



# Investigation into the process for dealing with anti-social behaviour complaints



**Report January 2019**

**Rotherham Federation**



Contents		Page No.
1.	Background	3
2.	The panel	5
3.	Terms of reference	5
4.	Methodology	7
5.	Thank yous	9
6.	Summary of evidence received, panel views, and recommendations:	
	6.1 Cost of ASB	10
	6.2 Procedure	13
	6.3 Partnership working	27
	6.4 Staff training	29
	6.5 Prevention work	31
7.	Summary of all recommendations	32
8.	Appendices	34

## 1. Background

Rotherham Federation Tenant Scrutiny was formed in April 2016. Tenant Scrutiny provides an opportunity to build an effective partnership between Rotherham Council's tenants and their landlord in the spirit of co-regulation, resulting in a joint-win for all. This process is used to challenge landlords' services and standards with the aim of improving performance, value for money and tenant satisfaction.

This is the third report of the Rotherham Federation Tenant Scrutiny panel following an investigation into the processes for dealing with anti-social behaviour complaints.

### Choice of topic

The STAR survey 2017<sup>1</sup> found that Anti-Social Behaviour (ASB) is becoming more of a priority for Rotherham Council tenants:



The only other service which increased in priority for tenants during this time was 'value for money' (up by 4%).

11% of Council tenants had reported ASB in 2017; 62% of these reported to Housing (others had reported to Police 24% and Environmental Health 10%). However, following their experience, **only 60%** would be willing to report ASB again (similar to 2016).

The key drivers found from the STAR survey for tenant satisfaction with the ASB service were the speed of investigation, being kept up to date and keeping to an action plan. Least important to respondents were the support and advice from staff and their responsiveness.

Through benchmarking against other similar housing providers it was found that the number of ASB cases in Rotherham **tripled** between 2014/15 and 2016/17. Further detail of this increase can be found in section 6.1.

1. STAR survey - Tenant Satisfaction Survey 2017 Prepared for: Rotherham Metropolitan Borough Council' BMG Research, 2017

## Impact of Anti-Social Behaviour

Many research studies have found that ASB has a significant negative impact on an individuals' wellbeing. The majority of people report a major impact on their everyday lives, ranging from fear and anger, to depression and a loss of confidence. Numerous people feel that they cannot sleep and consider moving home to escape the ASB.

Comments received from our telephone study included:



## Types of Anti-Social Behaviour

Although outside the scope of this investigation, it is worth noting that the Rotherham Council tenancy agreement was refreshed in 2018. The agreement details the responsibilities around nuisance and anti-social behaviour, listing examples of what constitutes both nuisance and harassment.

The top three reasons for ASB complaints being made to Rotherham Council have remained the same since 2015/16:

1. Gardens
2. Noise
3. Harassment

## 2. The panel

The panel was made up of representatives of various Tenant and Resident Associations across Rotherham:

David Ramsden (Chair)

Stuart Mayo

Ann Hitchens

Shirley Dingwall

Mary Jacques

Pete Deveau

Lilian Shears

Winnie Billups

Officer support was provided by:

Louise Robinson, RMBC Performance and Data Analyst

Asim Munir, RMBC Tenant Involvement Coordinator

Steve Ruffle, Rotherham Federation Chief Executive Officer

Rebecca Morrison Project Solutions

## 3. Terms of reference

**Aim: To investigate the process for dealing with anti-social behaviour complaints including accessing the service, the support that is provided and the outcomes that are delivered.**

### Objectives:

- To consider the prevention work that takes place across Rotherham to reduce the incidence of anti-social behaviour \*
- To map the process of making a complaint about anti-social behaviour, including points of access
- To clarify when and how Council staff become involved in anti-social behaviour cases and how they work with partners
- To consider how the Council checks satisfaction with the service received and if improvements could be made
- To consider geographical differences in satisfaction with the process and with outcomes for anti-social behaviour complainants
- To check on any reasons for tenants to be dissatisfied with the anti-social behaviour services offered
- To look at other areas for evidence of good practice and decide if this would be appropriate in Rotherham

\* Although the panel intended to investigate preventative work, this was not completed due to time being spent focussing on increasing tenant satisfaction with the ASB process.

### Scope:

It was agreed that the panel would *not* investigate:

- The changes to the tenancy agreement that have been made as regards ASB; and
- Police matters which are not housing- related.

### Measures of Success:

The panel measured its success against the original objectives by ensuring that:

- The views of Rotherham residents on anti-social behaviour had been considered and reported to the Council.
- Suggestions had been made on how to improve the service delivered for all residents and tenants.

There was some disappointment expressed by the panel that the depth of the investigation was hindered by the lack of any police presence at the tenant scrutiny meetings, despite several invitations being made.

The panel were also concerned that, following an invitation to all 63 Councillors to a specially focussed meeting, only one Councillor attended.

### Benefits

**For tenants:** Improved anti-social behaviour processes and options available to complainants leading to improved community cohesion and reducing anxiety for residents.

#### For the Council:

- Less anti-social behaviour cases particularly repeat complaints.
- Higher satisfaction levels across anti-social behaviour complainants.
- Better value for money for the services provided.

## Risks

The panel acknowledged the following risks when embarking on this investigation:

- Ideas from other areas may already have been tried by Rotherham.
- The STAR survey information may be offering misleading data, with little improvement to be made.
- The cost of making any suggested changes to the service may be prohibitive.

## 4. Methodology

The panel's investigation took place between April and December 2018. The investigation consisted of:

### 4.1 Meetings

a) The panel interviewed representatives of senior management, housing teams and the ASB team within Rotherham MBC. The meetings focussed on:

- ☒ The ASB procedure document
- ☒ Complainant support
- ☒ Partnership working with other teams and agencies
- ☒ Enforcement options
- ☒ Monitoring of standards across teams
- ☒ Staff training
- ☒ Measuring and responding to customer satisfaction feedback
- ☒ Benchmarking data

b) Councillors were invited to attend one of the panel meetings to share their views on the handling of ASB cases and the feedback that they receive from their wards. This included discussion of the reporting system, handling of complaints and tenant experiences of the service as a whole.

c) Other panel meetings focussed on considering information from Rotherham Council and other housing providers and collating the information received from tenants.

### 4.2 Surveys

Telephone conversations were held with 21 tenants who had previously reported ASB. The survey focussed on those cases that were closed in May and June 2018. Approximately 200 cases were closed each month and the panel agreed that we should aim to communicate

with 5% of the complainants each month. Some difficulty was experienced in contacting each cohort with approximately 36% not answering the 'phone; 14% being wrong telephone numbers; and 11% not being willing to speak about the service.

The survey focused on:

- ☒ Their experience of reporting ASB
- ☒ The time taken for an officer to contact them
- ☒ Whether it was explained to them what would happen next and how often they would be updated about their case
- ☒ The quality of help, support and information received
- ☒ How often they were contacted
- ☒ Their satisfaction/ dissatisfaction with the service and views on how it could be improved
- ☒ If they would use the service again

The full survey can be viewed in Appendix A.

### 4.3 Benchmarking

An exercise took place to compare Rotherham MBC to other similar and local housing providers that were included in the same Housemark benchmark group:

<b>Housing Provider</b>	<b>Number of homes (1,000s)</b>	<b>Tenant Satisfaction with handling (%)</b>	<b>Tenant Satisfaction with outcome (%)</b>	<b>Tenant Satisfaction Overall for all services (STAR Survey)</b>
Rotherham	20	<b>No data however STAR survey reports 46%</b>	<b>No data however STAR survey reports 46%</b>	83
Barneslai	18.5	No data	No data	91
Kirklees	22.5	No data	No data	81
St Leger	20	No data	No data	91
Blackpool Coastal Homes	4.7	<b>88.2</b>	<b>94.1</b>	89
Cheltenham Borough Homes	4.5	<b>98.9</b>	<b>97.7</b>	86
Gateshead Housing co.	19.5	<b>98.7</b>	<b>98.3</b>	84
Hull City Council	24	<b>97.3</b>	<b>96.2</b>	88.4



Nottingham City Homes	28	<b>86.5</b>	<b>77.7</b>	89
South Essex Homes	6	<b>98</b>	<b>99</b>	95.5
Sutton Housing	6	<b>97.2</b>	<b>86.1</b>	87.6
Wigan and Leigh	22	<b>99</b>	<b>97</b>	90
Wolverhampton Homes	20	<b>98.7</b>	<b>98</b>	83.6

The providers that were showing best performance across ASB and were of a similar size to Rotherham were contacted for further information:

- ↳ Gateshead Housing
- ↳ Hull City Council
- ↳ Nottingham City Homes
- ↳ Wigan and Leigh Council
- ↳ Wolverhampton Homes

## 5. Thank yous

Panel members are grateful for the contributions made to their investigation by representatives of the Council In particular:

Councillor Jeanette Mallinder

**Council officers:**

Sam Barstow

Paul Walsh

Richard Tomlinson

Will Padfield

Jo Russell

Paul Brewster

Jenny Swales

Further thank yous go to:

The Customer Inspection Service volunteers for carrying out the mystery shopping testing.

