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City of Cardiff Council (Landlord Functions) Anti-Social Behaviour Statement of Policy & Procedure

Housing & Communities Service

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1. Introduction

1.1 Purpose of the Document

Section 218A of Housing Act 1996 requires social landlords to publish a statement of policies and procedures for dealing with occurrences of anti-social behaviour.

This document fulfils this legal requirement and is designed to give a clear statement of the approach the City of Cardiff Council (the Council) as a landlord takes to anti-social behaviour, nuisance and related issues involving its tenants and the way the Council intends to work with local residents and agencies to address these problems. It reflects new powers available to social landlords in the Anti-Social Behaviour, Crime & Policing Act 2014.

This document is available to view at Hubs and on the Council's website. A summary of current policy and procedures is also available. Copies will be provided free of charge on request.

1.2 Definition of Anti-Social Behaviour

S105(4) of the Anti-Social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as:

“...behaviour causing harassment, alarm or distress to members or any member of the public.”

For the purposes of this document this definition has been extended to:

“behaviour causing harassment, alarm or distress to persons not of the same household”

and relates to anti-social behaviour involving our tenants.

Anti-social behaviour includes:

- Violence or threats of violence and actual assault
- Intimidation and harassment
- Hate crime or behaviour
- Drug related offences
- Noise and other neighbour nuisance
- Local environmental quality issues such as fly-tipping, vandalism and graffiti
- Illegal or immoral use of residential premises
- Aggressive and threatening language and behaviour

When assessing reports to determine whether they constitute anti-social behaviour, the Council will consider the frequency and severity of incidents, their effect on the victim, and any other contributory factors.

The intentions of the person carrying out the behaviour will also be taken into account, as well as any disability and/or support needs they may have. Anti-social behaviour will not be tolerated.

Anti-social behaviour may or may not constitute criminal activity. The key factor in deciding whether particular behaviour is anti-social should be the impact of the behaviour on others.

ASB is not:

- Children playing in the street
- Young people gathering socially
- Being unable to park outside your home
- DIY and car repairs unless at unsociable hours
- Annoying or occasional behaviour e.g. one-off parties.

1.3 General Policy Statement on Anti-Social Behaviour

Anti-social behaviour is unacceptable in our neighbourhoods and as a landlord the Council will:

- Not tolerate anti-social behaviour by or against our tenants and their families
- Put victims first
- Ensure tenants and leaseholders know what behaviour is expected of them
- Make it is easy to report anti-social behaviour
- Treat reports of anti-social behaviour seriously and professionally
- Carry out a careful and thorough investigation
- Provide realistic expectations
- Support perpetrators to change their behaviour
- Take appropriate action at the right time
- Work with others to prevent and tackle anti-social behaviour.

1.4 Strategic and Legislative Context

This document is designed to meet our statutory obligations that impact on the way the Council deal with cases of anti-social behaviour. It is also compatible with Cardiff's Housing Strategy 2012-17, our Strategic Equality Plan 2012-2016 and our duties as a landlord under section 218A of Housing Act 1996.

The Council has consulted widely in relation to the content of this Anti-Social Behaviour Statement of Policy and Procedure, involving key stakeholders.

1.5 Multi-Agency Partnerships

The Council is committed to working with others to prevent and tackle anti-social behaviour and recognises the value of multi-agency working.

Our Policy Objectives and Standards are:

- To work with the Police and other service areas and agencies in exchanging information to ensure most appropriate action is taken against a perpetrator.
- To work in partnership with local Registered Social Landlords to resolve issues of anti-social behaviour in our communities.
- To adopt a multi-agency approach to resolving anti-social behaviour on Council housing estates and take a lead role in co-ordinating this approach.
- To ensure good working relationships with those service areas and agencies facilitating support.

Amongst other measures the Council and the Police have developed six local multi-agency Neighbourhood Management Teams. These teams identify neighbourhood issues, concerns and priorities in their area and co-ordinate multi-agency action to improve the quality of life for the citizens in their local area.

Examples of action taken by the Neighbourhood Management Teams include campaigns to tackle dog fouling, motorcycle nuisance, graffiti, fly-tipping and other environmental nuisance; deal with the anti-social behaviour caused by street prostitution; provide out-of-school activities and facilities for young people; develop improved community-based health and social care services; and access to employment opportunities for disengaged young people.

