
**Manchester City Council
Report for Resolution**

Committee: Communities and Neighbourhoods Overview and Scrutiny
Committee Housing Subgroup -9 March 2010

Subject: Anti-Social Behaviour – Neighbourhood Management

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PURPOSE OF REPORT

- To outline how issues of anti-social behaviour (ASB) are managed by social housing providers
- To explain the role of social housing providers in the wider Crime and Disorder/ASB governance arrangements
- To explain homelessness procedures in dealing with applicants with known ASB histories
- To explain the situation with regards to wider rehousing procedures in relation to the Rehousing Review List

RECOMMENDATIONS

- That Overview and Scrutiny Committee members note the contents of this report and continue to support the work currently undertaken to encourage social housing providers to play a full role in tackling ASB.
- That Overview and Scrutiny committee members make any recommendations as appropriate.

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1. Background

- The Local Authority has a general statutory responsibility to have regard for tackling ASB when exercising its functions and to do all that it reasonably can to prevent crime and disorder in its area including ASB.
- A variety of tools and powers are available to the Local Authority and partners ranging from legal enforcement to support and including early identification of problems and preventative interventions
- All agencies are encouraged to carry out interventions within the 'triple track approach' of prevention, non-negotiable support and appropriate enforcement.
- While prevention of ASB and support and protection of victims and witnesses is at the forefront of the work undertaken, it is also necessary to take a holistic view of the perpetrator and ensure that any mental health/drug/alcohol/domestic abuse/parenting issues are also addressed.
- For children and young people engaged in ASB, action is taken within the framework of the 'think family' approach and any safeguarding children concerns.
- Social Housing Providers play a key role in ensuring that ASB is tackled in their area.
- A city-wide ASB Strategy is currently being written and lead Registered Social Landlords (RSLs) and Northwards, the Arms Length Management Organisation (ALMO), have played a full role in co-drafting the document.

2. Social Housing Providers and ASB

Legal responsibility

- Every RSL is required under s12 of the Anti-Social Behaviour Act 2003 to prepare policies and procedures in relation to anti-social behaviour and have a written statement that is available for inspection.
- There are a range of tools and powers available to RSLs to tackle ASB in their own properties and to intervene in cases that 'affect their housing management function'. These powers relate to their own tenants and also to others who may be affecting their tenants, so RSLs can take action against private and owner occupying perpetrators where necessary.
- The most obvious tools and powers available are tenancy enforcement actions such as tenancy related injunctions and possession proceedings. However, RSLs can also make Anti-Social Behaviour Order (ASBO) and Anti-Social Behaviour Injunction (ASBI) applications in their own right.

Minimum Standards

- The ASB Strategy will contain a number of minimum standards that partners, including social housing providers, will be asked to commit to.
- See appendix 1 for draft minimum standards suggested.
- The minimum standards are a combination of the Respect Standards for Housing Management (which many RSLs and the ALMO in the city signed up to), the Tenant Services Authority suggested standard on ASB and the Home Office standards currently being promoted by the ASB Unit.

Regulatory Framework

- The Tenant Services Authority (TSA) is currently consulting on a regulatory framework which aims to ensure accountability across the social housing provider sector.
- The TSA will set standards across a range of service delivery areas, including a Neighbourhood and Community Standard which outlines the expectation for registered providers to work in partnership to prevent and tackle ASB in the neighbourhoods where they own homes.
- The TSA are still consulting on what sanctions will be applied to those who fail to take this responsibility seriously. ASB Services within the Crime and Disorder Unit and the ASB Unit in the Home Office have been lobbying the TSA to ensure that the regulatory framework is robust in this respect.