All the people who were willing to respond to the telephone survey. Their time and views contributed greatly to the success of this investigation.

## 6. Summary of Evidence

### 6.1 Cost of ASB

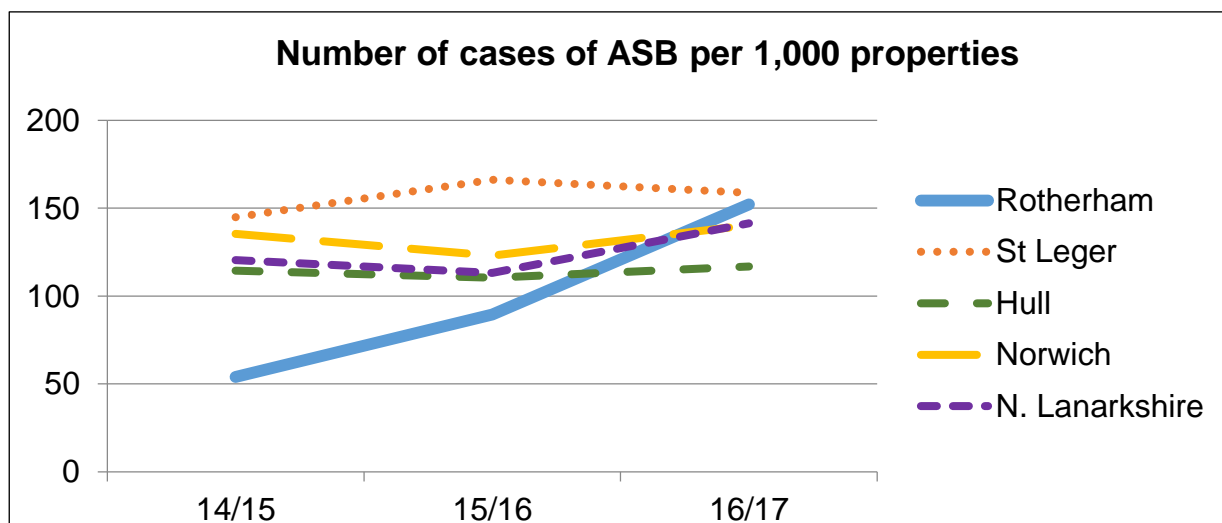
#### Benchmarking costs

2016/17 performance for Anti-Social Behaviour (ASB) cases in Rotherham was benchmarked against 37 similar housing providers. This found that:

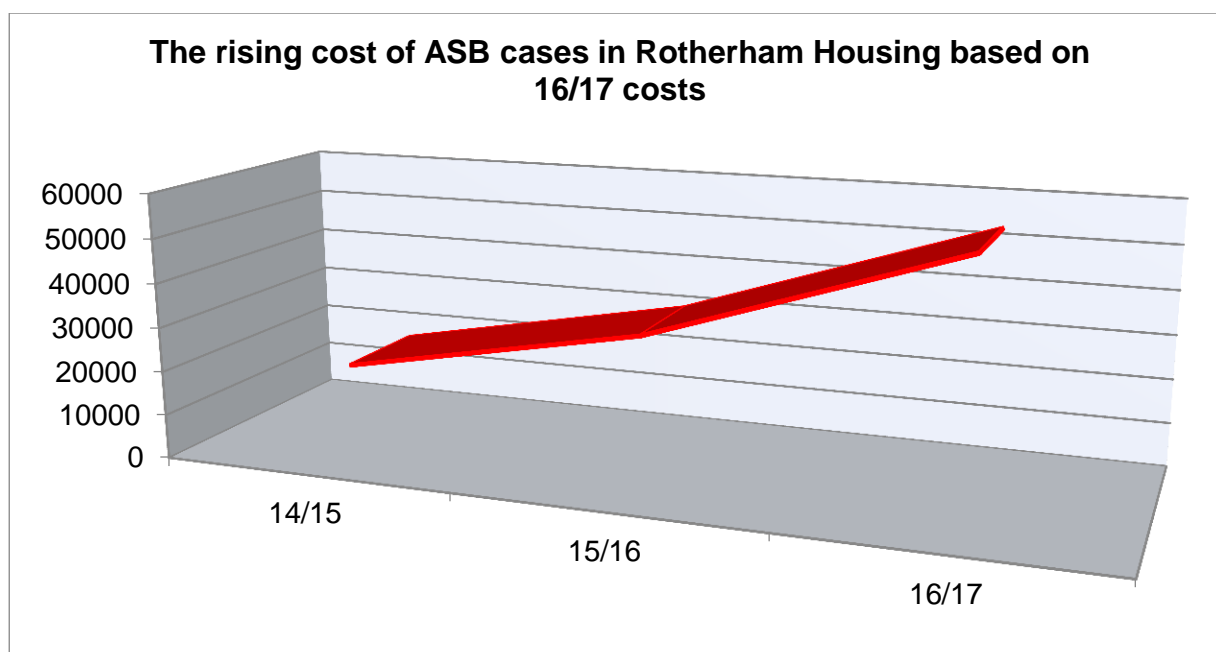
✎ The total cost per property for ASB was £77.34 in Rotherham which ranked the Council **the worst** in the benchmark group

✎ The cost per ASB case was £361.64 which ranked Rotherham **one of the best** (seventh).

It was concluded from this information that the high total cost must be due to the large numbers of ASB cases.



Looking back over two years, it was found that the number of ASB cases in Rotherham had almost *tripled* during this time period, rising from 53.89 per 1,000 properties in 14/15 to 152.08 in 16/17; whereas other providers had handled a consistent number of cases over the same period.



The rise in cases is the equivalent of £35.5k additional service cost (based on the 2016/17 average cost per ASB case).

The reason for the increase in cases was explored with officers, who stated that the awareness of ASB amongst Rotherham residents had improved during this period.

### Breakdown by area

	NORTH LOCALITY		CENTRAL LOCALITY		SOUTH LOCALITY			Total
	WN	WS	RN	RS	WV	RVW	RVS	
Number of Properties	3,390	3,855	4,261	3,438	1,589	2,203	1,526	<b>20,262</b>
17/18 ASB	576	636	763	489	263	289	113	<b>3,129</b>
17/18 ASB as percentage of homes	17%	16.5%	17.9%	14.2%	16.6%	13.1%	7.4%	<b>15.4%</b>
16/17 ASB	571	606	772	431	224	344	99	<b>3047</b>
16/17 ASB as percentage of homes	16.8%	15.7%	18.1%	12.5%	14%	15.6%	6.5%	<b>15%</b>
15/16 ASB	288	311	326	202	147	160	86	<b>1520</b>
15/16 ASB as percentage of homes	8.5%	8.1%	7.7%	5.9%	9.3%	7.3%	5.6%	<b>7.5%</b>

The breakdown on ASB cases by area from 2015/16 to 2017/18 found that:

- ASB reports in *Rotherham North* more than doubled between 15/16 and 16/17
- The largest increase in ASB between 16/17 and 17/18 was seen in *Wentworth Valley* (2.6%)
- The only area where ASB reduced between 16/17 and 17/18 was Rother Valley West
- ASB in Rother Valley South has remained consistently low across all years.