The Council work with other service areas of the Council and a range of external agencies to tackle issues. These include:

- Adult Services
- Mental Health Services
- Children's Services
- Youth Offending Service
- Noise and Air Pollution Teams
- Tenancy Support Teams
- Gypsy & Traveller Wales
- County and other courts
- Natural Resources Wales
- Community Safety Unit
- Registered Social Landlords
- Police
- National Probation Service
- Community Rehabilitation Cymru
- Race Equality First
- Tenants and Residents Federation
- Cardiff Women's Aid
- Safer Wales
- BAWSO
- Victim Support
- Police and Crime Commissioner for South Wales

Specifically the Council leads or engages in multi-agency meetings to address and resolve community safety issues:

- Chair the monthly Problem-Solving Group (one in the East / one in the West)
- Attend the monthly Quality of Life Meetings (chaired by the Police)
- Attend the monthly Hate Crime Review Group (chaired by the Police)
- Attend the monthly Hate Crime Forum (chaired by the Police)

1.6 Preventing Anti-Social Behaviour

The Council will use initiatives to prevent and deter anti-social behaviour in terms of improvement of homes and communal areas and managing open spaces. Properties are provided with clearly defined boundaries to provide defensible space and encourage ownership and estates are remodelled where required.

The Council will work with others in relation to diversionary measures as well as stopping anti-social behaviour, criminal and/or nuisance behaviour and preventing reoccurrence.

The Council will support mediation and the use of other non-legal measures in the first instance wherever possible.

2. Tenant and Landlord Responsibilities

2.1 Tenant Responsibilities

The Council's tenants are subject to the terms of the Tenancy Agreement, which sets out the behaviour expected of them, and anyone else living at or visiting the property. All tenants are provided with the Tenancy Agreement at the outset of their tenancies and the clauses relating to anti-social behaviour are explained to them.

2.1.1 Tenancy Agreement

The relevant clauses in the Tenancy Agreement relating to tenant responsibilities and anti-social behaviour are set out below:

3.1: You are responsible for the behaviour of every person (including children) living in or visiting your home, including responsibility for their behaviour on surrounding land, in communal areas (stairs, lifts, landing entrance halls, paving, shared gardens parking areas) and in the neighbourhood around the home.

3.2: You will ensure that nuisance, annoyance or disturbance is not caused or permitted to be caused to any other person in the vicinity. This includes nuisance, annoyance or disturbance by way of:

- i. loud music, noise generated by television, radio, hi-fi, DIY or by any other means
- ii. arguing and door slamming
- iii. dog barking and fouling
- iv. offensive drunkenness
- v. selling drugs or drug abuse
- vi. rubbish or litter dumping
- vii. playing ball games close to someone else's home or where signs to prohibit this are erected
- viii. major vehicle repairs

3.3: You will ensure that no acts of harassment are carried out, caused or permitted to be caused against any other person in the vicinity by way of:

- i. racist behaviour or language
- ii. using or threatening to use violence
- iii. using abusive or insulting words or behaviour
- iv. damaging or threatening to damage another person's home or possessions
- v. writing threatening, abusive or insulting graffiti

3.4: You will ensure that no acts of racial harassment are carried out, caused or permitted to be caused against any other person in the vicinity by way of:

- i. racist behaviour or language
- ii. using or threatening to use violence
- iii. using abusive or insulting words or behaviour

- iv. damaging or threatening to damage another person's home or possessions
- v. writing threatening, abusive or insulting graffiti

3.5: Tenants, members of the household or visitors will not harass the Council's officials or agents by way of:

- i. racist behaviour or language
- ii. using or threatening to use violence
- iii. using abusive or insulting words or behaviour
- iv. damaging or threatening to damage an official or agent's possessions.

Other relevant clauses in the Tenancy Agreement include:

3.7: You will ensure that your home or any communal areas is not used for any illegal activity such as selling drugs.

3.8: You will ensure that your home is not used for any hazardous or immoral purpose.

3.9: You will not cause or permit to be caused damage, graffiti or the defacing of County Council property. The Council reserves the right to charge you for any costs incurred.

3.12: You will not engage in acts of domestic abuse or threaten violence against any other person (whether they are living with you or in another residence).

2.1.2 Tenancy Types

Cardiff Council uses three forms of tenancy – introductory, secure and demoted. Tenants have different rights depending on which type of tenancy they hold (our Tenancy Agreement states what those rights are, with further explanation contained in the *Tenants Pack*). There are also key differences in the process used by the Council to bring these tenancy types to an end.

