

# Report to Report to Safer Neighbourhoods and Active Communities Scrutiny Board

**Thursday 31<sup>st</sup> March 2022**

<b>Subject:</b>	Revised SMBC Anti-Social Behaviour Policy 2022
<b>Director:</b>	Alice Davey Director of Borough Economy
<b>Contact Officer:</b>	Tessa Mitchell Business Manager Community Safety & Resilience <a href="mailto:tessa_mitchell@sandwell.gov.uk">tessa_mitchell@sandwell.gov.uk</a>

## 1 Recommendations

- 1.1 That the Scrutiny Board considers and comments upon the revisions to the councils Anti-Social Behaviour Policy attached in full as Appendix 1.

## 2 Reasons for Recommendations




- 2.1 The Anti-Social Behaviour Policy has been updated to bring together an overview of ASB Management from across the council.
- 2.2 The revision has not made any procedural changes.
- 2.3 SMBC is committed to ensuring that all residents enjoy their right to peace, quiet and security in their homes and neighbourhoods. We recognise that ASB can have a severe effect on the wellbeing of residents and that we have an interest to act to minimise it.



- 2.4 We are dedicated to looking after neighbourhoods and making sure they are safe, sustainable and cohesive places where people are happy and proud to live. We take all reports of anti-social behaviour very seriously and will investigate incidents reported to us, working in partnership with other agencies, such as the police, to prevent and tackle such behaviour with a robust approach.
- 2.5 ASB means different things to different people. However Anti-Social Behaviour is defined legally as conduct that:
- Has caused, or is likely to cause, harassment, alarm or distress to any person
  - Or
  - Can cause housing-related nuisance or annoyance to any person
- 2.6 Aspects of anti-social behaviour are dealt with by different services across the council. As part of the 'One Council, One Team' approach the policy has been reviewed to clarify which council team manages which types of ASB and the adoption of a hub based approach to assist people to understand and find the 'right approach first time' for various types of ASB. This is supported by the ASB Portal, introduced in 2018 which already triages complaints and directs them to the right teams.
- 2.7 The policy has however retained a key focus on housing anti-social behaviour. The Anti-Social Behaviour Act 2003 (Part Two) required that where a Local Authority (LA) is a landlord, it must prepare and publish policies and procedures in relation to anti-social behaviour (ASB). Sandwell has a dedicated ASB Team who are primarily focussed on tenant related ASB but who also work with partners to help address ASB across a wider profile. This revision does not change any of these procedures.

### 3 How does this deliver objectives of the Corporate Plan?



	<ul style="list-style-type: none"> <li>• Delivery of awareness and resilience building work in our schools.</li> </ul>
	<p>People live well and age well</p> <ul style="list-style-type: none"> <li>• Focus on tackling anti-social behaviour in neighbourhoods which can significantly impact on individuals health and wellbeing.</li> <li>• Community Engagement</li> </ul>
	<p>Strong resilient communities</p> <ul style="list-style-type: none"> <li>• Place based tasking processes using evidence to focus on specific issues across each town</li> <li>• Community awareness work through ASB team and partnership</li> <li>• Tackling perpetrators</li> </ul>
	<p>Quality homes in thriving neighbourhoods</p> <ul style="list-style-type: none"> <li>• Use of our CCTV stock to support community safety across our estates and towns</li> </ul>

## 4 Context and Key Issues

### 4.1 Background

The Anti-Social Behaviour (ASB) Policy provides guidance for frontline officers, residents, businesses and members of the public on how Sandwell Council will respond to complaints of anti-social behaviour.

4.2 The policy also outlines the commitment of partners' duties in relation to the Equality Act 2010 (regarding ASB and hate crime) which aims to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.

4.3 ASB covers a wide range of activity and behaviours and as such is dealt with by a number of teams as outlined in the full Policy document. Individual areas will have their own procedures for dealing with these issues. As part of the 'One Council, One Team' approach the policy has been reviewed to provide more clarity on the different roles.

### 4.4 Public Consultation

In reviewing and revising this policy we have undertaken workshops with residents / service users and other key stakeholders. These have



included:

- Service User Workshop 19<sup>th</sup> October 2021
- Stakeholder Workshop 27<sup>th</sup> January 2022

#### 4.5 Findings

ASB remains a key concern for residents. Service users felt that It is not always clear which services were responsible for what, particularly when it came noise nuisance. No specific feedback was received which suggested any changes to existing procedures. The key feedback was around the need to ensure good timely communication during investigations to keep complainants up to date. These findings have been shared with the services involved in managing ASB across the Council to incorporate in their operational activity.

- 4.6 The revisions made in this policy effectively bring together the various types of ASB management into one overarching policy making it clearer who deals with what types of ASB, reflecting the feedback given throughout these consultations both by service users and staff.

### 5 Alternative Options

- 5.1 The council is required to have an ASB policy in place and is required to base it on government legislation and guidance as outlined in 2.7 of this report. The Scrutiny Committee is therefore invited to comment on the proposed revisions to the policy.

### 6 Implications

<b>Resources:</b>	There are no significant resource implications to adopting the revised ASB Policy.
<b>Legal and Governance:</b>	<ul style="list-style-type: none"><li>• The council and its partners will operate within the legislative framework of the Anti-Social Behaviour Act 2003 and the Anti-Social Behaviour, Crime and Policing Act 2014.</li><li>• Housing Acts 1985 &amp; 1996</li><li>• Environmental Protection Act 1990</li></ul>



	<ul style="list-style-type: none"> <li>• The Crime &amp; Disorder Act 1998</li> <li>• Equality Act 2010</li> </ul> <p>The council will also ensure compliance with the law regarding data and information sharing.</p>
<b>Risk:</b>	<p>This is business as usual and adheres to all required and existing SMBC and partners risk assessments and required mitigations. A specific Policy Risk Assessment has also been undertaken.</p> <p>This policy also ensures that as a Council we comply with our statutory requirements in relation to ASB.</p>
<b>Equality:</b>	<p>An EIA has been completed as part of this process which has identified a need for improved data collection in relation to protected characteristics. This will improve our understanding regarding the impact that ASB is having on those with protected characteristics and whether individuals are being disproportionately affected either as victims or perpetrators.</p> <p>Tackling ASB and enhancing community safety should help address disadvantage and disproportionality ensuring that the vulnerable are safeguarded and community resilience increased.</p>
<b>Health and Wellbeing:</b>	<p>Reducing and managing crime and anti-social behaviour, and protecting its victims has a positive impact on health and wellbeing.</p>
<b>Social Value</b>	<p>Engagement with local residents and strengthening civic pride. Provision of opportunities for involvement through volunteering, engagement and positive activities.</p>

## 7. Appendices

- Appendix 1 - Sandwell Anti-Social Behaviour Policy 2022



## 8. Background Papers

- Anti-Social Behaviour Act 2003
- Anti-Social Behaviour, Crime and Policing Act 2014.