---

## PANEL VIEWS:

- ✎ Panel members were concerned at the increase in ASB cases in Rotherham when other areas had remained fairly constant.
- ✎ They also wondered if there was a problem with data collection prior to 15/16 as the issues reported in Rotherham were so much lower than other comparable areas.
- ✎ The panel noted that Rotherham North was the most dissatisfied in the STAR survey and that this is the area that had seen the greatest increase in ASB cases at that time.
- ✎ The explanation of increased awareness of ASB leading to an increase in reporting is unlikely to be the only reason for the rise in complaints; many people say that they struggle to access the service or know how to report ASB. The panel wondered if there were under-lying issues such as estate management and lack of pro-active work in some areas.
- ✎ The panel was concerned that the increase in cases may have led to officers being unable to be as thorough with their investigations leading to a lower rate of satisfaction.

---

## Recommendation

### React to the increase in the number of ASB cases

Carry out further analysis on the reasons for the steep increase in the number of ASB cases over the past two years and resolve any issues resulting from the increased workload for housing teams.

## 6.2 Procedure

### Process management documentation


The procedure currently in use by Rotherham Council Housing teams is '*Managing Anti-Social Behaviour – Process Management Document*'. The document was written in June 2014 and includes sections on legislation, roles and responsibilities and process guidance.

However the legislation referenced in the document includes the *Crime and Disorder Act 1998* and does not incorporate the more recent legislation; *Anti-Social Behaviour, Crime and Policing Act 2014*. The latter came into force in March 2015 and was followed by subsequent Government guidance.

All Rotherham Council officers interviewed as part of the investigation agreed that the process management document is out of date and needs urgent revision to reflect the changes in national legislation and guidance. Representatives also agreed that document review would be useful to agree a set of principles for investigation of ASB across all agencies including behaviours of those carrying out investigations.

---

#### PANEL VIEWS:

 The panel agreed that the document needs urgent review as it does not reflect current legislation or working arrangements.

---

#### Recommendation

##### Revise the policy and procedures

Revise the Anti-Social Behaviour policy and procedure document to reflect changes in national guidance and the findings of this investigation. Consideration should be given to a joint document between Council teams including Housing, ASB and Environmental Health teams.

### Reporting the complaint

ASB complaints can be received by the housing teams through:

- Telephone calls or emails to the Contact Centre
- Direct calls/ emails to teams when contact details are known
- Referrals from other Council teams and Councillors (usually via the Contact Centre)
- Referrals from police and other partner agencies

The STAR survey found that only 62% of housing-related ASB was referred directly to the housing team, the remainder coming through other agencies.

Survey also found that **21%** of respondents found it difficult to access the ASB service.

Receiving complaints through the Contact Centre is thought to provide some protection for both complainant and staff as telephone conversations are recorded.

*Customer Experience*

The panel survey and testing of the different methods of reporting ASB found:

- *Telephone* - The Contact Centre is reported to have waiting times of up to 30 minutes and the survey found that some people viewed the cost of waiting on the telephone too expensive.
- *Email* – Not everyone has access to email and many do not have the skills to use computers. Tenants reported that public computers in libraries etc. were often out of order. Responses to email are much slower than by telephone.
- *Website* – There is an online reporting form available on the website. Customer testing on the whole found the information and form to be excellent/good. There was just one issue with having to hunt around for information on what constituted an ASB issue. However online reporting is again not suitable for people who struggle to use computers.

The service complaints in April 2018 included one which was upheld concerning the failure to log an ASB issue on two separate, consecutive occasions.

*Example of Good Practice – Wolverhampton Homes*

Wolverhampton operates a single city-wide hotline telephone number for all ASB reports.

In Rotherham all ASB complaints received by the housing teams are logged on the Civica database. Once received the complaint is assessed for priority with a response time of up to one day for serious cases through to seven days for less serious. Response times are monitored through Civica.

---

## PANEL VIEWS:

- ✍ The panel was concerned with the evident difficulties that people experienced in reporting housing-related ASB to the right place first time.
  - ✍ It was clear that methods of contacting the council other than through the customer service centre were available and used by some people. However there was concern over access and training in the use of IT for residents. There was a feeling that people felt more valued and confident if they had reported by telephone.
- 

### First contact with the complainant

An acknowledgement letter is sent immediately to all complainants and arrangements made to obtain further evidence from the complainant i.e. nuisance monitoring forms. First contact can be made over the telephone, at the complainant's home address, or on neutral ground if they feel this to be more appropriate.

Officers reported that the first contact with a complainant can be difficult due to restrictions in sharing information about the perpetrator due to the legislative constraints of the General Data Protection Regulation (GDPR) 2018. For example they cannot share with the complainant if the perpetrator is suffering from any mental health condition or if they have a previous history of ASB offences.

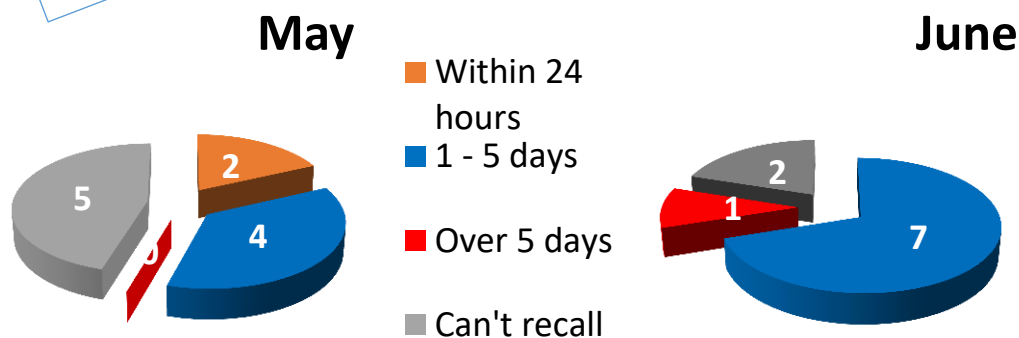
Once full details of the complaint have been taken, it is usual for nuisance monitoring forms to be left with the complainant for a period of time. If they are unable to write there are other options available to them such as asking someone else to write things down or the use of a dictaphone. Officers reported that complainants are frequently unwilling to give too much detail and to complete monitoring forms.

An explanation is given of what will happen next and the details of any appropriate support agencies may be left with the complainant.

Respondents to the tenant telephone surveys in May and June received contact within the required standard. Only one person said that it took longer than the specified five days:

Telephone survey results

## How long to be contacted?

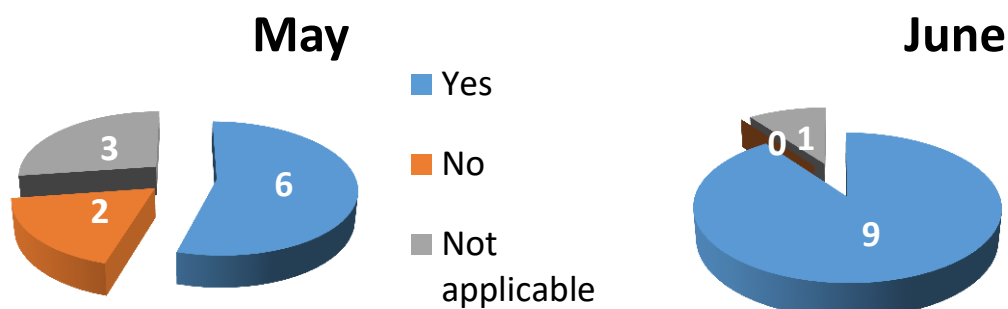


When compared to other housing providers, Rotherham Council's response times are fairly average although four well-performing providers promised responses within two to three days for all alleged ASB:

Housing Provider	Response times		
	Hate crime/ violence	Alleged drug dealing/ noise etc.	Neighbour disputes/ land use
Rotherham	1 working day	5 working days	
Berneslai	1 working day	3 days	
St Leger	1 working day	2-5 days	5-10 days
Gateshead Housing co.	24 hours	3 days	
Hull City Council	1 working day	2 days	
Nottingham City Homes	5 days		
Wigan and Leigh	Immediate	2 days	

Telephone survey results

## Did the housing officer explain what would happen next?





The majority of people responding to the telephone survey said that they **did** receive an explanation as to what would happen next. However two people responding in May said that they had **not** received this information.