Introductory Tenancy

All new tenants will be subject to an introductory tenancy. Introductory tenants have fewer rights than a secure tenant (see below). Introductory tenancies automatically become secure tenancies after a year unless they are extended for six months or the Council starts possession proceedings at Court, in which case they remain introductory until proceedings are completed.

To end an introductory tenancy the Council has to:

- Serve a *Notice of Termination of an Introductory Tenancy* on the tenant
- Carry out a Review of the decision if the tenant requests one, and
- Go to court to ask the Judge to end the tenancy.

Secure Tenancy

A secure tenant has the most rights of these tenancies. To end a secure tenancy the Council has to either:

- Serve a *Notice Of Seeking Possession* on the tenant
- If the tenant's behaviour does not improve the Council then has to apply to Court for possession
- It will then be for the Judge to decide whether or not to end the tenancy, or to continue it but with conditions that the tenant must follow.

Or

- Serve a *Notice for Seeking Possession on Absolute Grounds*
- Carry out a Review of the decision if the tenant requests one, and
- Go to court to ask the Judge to end the tenancy.

Demoted Tenancy

As a landlord, the Council can serve a notice and apply to court to change a secure tenancy to a demoted tenancy.

A demoted tenant has similar rights to those of an introductory tenant. Demoted tenancies automatically become secure tenancies after a year unless the Council serves a *Notice Seeking Possession of a Demoted Tenancy*. If the *Notice* is still valid at the end of the initial 12 months the Demoted Tenancy will continue until:

- The *Notice* is withdrawn; or
- the possession proceedings are finalised

To end a demoted tenancy the Council has to:

- Serve a *Notice of Seeking Possession Of a Demoted Tenancy* on the tenant
- Carry out a Review of the decision, if the tenant requests one, and
- Go to court to ask the Judge to end the tenancy.

2.2 Landlord Responsibilities

2.2.1 Approach to Dealing with Anti-Social Behaviour

As a landlord the Council will take firm action to eliminate anti-social behaviour. Our response to anti-social behaviour will be proportionate, depending on the facts of each case.

Our usual approach is to ensure that families or individuals who may be causing anti-social behaviour receive support to assist them in modifying their behaviour, and then to act against those families or individuals who continue to cause a nuisance.

The Council work closely with the Police to deal with serious cases of anti-social behaviour. The Council share relevant information and based on evidence gathered, and in conjunction with our legal team, decide upon the most appropriate action to solve the problem.

2.2.2 Working with Perpetrators

The Council is committed to working with perpetrators of anti-social behaviour to clearly set out the Council's expectations and provide or refer them to services that will help them to modify their behaviour. The Council will work with the tenant or family causing the nuisance to ensure they receive advice or support to enable them to deal with their difficulties.

If a perpetrator is a person with any form of disability (mental health issue, physical disability, or substance misuse) the Council will be sensitive to their needs and make reasonable adjustments where required. If this support to a perpetrator does not make a difference, or if they are failing to co-operate with the individual or agency concerned, then further appropriate legal advice will be sought and, if necessary, legal action will be taken.

The Council recognise that vulnerable people living in the community are no more likely to cause anti-social behaviour than someone who is not vulnerable.

2.2.3 Supporting Staff

The Council will provide appropriate training and support to ensure staff are competent and confident to tackle anti-social behaviour.

The Council will ensure training and systems are in place to maintain the safety and wellbeing of staff and will not tolerate threats or violence against Council employees or their agents. Where such behaviour can be proved to the satisfaction of the County Court an injunction will be obtained. Tenancy enforcement action may also be taken which could lead to the tenant being evicted.

Our Policy objectives and standards around supporting staff will ensure:

- That perpetrators of threats, intimidation or violence against staff will be prosecuted and action taken against them that could lead to eviction.
- That staff are trained to ensure compliance with legislation and policies including health and safety.
- Staff are required to report all incidents of verbal abuse, threats and assaults.
- Preventative and protective action will be taken depending on risk assessment of task or where perpetrator is known or perceived to be a risk.

2.2.4 Confidentiality and Sharing Information

In accordance with the Data Protection Act 1998, Crime and Disorder Act 1998, and the Human Rights Act 2000, the Council may exchange personal information particularly in respect of preventing and detecting crime.

