms and risk assessment.
- Scheme co-ordinator will consider referral and notify the lead officer accordingly.

Notice of Seeking Possession

Where a council tenant has broken the terms of their tenancy, the Council can, in appropriate cases, take action to evict them. The process that the Council follows is different depending on whether the tenancy is Introductory, Secure, Flexible or Demoted.

The first formal step in possession proceedings relating to a secure tenancy is for the Council to send the tenant a Notice of Seeking Possession (NoSP). This will set out clearly the behaviour that the Council is saying breaks the terms of the tenancy and will tell the tenant the date after which court proceedings may be started. A NoSP lasts for 12 months.

- ❑ Where a lead officer considers it appropriate to serve a NoSP, they must make a referral to the Tenancy Enforcement Panel (TEP).
- ❑ Lead officer will notify the Chair of the TEP that a referral will be made to the next available meeting.
- ❑ Lead officer will bring all available evidence to the meeting for discussion.
- ❑ Where agreed, the lead officer will liaise with 3C Legal Practice to begin the process of drawing up a NoSP.
- ❑ Once obtained, the lead officer will serve the NoSP, update E-CINS and monitor compliance.
- ❑ Lead officer may, in discussion with the Community Safety Manager, alert any witnesses in the case when a NoSP is due to expire, if appropriate. This will be assessed on a case-by-case basis

Demotion Order

A Demotion Order ends a secure tenancy where the tenant or a person residing in or visiting the property has engaged or threatened to engage in housing-related antisocial behaviour. The effect is to put back or 'demote' the tenant to a new tenancy, along the lines of an introductory tenancy, for a period of one year. Once the period of one year has expired, the tenancy reverts to secure tenancy unless an order for possession has been sought in the interim.

An application for a Demotion Order is made to the County Court under the [Housing Act 1985](#). A Demotion Order cannot be applied for until a Notice of Intention to apply for a Demotion Order has been served on

the tenant. These Notices are authorised by the Tenancy Enforcement Panel⁶ (TEP).

- ❑ Where a lead officer considers it appropriate to serve a Notice of Intention to apply for a Demotion Order, they must make a referral to the TEP.
- ❑ Lead officer will notify the Chair of the TEP that a referral will be made to the next available meeting.
- ❑ Lead officer will bring all available evidence to the meeting for discussion.
- ❑ Lead officer will work with 3C Legal Practice on the wording and evidence for the Notice of Intention.
- ❑ A Notice of Intention is obtained and served. The 28-day period for court proceedings for a Demotion Order starts on the date the Notice is served.
- ❑ The tenant may apply (within 14 days of the date the Notice was served) for a formal review of the decision to serve a Notice.
- ❑ Any requests for a formal review must be discussed with senior line management, as a set procedure must be followed.
- ❑ If no appeal is received, the lead officer considers whether the Notice of Intention has influenced the ASB. If there has been no positive effect, the lead officer will work with 3C Legal Practice to seek a Demotion Order.
- ❑ Where a Demotion Order is applied for and granted by the County Court, it is served on the tenant and compliance is monitored for the period of one year following the demotion.
- ❑ If the behaviour has been modified to the satisfaction of the lead officer within the year, a referral is made to the TEP to restore the tenancy to a secure tenancy (with conditions, if deemed appropriate).
- ❑ If the behaviour has not been modified and reports of antisocial behaviour (ASB) are still received, the lead officer will consider (in discussion with senior line management and 3C Legal Practice) serving a Notice of Proceedings for Possession.
- ❑ Lead officer updates E-CINS throughout the process.

The procedures for the following powers (excepting Absolute Ground for Possession, which is covered by separate guidance) are covered in the Home Office's [Statutory guidance for frontline professionals](#) (Revised in January 2021):

- ❑ Civil Injunction

⁶ A panel of senior officers and legal advisors from the city council that meet monthly to review, advise and approve enforcement action with regards tenancies.

- ❑ Criminal Behaviour Order
- ❑ Community Protection Notice
- ❑ Public Spaces Protection Order
- ❑ Closure power

Community trigger

The community trigger (formally called an ASB case review in the [Anti-social Behaviour, Crime and Policing Act 2014](#)) can be used where a victim has reported incidents of antisocial behaviour⁷ (ASB) repeatedly to agencies and yet the problem persists. The victim feels that either no action or inadequate action has been taken to address the problem and so requests a review of their case. The purpose of the community trigger is to 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: it is not a complaints procedure.

The community trigger can be used by the victim of ASB or any person acting on their behalf, such as a family member, friend, carer, councillor, MP or other professional person, if they have the victim's consent. The victim can be an individual, a business or a community group and there is no age limit.

Monitoring our service

The Council is committed to delivering a good quality antisocial behaviour service. Our aim is to continually improve the way we work and to acknowledge, and try to learn from, the occasions when the service fails to meet expectations.

Complaints

We aim to provide a good quality service and so we always want to know when we have fallen short of the standards you have a right to expect from us. Responding to reasonable complaints is an important and welcome part of our service improvement process.

⁷ For the purposes of the "community trigger", antisocial behaviour is defined as "behaviour causing harassment, alarm or distress to members or any member of the public".

We will try to resolve any complaint about the Community Safety Team as quickly as possible at an appropriately high level. If this is not possible, or if the complaint is very serious, it will be investigated at senior management level and then by an independent investigator. If the complaint still remains unresolved it can then be taken to the Local Government Ombudsman.

Details about the Council's complaint procedure can be found on our [website](#).

The document is owned by, and will be reviewed by:

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