### Keeping in touch

The procedure document states that the complainant will be updated every two weeks and goes on to point out that this is '*particularly important to the customer*'. Contact can be made either by 'phone, email or visit. If the case is more serious contact may be more frequent.

Officers stated that contact could not be made with all their complainants every two weeks due to their workload; each officer had approximately 40 cases ongoing at any one time. There is a commitment from senior management to outsource some of the other housing officer duties, such as fire alarm testing, to other staff to allow more time for ASB investigations and other important issues.

If a complainant wishes to contact the housing officer at any time during the investigation they must go through the Contact Centre which often means queuing for some time. Mobile phone numbers are not given out by housing teams (although mobile phone numbers are given to complainants in touch with the Anti-Social Behaviour team).

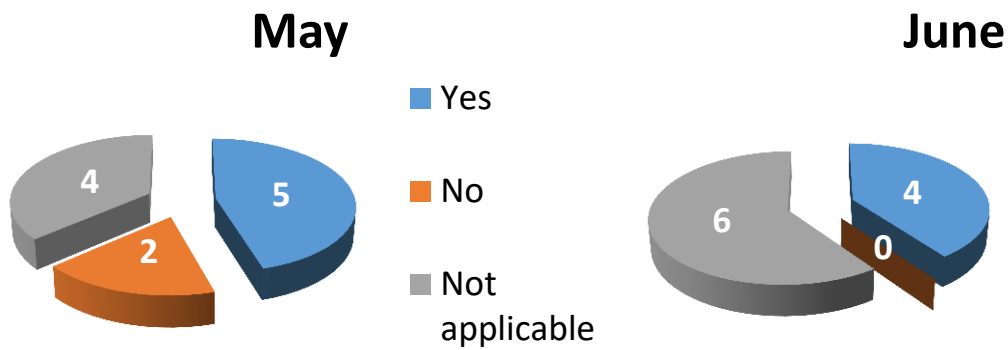
There is also a text facility available for complainants to use but officers explained that texts are received by one device which is not always monitored; people using this service may experience a delay in receiving a response.

### STAR survey

From the STAR survey, the most important driver for satisfaction with ASB came from **the officer keeping in touch and keeping to an action plan** about their complaint.

Telephone survey results

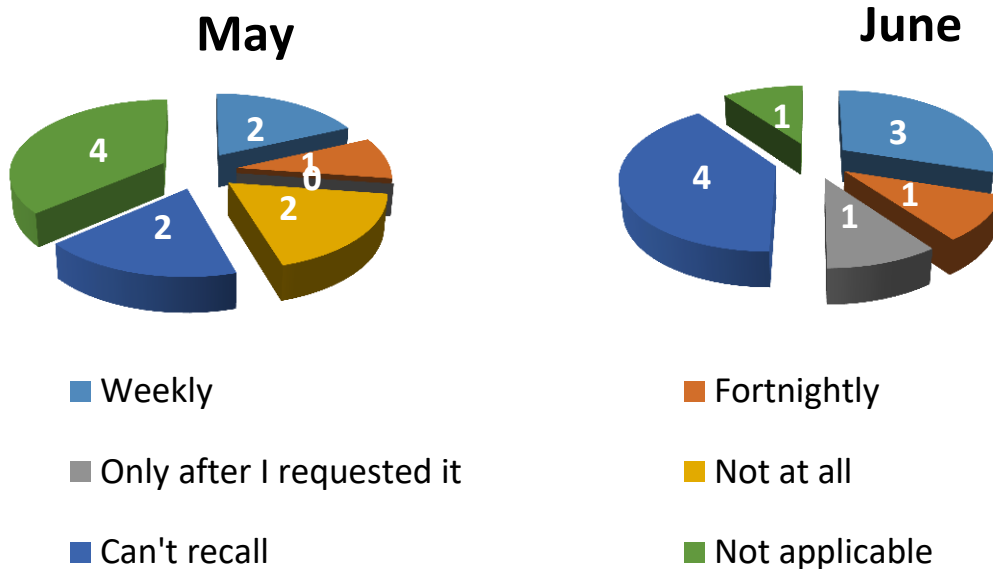
### Did the officer agree how often they would keep in touch?



Two (9.5%) of the respondents said that the officer hadn't agreed how often they would stay in touch.

Telephone survey results

### How often did the housing officer contact you?



Two of the May respondents said that the officer hadn't contacted them at all and one of the June respondents had only been contacted after they had requested it.

---

## PANEL VIEWS:

- ✎ The panel were happy with the first contact times achieved by housing officers.
  - ✎ They were concerned however that some people were reporting that the frequency for 'keeping in touch' was not agreed and that they had not been contacted during the investigation.
  - ✎ They were further concerned that it can be difficult for complainants to speak directly to housing officers if they wish to discuss progress with their case.
  - ✎ Panel members wondered if the increase in ASB cases being reported had led to officers not being able to keep in touch as they would wish and in line with the procedure document.
  - ✎ There was a strong feeling that improvements could be made to the first contact conversation by using a support plan similar to the one used in Hull.
- 

## Investigation

On speaking to the perpetrator, officers will explain the complaint and the impact that their behaviour is potentially having. They will also assess if there is some support available for the perpetrator to help to prevent them from committing further ASB e.g. social services

Most perpetrators are contacted and then sent a warning letter. Officers stated that up to five warning letters can be sent (whereas the procedure document states just two). A lot of issues can be resolved by quoting the tenancy agreement i.e. you signed to say you wouldn't cause a problem and we can evict you if you do.

Some form of restorative justice may be offered whereby the perpetrator can make amends for the offence they have committed. This can be in the form of mediation, reconciliation or community service. Mediation can sometimes resolve lower scale issues e.g. if the neighbours have previously had a dispute and it is a minor issue.

The vast majority of cases are resolved informally.

Other more formal options can be followed as required such as notices stating what the person can and can't do; non-compliance with the notice is a criminal offence. Injunctions and closure notices are also available. The more serious cases, where there is strong evidence of an offence, are transferred to the ASB team for investigation.

Eviction is an unlikely option in most cases as the process must show that the perpetrator has been supported in all ways possible before eviction takes place. Even after eviction there is still a duty to re-home the perpetrator.

## Closing the investigation

In 2017/18 it was reported by the housing management team that 99.89% of ASB cases were resolved.

Standard procedures anticipate that most ASB cases will be investigated and completed within three months. This is not however the case with those issues that are referred through to the ASB team; some of the more complicated cases can continue for years. Officers reported that many delays are experienced due to the availability of court dates (approximately 25% of cases investigated in the ASB team subsequently lead to legal proceedings).

### STAR survey

The STAR survey found that only 48% of respondents were happy with the time that it took to complete their ASB case investigation.

Housemark – Satisfaction with case outcomes					
Year	Satisfaction level for Rotherham	Best performing	Median of providers	Worst performing	Rank in benchmark (from 143)
14/15	74%	91%	81.8%	67.7%	88
15/16	No data	96.5%	82.88%	62.98%	No data
16/17	No data				

The satisfaction level amongst ASB complainants in Rotherham is between the median and the lower quartile of the benchmark providers

Housing officers reported that they will usually speak to all complainants by 'phone or visit and check whether they are happy to close the complaint. A letter is sent out to confirm this along with a satisfaction survey. The case file is then left open for another four to five weeks to allow for any early recurrence following closure. If the ASB starts again beyond this time a new case is opened.

Officers also reported that the Civica IT system will easily allow cases to be closed without resolution. Also if there is any difficulty contacting the complainant, the case can be closed without consulting them. There were some informal comments made during the telephone surveys that people were disappointed to just receive a letter to close the case rather than having the opportunity to discuss it.