The Council will share information with other agencies about incidents of anti-social behaviour and will work with them to solve problems and ensure appropriate protocols are in place to achieve this.

3. Tackling Anti-Social Behaviour

3.1 Reporting Anti-Social Behaviour

Reporting Loud Noise

Anti-social behaviour caused by loud noise can be reported by:

- ☎ 029 2087 1650
✉ Noise&AirPollution@cardiff.gov.uk

A night service is available Friday and Saturday from 8pm until 2am.

Reporting other Anti-Social Behaviour

As a landlord the Council can assist in taking action against tenants or leaseholders who are behaving in an anti-social way. You can report it to us in person at any of our Hubs or contacting the Anti-Social Behaviour Team:

- ☎ 029 2053 7111
✉ ASBReferral@cardiff.gov.uk

Serious anti-social behaviour is a crime and should be reported to the police by phoning 101, or in an emergency, by phoning 999.

3.2 Dealing with Anti-Social Behaviour

When a report of anti-social behaviour is received if it requires an urgent response, for example, hate incidents, harassment, violence or criminal behaviour, the Council will contact the victim within 1 working day. Such serious incidents should also be reported to the police.

For all other anti-social reports the Council will contact the victim within 5 working days.

The Council will also:

- Treat all the information you provide to us as confidential;
- Take your complaint seriously and investigate it thoroughly;
- Make your safety our main concern;
- Discuss with you what action the Council can take;
- Consider how best to support you;
- Provide you with updates at agreed, regular intervals;
- Work as part of a multi-agency partnership e.g. with Police and Environmental Health;
- Use informal and legal remedies to solve the problem.

3.3- Remedies to Tackle Anti-Social Behaviour

The Council use a variety of early, informal remedies and legal remedies to resolve anti-social behaviour and include the following listed below.

Personal Resolution

Where the anti-social behaviour is low-level and there are no threats of violence or much animosity, the complainant may be able to resolve the matter by talking to the other person. This can stop matters getting worse as when landlords become involved it can make the situation more formal and cause resentment.

Visits

Anti-Social Behaviour Officers visit alleged perpetrators to discuss their behaviour and any actions that can be taken by the alleged perpetrator and the Officers to resolve the complaint. The Officers can gather evidence and such visits can be helpful in resolving issues at an early stage.

Verbal & Written Warnings

A warning advises a person what behaviour is causing the issue, what effect this is having on the victim or community, and the consequences of non-compliance.

Partnership Visits

Anti-Social Behaviour Officers carry out visits with partners within the Council or with outside agencies, such Environmental Health Officers and the police. These visits can stress how serious the matter is, the effect their behaviour is having on the complainant or community, and the consequences if they continue to behave in an anti-social way.

Mediation

Mediation can be an effective tool for solving issues by bringing all the parties to the table. It enables the parties to work together find a solution themselves rather than have it imposed by a third party.

Restorative Practice

Restorative Practice focuses on resolving conflicts and supporting people to take responsibility to solve them. It encourages effective communication and working towards positive outcomes.

A Restorative Conference brings all parties of a conflict together including family and friends to talk openly about how they have been affected and what needs to happen to make things better.

Neighbourhood Resolution Panel (Under 18s only)

A Neighbourhood Resolution Panel is a conversation facilitated by a community volunteer when an offender has admitted responsibility and they, and the victim, consent to take part. The participants are encouraged to listen to each other's perspectives and needs, and to produce an agreement to prevent harm, repair and rebuild relationships. The agreement is monitored to ensure actions are followed through, shared, and reviewed.

Acceptable Behaviour Agreement

An Acceptable Behaviour Agreement is a written agreement between the perpetrator and the Council stating what actions or behaviours the perpetrator should stop and stating the consequences if they do not comply.

CCTV

Installing CCTV can be a useful tool in some circumstances. It can collect evidence of the anti-social behaviour, reassure the victim and prevent further anti-social behaviour.

Extending an Introductory Tenancy

An Introductory Tenancy can be extended beyond one year for a further six months for breach of the tenancy agreement. To do so the Council must serve a Notice on the tenant and carry out a Review if the tenant requests one.

Possession Notices

Prior to starting possession proceedings the Council must serve a Notice on the tenant informing them that the Council are going to take possession action and the reasons why.

Undertakings

An Undertaking is a promise given in court proceedings usually by the Perpetrator or their Counsel agreeing not to act in an anti-social manner.