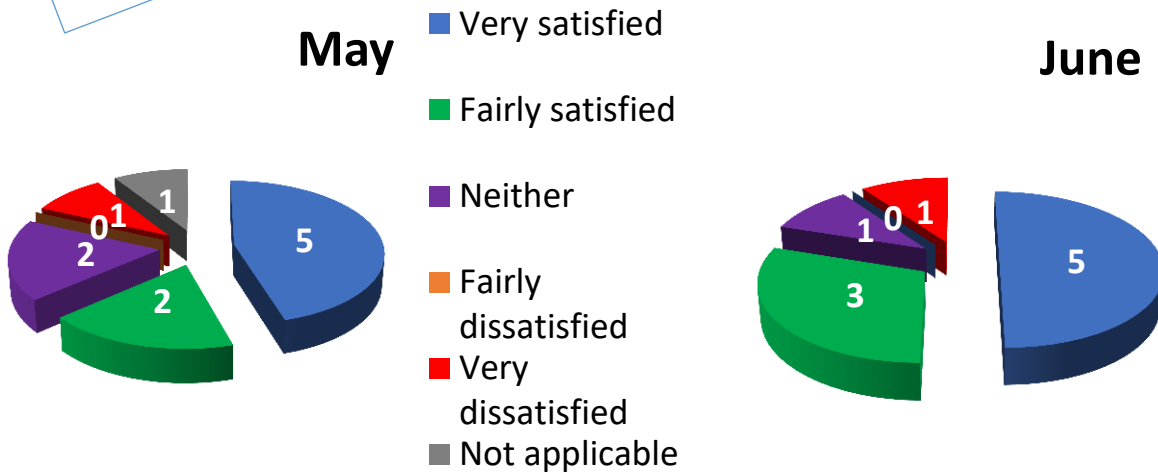
Housing Managers carry out follow-up conversations with a random sample of complainants to check on their experience and their satisfaction with the handling and outcome of the case.

Telephone survey results

## Satisfaction with outcome

May

June



From the telephone surveys, 4 from the 11 (36%) respondents in May and 2 from the 10 (20%) respondents in June were not satisfied that the case was closed. Comments made were:

'Nobody let me know the outcome'

'all went quiet for a little while but started again now; we can't sleep'.

'received a letter saying nothing could be done. I'm at the end of my tether'.

'I completed the survey asking someone to contact me but no-one has. I feel like nobody listens.'

'it's a continuous cycle – I report, it gets better for a bit then it's just as bad; it's never been fully resolved'

'They said the case was closed but it's still happening'

## Example of Good Practice – Gateshead Council

Service standards for ASB are available online, letting tenants know the level of service that they can expect. This includes a commitment to customers to:

- ✓ Begin investigating and acknowledge the complaint within 24 hours for hate crime, domestic abuse, hoarding, serious criminality, violence or aggression to employees, and three working days for other all other categories
- ✓ Provide a case reference number, and advise of the name of the investigating officer
- ✓ Agree what actions will be taken and how to feed back to complainant, and offer relevant support
- ✓ Talk to the customer before closing the case and follow this up in writing.

---

### PANEL VIEWS:

- ✎ Panel members were disappointed that over 25% of the telephone survey respondents commented that they were not sure that the case was closed and were not happy with the result of the investigation.
  - ✎ There was concern that officers had previously been encouraged to complete cases within three months as this may prevent a full investigation being carried out. Having said that, there was a feeling that it need to be made clearer to complainants how long cases could take; so reducing disappointment if the investigation seemed to take a considerable length of time.
  - ✎ It seemed strange to the panel that the Civica IT system would allow cases to be closed without resolution.
  - ✎ Panel members agreed that the closure of complaints should *a/ways* be discussed with complainants first before sending out a letter. There were too many responses to the telephone survey that reported not knowing why the case was closed.
  - ✎ Whereas the panel were pleased that a customer survey is sent with every closure letter, there was a feeling that the letter should also make it clear to recipients how they can complain if they are not happy with the result/closure.
  - ✎ It was noted that one of the telephone survey respondents had asked someone to contact them when they completed the survey, but they had received no contact since.
  - ✎ The length of time for an ASB case to be taken through the courts was concerning to the panel; particularly as this applies to a quarter of the cases that are referred to the ASB team.
  - ✎ The panel was particularly uneasy about cases only being left open for a month following the closure letter. It was felt that a lot of ASB does go quiet for a while but can recommence several months later. The panel did not feel it was fair to start the investigation all over again after only a month, particularly as two of the telephone survey respondents had commented about recurring ASB after a period of quiet.
-

### Keep people better informed

Revise documentation and procedures to make sure that complainants are kept better informed of the investigation taking place including:

- Provision of a 'personal plan' at the start of each investigation stating how often the complainant will be contacted and any support that is available. The plan should be mutually agreed by both parties.
- The letter at the end of the investigation to inform the complainant of how to they can complain if they are unhappy with the decision to close the case.

### Review the time period for closure of ASB cases

- Review the time period for closure of ASB cases with a view to extending the time allowed for complainants to report the same issue without recommencing from the start of the procedure.

### Managing expectations

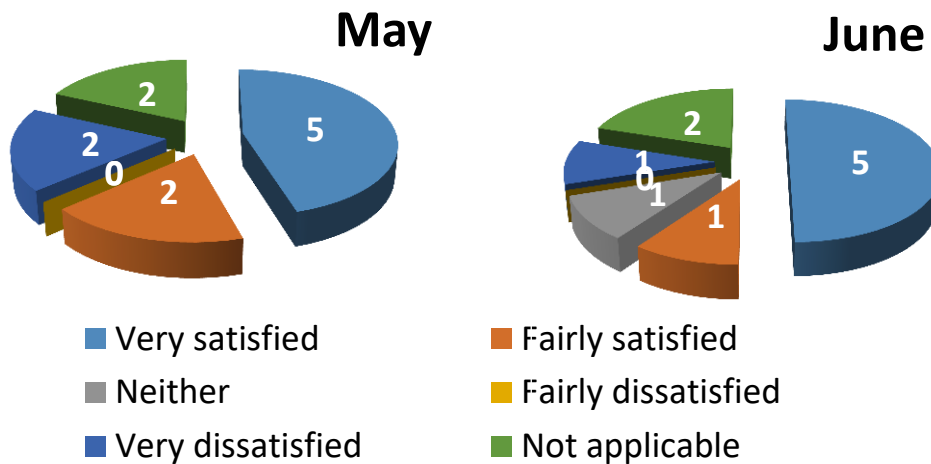
It was noted during discussions with officers that many issues for complainants at the end of the investigation are that they still have to remain living near the alleged perpetrator. A desired resolution for many complainants is that the perpetrator will be evicted, but this is an extremely unlikely (and expensive) result.

Problems also exist with the evidence that people are willing to provide i.e. there needs to be a commitment by the complainant to complete the monitoring forms for sufficient evidence to be collated.

## Satisfaction with the ASB service

Telephone survey results

### Satisfaction with help, support and advice



From the 21 respondents in May and June, three (14%) were very dissatisfied with the help, support and advice that they had received.

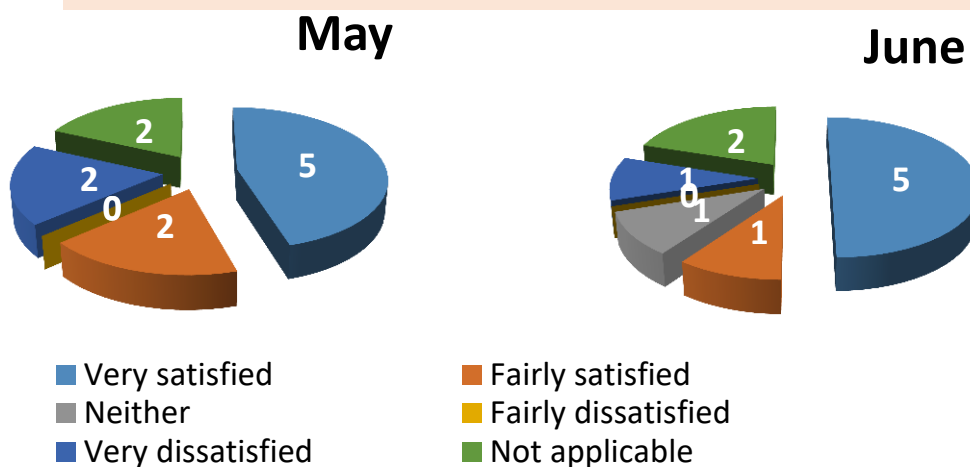
STAR survey

From the STAR survey:

- ✎ 58% were happy with the support received
- ✎ 68% were happy with the advice received

Telephone survey results

### Satisfaction with the way in which the case was handled



Two of the 21 respondents (9%) were very dissatisfied with the way in which their case was handled.