Community Protection Notice

A Community Protection Notice (CPN) is a formal written notice issued to the perpetrator informing them of the problem behaviour, requesting them to stop things, do things or take reasonable to avoid further anti-social behaviour. The purpose of the Notice is to deal with particular, ongoing problems or nuisances which negatively affect the community's quality of life by targeting those responsible e.g. graffiti, rubbish and noise.

Breaching the Community Protection Notice is a criminal offence and punishable by a fixed penalty notice up to £100 or up to a level 4 fine.

Abatement Notice

An Abatement Notice is issued by our Noise and Pollution team for anti-social behaviour that is a statutory nuisance, for example, loud noise due to parties, televisions and loud speakers.

Breach of an Abatement Notice is a criminal offence and the offender can be fined, and the Council can force entry to stop the noise and seize equipment.

Civil Injunction

Civil Injunctions are Court Orders that can be obtained quickly to stop or prevent individuals engaging in anti-social behaviour. The Order contains details of what the individual is not allowed to do, and can also include what they must do to get them to address underlying causes of anti-social behaviour. They can be granted against anyone aged 10 years or older.

The court can attach a power of arrest to the injunction where there have been threats of, or actual violence, or significant risk of harm to others.

Breach of the injunction is contempt of court and can lead to a fine or imprisonment

Criminal Behaviour Order

A Criminal Behaviour Order is issued by the Criminal Court against a person who has been convicted of any criminal offence to tackle the most persistently anti-social individuals who are also engaged in criminal activity. The Council can ask the Criminal Prosecution Service to make an Order. The Order will describe details of what they are not allowed to do and can also include what they are required to do. They can be granted against anyone 10 years or older.

Breach of a Criminal Behaviour Order is a criminal offence and can be punished by up to 5 years imprisonment or a fine or both.

Closure Notice and Order

The Council can apply to the courts to quickly close any premises which are being used, or likely to be used, to commit nuisance or disorder e.g. drug dealing and prostitution.

A Closure Notice can close premises for up to 48 hours. This can be followed up with a Closure Order than can close a premise for 6 months. Breach of the Closure Notice or Order is a criminal offence carrying a penalty of a fine and/or imprisonment.

Possession Order

In possession proceedings for Council tenancies a Judge can make the following possession orders:

- A full possession order requiring the tenant to leave the property usually within 14 days or in exceptional circumstances up to 6 weeks; or
- A suspended possession order which allows the tenant to remain in their home if they behave in accordance with the Order. If they breach the Order the Council can take action to evict them.

Eviction

When the Council have obtained a full Possession Order and the tenant remains in the property the Council can evict the tenant from their home by obtaining a Warrant of Eviction. The warrant is carried out by court bailiffs who have the power to remove the residents and their belongings from their home.

Public Spaces Protection Order

Public Spaces Protection Orders are intended to stop individuals or groups committing anti-social behaviour in public space. They impose conditions on use of an area which apply to everyone e.g. not to drink alcohol, or to keep dogs on a lead.

If a person breaches a Public Spaces Protection Order they can receive a Fixed Penalty Notice up to £100 or up to a level 3 fine.

3.4 Hate Incidents, Harassment and Discrimination

The Council will not tolerate any form of hate incidents, harassment, intimidation and discrimination by or against our tenants and will work with the Police and other agencies to use existing legal remedies against anybody found perpetrating these types of crime or harassment. Examples of this include racist or homophobic incidents, harassment or discrimination, and incidents relating to a person's disability, age, sex or religious beliefs.

Hate crime, racial harassment, and harassment includes not only physical attacks on persons and damage to property but also verbal abuse and graffiti and any other form of behaviour which deprives a person of the peaceful enjoyment of their homes.

Early and Informal Remedies	Legal Remedies
Removal of offensive graffiti; Verbal and Written Warnings; Visits, Partnership visits; Acceptable Behaviour Agreement; Mediation including Restorative Practice and Neighbourhood Resolution Panel; CCTV, Undertaking.	Extending an Introductory Tenancy; Civil injunction; Possession Notices; Possession Orders; Eviction; Criminal Behaviour Order.

3.5 Domestic Abuse

Domestic abuse includes any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between persons who are, or have been, intimate partners or family members regardless of gender or sexuality. This includes 'honour'-based violence, genital mutilation and forced marriage.