Housemark – Satisfaction with ASB case handling				
Year	Satisfaction level	Best performing	Median of providers	Rank in benchmark (from 154)
14/15	69%	93%	84.6%	117
15/16	No data	92.25%	82%	No data
16/17	No data			

Rotherham's satisfaction level with case handling was well below the average for the benchmarked providers.

### STAR survey

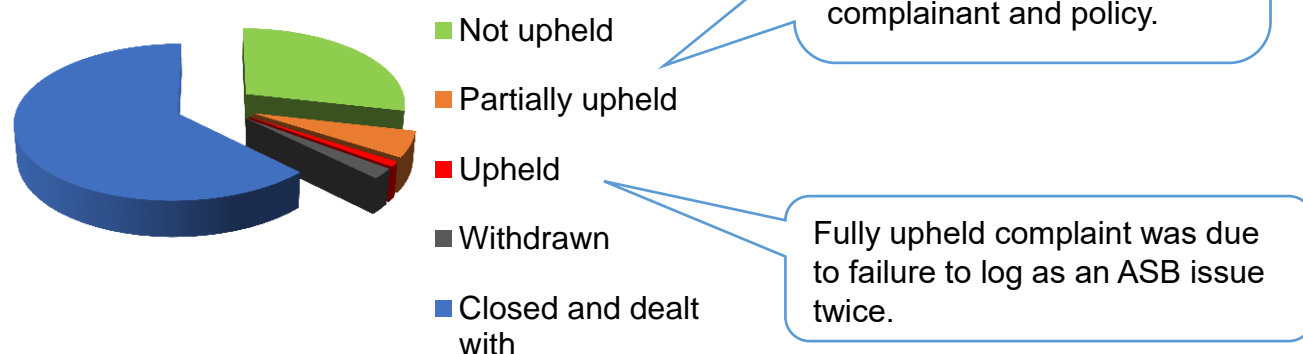
From the STAR survey:

- ↳ 46% were happy with the way in which the case was handled (34% dissatisfied)
- ↳ 46% were happy with the outcome (40% dissatisfied)

There was more dissatisfaction expressed with the final outcome of the investigation than with the way in which it was handled.

### Complaints

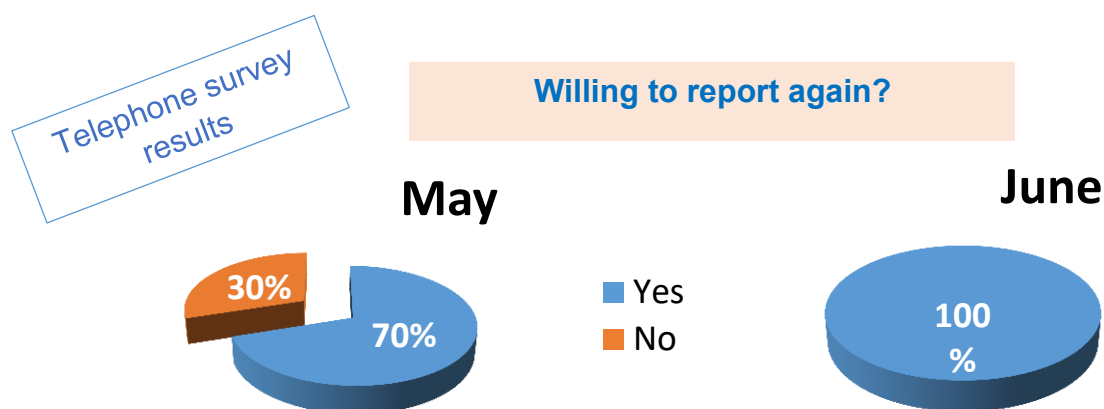
#### Complaints outcome



In April 2018, 91 complaints were received from tenants about ASB cases (40 in Central, 25 in South and 26 in North). Of these five (5%) were partially upheld and one was fully upheld.

There were also 14 complaints received by Councillors that related to ASB issues between May and July 2018; seven in Central, three in South and one in North. There was no breakdown available of the types of complaint or whether the complaint was a new request for service or was about the way in which an existing case was being handled. However the view of the Councillor consulted as part of the investigation was that a lot of people are unaware of how they can report ASB issues.

From the STAR survey only 60% would report ASB again and only 55% of these would report to housing.



30% of respondents in May said that they would not report ASB again whereas this improved in June to 100% willing to report again.

## PANEL VIEWS:

- ✎ The level of people unhappy with the final outcome of a case (40%) was worrying, again suggesting to the panel that closure of cases can sometimes be rushed or carried out without the agreement of the complainant.
- ✎ It was agreed with officers that it would be useful to have some publicity on ASB cases to show the evidence and length of time required for a successful outcome and also the appropriate actions that can be used by housing teams. This could include the unlikelihood of securing an eviction from ASB complaints and the time and strength of evidence required to do so.
- ✎ The panel also thought that it would be worthwhile to let people know the benefits of using the call centre (call recording) for reporting ASB; to let them know that it is worth the wait if there is a long queue. Other ways of contacting the team could also be advertised.
- ✎ It was concerning that people were complaining to Councillors rather than being able to report issues to the Council directly.
- ✎ Although data wasn't available on Housemark from 15/16 and 16/17, the STAR survey showed a satisfaction level of only 46%. It would have been interesting to explore whether this was due to the increase in the volume of cases since 14/15.
- ✎ The panel noted that 40% of the STAR survey respondents said that they wouldn't report ASB again. This was in line with the 30% responding to the May telephone survey.

✎ The panel were surprised that all the June survey respondents were willing to report ASB again. However it was noted that only 40% of the people called agreed to complete the survey; the other 60% may have been less willing to report again.

## Recommendations

### Improve publicity and manage complainant expectations

Provide more regular and clear publicity on Anti-Social Behaviour including what it means, what action can be taken, and how long investigations may take.

## Suggestion

**Reduce court delays** - try to influence the delays experienced by ASB team staff in having their cases heard at court.

## 6.3 Partnership working

### External Partnerships

The Community Safety Partnership 'Safer Rotherham' was established under the Crime and Disorder Act 1998. The partnership includes statutory agencies such as the Council, Police, Police and Crime Commissioner, Clinical Commissioning Group, Fire service, Probation and Voluntary Action Rotherham. Other agencies are invited to take work with the partnership as required.

The Strategic Board produces the Joint Strategic Intelligence Assessment (Crime Audit), looking at data trends and agreeing priorities. Each priority is assigned a senior person and an action plan is agreed.

There are Community Action Partnerships operating across North, South and Central Rotherham. The partnerships consider the worst offenders, vulnerable victims and repeat locations. They are piloting a new model in the Central housing team of a multi-disciplinary approach being co-located with adult social services, mental health teams, probation and the police. It is hoped that sharing office space will speed processes up and allow for better exchange of information.

### Example of Good Practice – Hull City Council

Hull works closely in partnership with:

- the police
- youth offending teams
- health services
- registered social landlords
- social services
- schools
- drug action teams
- probation services

## Internal Teams

Internally within Rotherham Council there are three teams operating that investigate ASB; Housing, Environmental Health and ASB teams. It was found from speaking to officers that the three teams operate to different guidelines e.g. other teams will close cases if completed nuisance monitoring forms are not received within a certain timescale.

## IT

As well as separate investigation guidance being used across teams, each team uses a different IT system. There is no ability to provide an interface between the IT systems, preventing the sharing of intelligence across teams.

Issues with the current database used by housing teams were also reported with difficulties experienced in interrogating and using the system e.g. officers have to manipulate information to be able to produce automated letters, the system does not require consultation with complainants prior to closure of cases, there is a restriction on the characters available for use on statutory notices. Soft-testing is currently taking place to be considered in re-tendering of the ASB IT system.

During the preparation for the telephone surveys conducted as part of the investigation, a further issue with IT was identified; 14% of the contact details were incorrect on the housing database and were different to those on the ASB database.

---

### PANEL VIEWS:

- ✎ It was disappointing that the three Council teams working on ASB were operating to separate pieces of guidance and procedures. This could lead to confusion amongst the public and different levels of service across the Council.
  - ✎ The panel were happy that a multi-disciplinary team approach was being piloted and were keen to see the results from this pilot.
  - ✎ However, despite numerous requests for police representation at the tenant scrutiny panel to discuss partnership working, no-one was made available to attend; this was very disappointing for panel members.
  - ✎ The panel felt that it would clearly be advantageous if the IT systems of all teams could 'speak to each other' allowing for increased sharing of relevant data and less duplication of work.
  - ✎ It was concerning that so many of the contact details on the housing database were incorrect. It was felt that this would delay housing officers in being able to contact complainants and make the team less responsive.
-

### Improve IT systems

Review the IT system that is currently in use for managing ASB cases in Housing teams and look to procure a system that:

- Overcomes the recording problems experienced by housing staff
- Records correctly the contact made with complainants prior to closing cases
- Potentially allows sharing with other teams dealing with ASB to avoid duplication

## Suggestion

**Police/partner involvement** – ensure that any changes made as a result of the recommendations above are shared with police colleagues and any other relevant partner team/ organisations. It would be useful to share a copy of this report with partner agencies.

## 6.4 Staff training

### STAR survey

The STAR survey also asked for respondents' opinions on housing staff:

- 💬 81% found them courteous
- 💬 27% found them occasionally unresponsive with 5% finding them never responsive
- 💬 17% found them only occasionally knowledgeable with 10% finding them never knowledgeable.

However when looking at the key drivers for satisfaction with the ASB service, support, advice and responsiveness were the least important for increasing tenant satisfaction.

### Joint training

Some joint training is now taking place across partnership teams for officers dealing with ASB complaints. Training to date has been focused on legislation and powers. However there is an acknowledgement that further joint training needs to take place around information sharing, good investigative techniques and case law.

## GDPR

Officers were cautious in their use of the new General Data Protection Regulation 2018 particularly around the sharing of information with other agencies, Councillors and complainants. It was not clear what level of detail was allowed to be shared. The lack of information being shared when closing a case was a frustration as some complainants interpreted this as '*nothing being done*' e.g. not letting them know if a notice has been served.

## Induction/ team training

Most team training was delivered through shadowing of experienced officers. Regular team meetings take place to discuss policies and to try to address inconsistencies. Serious case reviews also provide an opportunity to learn together from any mistakes made. The closing of cases was also monitored by managers through supervision meetings.

### Example of Good Practice – Hull City Council

Managers hold one to one meetings with all members of staff every four to six weeks at which point they monitor **every** ASB case.

---

## PANEL VIEWS:

- ✎ The panel were pleased with the joint training that currently takes place. However they felt that further training both jointly and within in teams would be beneficial.
  - ✎ Some concern was shown about the lack of information being shared when closing a case due to the GDPR legislation.
  - ✎ Panel members noted that 5% of complaints in April 2018 were partially upheld due to a lack of action by officers and that most of the people who were dissatisfied in the telephone surveys were concerned about poor communication.
  - ✎ During one of the panel meetings managers had agreed that the new staff guidance should include staff behaviours across all teams. In particular there needs to be consistency across all teams that can be involved in the investigation of each ASB case.
  - ✎ The panel was disappointed that a perpetrator can receive up to five warning letters, which is against the current guidance of two.
  - ✎ In particular the panel agreed that shadowing is not always the best form of training as it can also spread any poor practices and shortcuts that exist across different team members.
  - ✎ It was felt that supervision meetings should also review the outstanding cases as well as those to be closed.
-

### Improve knowledge of GDPR

Provide further training and discussion amongst colleagues about the new GDPR legislation especially the information that can be shared with complainants at the end of each investigation.

### Improve staff consistency

Improve consistency across housing and ASB teams, by:

- Increasing mandatory training events for individual staff across all teams, particularly in the policy and procedures to be followed.
- Closer supervision and monitoring by team managers to ensure consistency across their staff and teams, especially when cases are closed.

## 6.5 Prevention work

Whilst it was the intention of the panel to investigate the prevention work that takes place across Rotherham to reduce the amount of ASB issues reported, the main focus of the investigation was to consider the ways in which complaints were handled and ways to improve satisfaction levels across the service; Time was not available to consider prevention work in any detail.

It was noted however through discussions with officers that the increase in ASB reporting has led to housing managers reviewing the letting procedures. This has included re-wording the tenancy agreement to try to prevent anti-social behaviour occurring in the first instance.

### Example of Good Practice – Nottingham City Homes

A four step approach is used:

1. Prevention (Security improvements, neighbourhood activities, young estate inspectors, responsible tenant reward with £100 rent discount for no ASB, tenant inspectors, environmental improvements)
2. Early Intervention (warnings, mediation, acceptable behaviour contracts, support)
3. Support (case management with complainant, working with partners)
4. Enforcement (tenancy enforcement, injunctions)

## 7. Recommendations

Recommendations ( in order of priority)		
Priority ranking	Recommendation	Page Number
<b>A1</b>	<b>Revise the policy and procedures</b> Revise the Anti-Social Behaviour policy and procedure document to reflect changes in national guidance and the findings of this investigation. Consideration should be given to a joint document between Council teams including Housing, ASB and Environmental Health teams.	<b>13</b>
<b>A2</b>	<b>Review the time period for closure of ASB cases</b> Review the time period for closure of ASB cases with a view to extending the time allowed for complainants to report the same issue without recommencing from the start of the procedure.	<b>23</b>
<b>B1</b>	<b>Keep people better informed</b> Revise documentation and procedures to make sure that complainants are kept better informed of the investigation taking place including: <ul style="list-style-type: none"> <li>➤ Provision of a 'personal plan' at the start of each investigation stating how often the complainant will be contacted and any support that is available. The plan should be mutually agreed by both parties.</li> <li>➤ The letter at the end of the investigation to inform the complainant of how to they can complain if they are unhappy with the decision to close the case.</li> </ul>	<b>23</b>
<b>B2</b>	<b>Improve staff consistency</b> Improve consistency across housing and ASB teams, by: <ul style="list-style-type: none"> <li>➤ Increasing mandatory training events for individual staff across all teams, particularly in the policy and procedures to be followed.</li> <li>➤ Closer supervision and monitoring by team managers to ensure consistency across their staff and teams, especially when cases are closed.</li> </ul>	<b>31</b>



<b>C</b>	<p><b>Improve IT systems</b></p> <p>Review the IT system that is currently in use for managing ASB cases in Housing teams and look to procure a system that:</p> <ul style="list-style-type: none"> <li>➤ Overcomes the recording problems experienced by housing staff</li> <li>➤ Records correctly the contact made with complainants prior to closing cases</li> <li>➤ Potentially allows sharing with other teams dealing with ASB to avoid duplication</li> </ul>	<b>29</b>
<b>D</b>	<p><b>Improve publicity and manage complainant expectations</b></p> <p>Provide more regular and clear publicity on Anti-Social Behaviour including what it means, what action can be taken, and how long investigations may take.</p>	<b>27</b>
<b>E</b>	<p><b>React to the increase in the number of ASB cases</b></p> <p>Carry out further analysis on the reasons for the steep increase in the number of ASB cases over the past two years and resolve any issues resulting from the increased workload for housing teams.</p>	<b>12</b>
<b>F</b>	<p><b>Improve knowledge of GDPR</b></p> <p>Provide further training and discussion amongst colleagues about the new GDPR legislation especially the information that can be shared with complainants at the end of each investigation.</p>	<b>31</b>
<b>Suggestions</b>		
<b>1.</b>	<b>Reduce court delays</b> - try to influence the delays experienced by ASB team staff in having their cases heard at court.	
<b>2.</b>	<b>Police/partner involvement</b> – ensure that any changes made as a result of the recommendations above are shared with police colleagues and any other relevant partner team/ organisations. It would be useful to share a copy of this report with partner agencies.	