This abuse also relates to the perpetrator allowing or causing a child to witness, or be at risk of witnessing, domestic abuse.

Domestic abuse essentially involves the misuse of power and exercise of control by one person over another with whom there is or has been a close relationship.

The Council will not tolerate domestic abuse by our tenants against their partners or others, whether they are living with them or in another residence.

Early and Informal Remedies	Legal Remedies
Visits; Verbal and Written Warnings; Acceptable Behaviour Agreement; Restorative Practice; CCTV; Undertaking.	Civil Injunction; Possession Notices; Possession Orders; Criminal Behaviour Order.

3.6 Illegal Drugs

The Council will not tolerate any form of illegal drug activity by our tenants and will work with the Police and other agencies to use legal remedies against anybody found perpetrating these types of crime. Examples of this include growing cannabis, selling drugs or drug abuse.

Early and Informal Remedies	Legal Remedies
Visits; Verbal and Written warnings; Partnership Visits; Acceptable Behaviour Agreement; Mediation including Restorative Practice and Neighbourhood Resolution Panel; [CCTV] Undertaking.	Extending an Introductory Tenancy; Civil injunction; Possession Notices; Possession Orders; Closure Notice and Closure Order; Eviction; Criminal Behaviour Order; Public Spaces Protection Order.

3.7 Assault, Violence & Threatening Behaviour

The Council will not tolerate the use of threatening, abusive or violent behaviour by our tenants towards their neighbours or the wider community. The Council will work closely with the Police and other agencies to use legal remedies against anybody found perpetrating these crimes.

Early and Informal Remedies	Legal Remedies
Visits; Verbal and written warnings; Partnership Visits; Acceptable Behaviour Agreement; Mediation including Restorative Justice and Neighbourhood Resolution Panel; CCTV; Undertaking.	Extending an Introductory Tenancy; Civil injunction; Possession Notices; Possession Orders; Eviction; Criminal Behaviour Order; Public Spaces Protection Order.

3.8 Youth Annoyance

Groups of youths ‘hanging around’ is not necessarily anti-social behaviour. In many cases, young people gather to socialise and do not intend to intimidate or harass others. However, the Council will take seriously any residents’ concerns and offer support where required.

The Council will not tolerate anti-social behaviour by young people such as damaging property, vandalism and graffiti; threatening, aggressive and drunken behaviour; and littering. The Council will work closely with the Police, Youth Offending Service and other partners to address anti-social behaviour.

Early and Informal Remedies	Legal Remedies
Personal Resolution; Visits, Verbal and written warnings; Partnership Visits; Acceptable Behaviour Agreement; Mediation including Restorative Justice and Neighbourhood Resolution Panel; CCTV; Undertaking.	Civil injunction; Criminal Behaviour Order; Public Spaces Protection Order.

3.9 Neighbour & Noise Nuisance

The Council recognise that people have different lifestyles, working patterns and cultures and that living close to others will sometimes result in noise or activity that is annoying. Annoying or occasional behaviour is not anti-social behaviour. However, the Council will not tolerate persistent and intrusive noise such as loud music, television, arguments and door slamming; irresponsible pet ownership such as fouling in communal areas and continuous dog barking.

Early and Informal Remedies	Legal Remedies
Personal Resolution; Visits; Verbal and written warnings; Partnership Visits; Acceptable Behaviour Agreement; Mediation including Restorative Justice and Neighbourhood Resolution Panel; Undertaking	Abatement Notice; Extending an Introductory Tenancy; Civil injunction; Possession Notices; Possession Orders; Closure Notice and Closure Order; Eviction. Criminal Behaviour Order; Community Protection Notice; Public Spaces Protection Order.

4. Putting Victims First

4.1 Supporting Victims of Anti-Social Behaviour

The Council will ensure that it is easy to report anti-social behaviour. We will provide support to complainants, victims or witnesses. The Council will have a customer-orientated approach and will work with other agencies that may be able to assist with dealing with the problem and/or offer support.

All reports will be dealt with sensitively, sympathetically and, if required, in confidence.

Our Policy objectives and standards in relation to supporting victims of anti-social behaviour are to:

- Make it easy for tenants and residents to report problems.
- Ensure staff keep complainants, victims and witnesses informed.
- Take a sensitive, sympathetic approach working with other agencies where appropriate to offer support and assistance.
- Ensure that officers discuss an action plan with the person reporting anti-social behaviour.
- Do our utmost to protect the confidentiality of people reporting issues.
- Translate letters or other written material into a preferred language.
- Maintain regular contact with complainants, victims and witnesses.
- Provide protection measures (taking into account the seriousness of the case) e.g. secure-by-design doors, window locks and security lighting.

4.2 Supporting Witnesses of Anti-Social Behaviour

The Council will support witnesses and work with them to secure a successful outcome where anti-social behaviour occurs. The Council will protect witnesses and work in partnership with the Police and other agencies as appropriate to ensure that witnesses feel secure and are supported.

For any legal action to succeed, witnesses are usually required to attend County Court to detail what they have seen and experienced. It is more appropriate if these witnesses are neighbours who have been directly affected by the anti-social behaviour. However, people may be unwilling to do this for fear of intimidation if they go to Court.

Recognising this, our Policy objectives and standards are to:

- Keep witnesses informed of the progress of court action.
- Provide help from a Victim Support Officer if needed.
- Provide help with transport to and from court, if needed.
- Accompany witnesses in court if they wish.

- Where appropriate, ask the court to put in place special measures to support witnesses during the hearing e.g. screens and video link.
- Work with other agencies and take legal action to ensure witnesses are not subject to intimidation.
- Provide protection measures where required e.g. secure-by-design doors, window locks and security lighting.
- Provide witnesses with an out-of-hours telephone number in case emergency temporary accommodation is required.
- In the most serious cases consider moving witnesses to another area within the City.

4.3 Community Trigger

The Council are committed to participating fully in a joint initiative with the South Wales Police and Crime Commissioner; South Wales Police; other local authorities in South Wales; RSLs and relevant Local Health Boards to implement the Community Trigger. This aims to ensure that victims of anti-social behaviour can receive a consistent standard of response.

The trigger allows victims of persistent anti-social behaviour, who have previously reported incidents to one or more agencies, to request a review of their case where they feel the actions taken have not been adequate.

Across the South Wales region there are seven community trigger co-ordinators. For Cardiff, this is the manager of the Council's Housing Anti-Social Behaviour team. Once a trigger has been activated, this will involve co-ordinating agencies to take a joined-up, problem-solving approach to find a solution.

5. Measuring Our Success

The methods the Council will use to show that we are effectively implementing our policies and meeting our service standards are:

- Annual survey of tenant satisfaction with the overall service and outcomes.
- Regular review of performance through internal senior management meetings.
- Publicising successful outcomes.
- Regularly researching best practice and ensuring all tools available to tackle anti-social behaviour are reflected within our procedures.
- Improving awareness of, and access to, services through the website, leaflets and other publicity.
- Training and development of staff on anti-social behaviour policy, legislation and guidance so that they are fully aware of.

5.1 Performance and Outcomes

The following performance measures will help the Council to evaluate its success.

Referrals

The number and location of anti-social behaviour referrals are collected monthly.

Early and Informal Remedies

- Numbers agreeing to participate in restorative justice
- Number of referrals to Victim Support
- Number of warning letters issued
- Number of Acceptable Behaviour Agreements

Legal Remedies

- Number of Injunctions applied for and obtained
- Number of Notices to Extend Introductory Tenancies served
- Number of Notice of Termination of Introductory Tenancies served
- Number of Notice of Seeking Possessions (secure tenancies) served
- Number of Notice of Seeking Possession relying on the Anti-Social Behaviour Absolute Ground for Possessions served (secure tenancies)
- Number of Notice Before Proceedings for a Demotion Order served
- Number of Notice of Seeking Possession of a Demoted Tenancy served
- Number of Undertakings
- Number of Demotion Orders
- Number of Possession Orders
- Number of Evictions

5.2 Publicising our Actions

The Council recognise that publicity is an important in dealing with anti-social behaviour. The Council will, through the *Tenants' Times*, for example, keep our tenants informed on progress being made on managing anti-social behaviour.

Where appropriate, the Council will use the media to promote our achievements. The aim will be to increase awareness and confidence in our tenants that firm action is being taken and perpetrators are being appropriately dealt with. This will assist in sending out a clear message that anti-social behaviour will not be tolerated.

5.3 Complaints

Complaints about poor service are dealt with in accordance with the Council's Complaints Policy. Some types of complaint are excluded from being dealt with under that Policy, including those about approved policies and properly made decisions.