## 8. Appendices

A – Telephone survey questions

B – Personal plan (Hull City Council)

C – Letter closing ASB cases

## Anti-Social Behaviour Service – Telephone survey

**Q1. (a) How did you make your report to the Council?**

<b>Telephone</b>	
<b>Letter</b>	
<b>E-mail</b>	
<b>Other</b> Please state:	

**Q1. (b) Why did you choose this method to contact the Council?**

Comments:
-----------

**Q2. How easy was it to make your report?**

<b>Very Easy</b>	
<b>Fairly Easy</b>	
<b>Fairly Difficult</b>	
<b>Very Difficult</b>	
<b>Not applicable</b>	

**Q3. (a) If you made your report by telephone would you describe the person dealing with your request as being?**

<b>Helpful</b>	
<b>Unhelpful</b>	
<b>Knowledgeable</b>	
<b>Polite</b>	
<b>Not applicable</b>	

**Q3. (b) When making your report were you told what would happen next, for example who would contact you and when this would be ?**

<b>Yes</b>	
<b>No</b>	
<b>Can't recall</b>	
<b>Not applicable</b>	

**Q3. (c) Can the Council improve this part of its service?**

Comments:
-----------

**Q4. After making your report how long did it take the Area Housing Officer to contact you to discuss your case?**

<b>Within 24 hrs</b>	
<b>Between 1 &amp; 5 days</b>	
<b>Over 5 days</b>	
<b>Can't recall</b>	
<b>Not applicable</b>	

**Q5. Did the Area Housing Officer explain to you what action they would be taking and what will happen next?**

<b>Yes</b>	
<b>No</b>	
<b>Not applicable</b>	

**Q6. Did the housing officer agree with you how often they would keep in touch?**

<b>Yes</b>	
<b>No</b>	
<b>Not applicable</b>	

**Q7. How often has your Area Housing Officer contacted you?**

<b>Weekly</b>	
<b>Fortnightly</b>	
<b>Only after I requested contact</b>	
<b>Not at all</b>	
<b>Can't recall</b>	
<b>Not applicable</b>	

**Q8. (a) How satisfied are you with the help, support and advice that has been given by the Area Housing Officer?**

<b>Very satisfied</b>	
<b>Fairly satisfied</b>	
<b>Neither satisfied or dissatisfied</b>	
<b>Fairly dissatisfied</b>	
<b>Very dissatisfied</b>	
<b>Not applicable</b>	

**Q8. (b) Please give reasons for your response?**

Comments:
-----------

**Q8. (c) Can the Council improve this part of its service?**

Comments:

**Q9. Taking everything into account, how satisfied or dissatisfied are you with the way your anti - social behaviour report has been dealt with?**

<b>Very satisfied</b>	
<b>Fairly satisfied</b>	
<b>Neither satisfied or dissatisfied</b>	
<b>Fairly dissatisfied</b>	
<b>Very dissatisfied</b>	
<b>Not applicable</b>	

**Q10. Taking everything into account, how satisfied or dissatisfied are you with the outcome of your anti - social behaviour report?**

<b>Very satisfied</b>	
<b>Fairly satisfied</b>	
<b>Neither satisfied or dissatisfied</b>	
<b>Fairly dissatisfied</b>	
<b>Very dissatisfied</b>	
<b>Not applicable</b>	

**Q11. Would you be willing to report anti-social behaviour to us in the future?**

<b>Yes</b>	
<b>No</b>	
<b>Not applicable</b>	

**Q12. Are there any other comments you would like to make about the service you have received?**

Comments:



## Your Personal Plan

Name

Address

Postcode

Telephone Number

Your Named Officer

Contact Number

Your support plan

- ☐ Home Security Check
- ☐ Personal Safety Plan
- ☐ Personal Attack Alarm
- ☐ Lifeline
- ☐ Referral to Victim Support
- ☐ Referral to Other Support Services

Frequency of contact

- ☐ Daily
- ☐ Weekly
- ☐ Monthly
- ☐ Other

Signed (client)

Date

Signed (Neighbourhood Nuisance Team Officer)

Date

CLIENT COPY





Rotherham Metropolitan Borough Council  
**Housing Services**

**Adult Care, Housing and Public Health**

Floor 2 | Wing B | Riverside House | Main Street | Rotherham | S60 1AE

General Enquiries Tel: (01709) 336009

Email: [councilhomes@rotherham.gov.uk](mailto:councilhomes@rotherham.gov.uk)

Pay your rent online for free: [www.rotherham.gov.uk/payforit](http://www.rotherham.gov.uk/payforit)



Case Reference:    Date:

Dear

**ASB Case Closure – Reports of category**

I am writing to confirm that your anti-social behaviour case has now been closed.

I would like to take this opportunity to thank you for your co-operation and patience during the investigation and conclusion of this case.

The Council values the views of customers and I would welcome your comments on the quality of service you have received. Your comments will help the Council understand what we are doing well and also what we need to do to improve the service we provide to our customers.

I have enclosed a customer survey form and would be very grateful if you could complete it and return it to us, using the pre-paid envelope provided.

Yours sincerely

Area Housing Officer

Case Reference:

## Anti-Social Behaviour Complaint Customer Survey Form

**1) After making your complaint, how quickly did the housing officer contact you to discuss your complaint?**

Within 24 hours ☐ Between 1 and 5 days ☐ Over 5 days ☐ Can't recall ☐

**2) Did the housing officer explain to you what action he/she would be taking and what would happen next?**

Yes ☐ No ☐

**3) How satisfied are you with the information and updates you received from the housing officer during the investigation of your complaint?**

Very Satisfied ☐ Fairly Satisfied ☐ Neither satisfied or dissatisfied ☐

Fairly dissatisfied ☐ Very dissatisfied ☐

**4) How often were you contacted by the housing officer?**

Weekly ☐ Fortnightly ☐ Only after I requested contact ☐ Not at all ☐

**5) How satisfied are you with the help, support and advice given to you by the housing officer during the investigation of your complaint?**

Very Satisfied ☐ Fairly Satisfied ☐ Neither satisfied or dissatisfied ☐  
Fairly dissatisfied ☐ Very dissatisfied ☐

**6) Taking everything into account, how satisfied or dissatisfied are you with the way your anti-social behaviour complaint was dealt with?**

Very Satisfied	<input type="checkbox"/>	Fairly Satisfied	<input type="checkbox"/>	Neither satisfied or dissatisfied	<input type="checkbox"/>
Fairly Dissatisfied	<input type="checkbox"/>	Very dissatisfied	<input type="checkbox"/>		

**7) Taking everything into account, how satisfied or dissatisfied are you with the outcome of your anti-social behaviour complaint?**

Very Satisfied	<input type="checkbox"/>	Fairly Satisfied	<input type="checkbox"/>	Neither satisfied or dissatisfied	<input type="checkbox"/>
Fairly dissatisfied	<input type="checkbox"/>	Very dissatisfied	<input type="checkbox"/>		

**7a) If you are fairly or very dissatisfied with the outcome of your complaint, please provide further details stating why and what actions you would have liked the Council to have taken.**

**Please use the space below to provide any further comments, compliments or suggestions that you may have which would help us to improve our services to our customers.**

**Thank you very much for the time you have taken to complete this survey and for sharing your views with us.**

**Report produced by:**



[rebecca.morrisonps@gmail.com](mailto:rebecca.morrisonps@gmail.com)

07931 471131

**On behalf of:**



**Rotherham Federation**

— Springwell Gardens Community Centre, Eastwood View, Rotherham, S65 1NG  
[info@rotherfed.org](mailto:info@rotherfed.org) Tel: 01709 368515