Day to day delivery

- A number of the lead RSLs and the ALMO have some form of Service Level Agreements with the Council's Anti-Social Behaviour Action Team (ASBAT). These include City South, Adactus, Southway, Northwards, Parkway Green, and Willow Park. The central ASBAT service provides expert casework support and training to these organisations in relation to legal interventions. This service compliments the 'in-house' arrangements within each organisation for tackling ASB in their neighbourhood areas. Other individual RSLs 'buy-in' assistance from ASBAT on specific difficult cases if necessary. Recent customers have included Arawak Walton, Anchor Trust, Johnnie Johnson and Tung Sing.
- Eastlands Homes and Willow Park have their own well-established 'in-house' specialist services and many of the RSLs are working towards setting up their own specialist teams.
- RSLs and the ALMO conduct surveys of their tenants. Most of the surveys include questions on ASB and how confident tenants are about landlord performance. An exercise is underway to attempt to ensure consistency across survey methods so that city-wide comparisons are possible.
- Social Housing Providers return data on their use of tools and powers to the ASB Policy Team, within the Crime and Disorder Unit, on a quarterly basis. This information is collated into a matrix for analysis. Many of the RSLs have ASB data recording systems in place and return the information when requested. However, the quality of the data returned is not always robust and the matrix is currently under review to assess how best to support the RSLs to return the information requested.
- Quarterly RSL Respect Champions meetings take place to pull together operational managers of RSL and the ALMO ASB services across the city to share good practice and identify any blockages to delivery.
- The Respect and Community Cohesion Workstream (a sub-group of the Strategic Housing Partnership) also meets quarterly to ensure the strategic support of RSL partners at a senior level.

3. Neighbourhood focus

The Crime and Disorder/ASB reduction strategy is firmly located at neighbourhood level. The views, concerns and priorities of local people are what drive the strategy. Integrated local delivery of services is paramount in achieving resident satisfaction and confidence as is the active inclusion and participation of local people.

The Respect approach to neighbourhood crime and ASB reduction has been extremely successful in delivering sustainable solutions to local problems and is now a trusted and effective brand recognised at neighbourhood level.

The 'Proud Of Manchester' work has enhanced the work begun by Respect and this will be built on further through a unifying 'community force' which will be one of the central pillars of our engagement strategy over the coming year.

Neighbourhood structures

The formal infrastructure for the delivery of crime and disorder reduction is shown below. The ALMO and RSL partners are encouraged to participate in the local structures within the Crime and Disorder Reduction Partnership. Details of partner engagement are monitored and managed through CDRP Performance framework mechanisms. Under section 17 of the Crime and Disorder Act there is a duty to cooperate and Social housing providers participate in:

- **Local Tasking Meetings** bring all partners working in a particular area together, on a regular basis to resolve the crime and ASB issues affecting that area. Partners share information and work together to problem solve. Analytical data is produced to identify trends. Local Tasking Meetings are held fortnightly in every Neighbourhood Police Team area, and are chaired by the Neighbourhood Inspector.
- **Neighbourhood Partnerships** are local meetings involving Councillors, local residents and representatives from a range of local agencies and businesses working / operating in the local area, including the Council, the Police and Housing Providers. The purpose of meetings is to gather information about crime and ASB in the local area and to update the group on recent / planned activities to prevent / reduce crime / ASB.
- There is a **Partnership Business Group** for each police division, chaired by the Chief Superintendent. These are monthly meetings, attended by Senior Managers from agencies within the partnership. The purpose of the meetings is to oversee the work of the Local Tasking Meetings, to provide a strategic steer and to identify and remove blockages.
- More complex anti-social behaviour cases requiring a multi-agency response will be referred to an **Area Casework Panel (ACP)**. The ACP will be responsible for co-ordinating a multi-agency action plan that uses a whole family, triple-track approach to stop the anti-social behaviour and supports the perpetrator(s) to change their behaviour. The ACP will identify a Lead Professional and an ASB Key Worker. There is an ACP Divisional Manager for each division who chairs the ACP meetings. There is an ACP for every Neighbourhood Policing Team and meetings are held monthly. Cases are often referred by the Local Tasking Meetings and by the social housing providers.

Strategic Housing

Manchester's Strategic Housing Partnership has been working on the definition of neighbourhood working which will incorporate associated roles, responsibilities and standards. The first element of this has been completed with a range of definitions relating to neighbourhoods being produced. The following definitions have been

chosen as a guide for the development of a common approach to neighbourhood management and service delivery.

- **Neighbourhood Management and Service Coordination** – ‘the commitment of all services both individually and collectively, at a local level to improve the place and the quality of life for local residents and by so doing, demonstrating their accountability to that neighbourhood.’
- **Neighbourhood Service Delivery** - ‘A combination of services being delivered collectively within a specified area to achieve agreed outcomes’.

This work is ongoing with social housing providers through the neighbourhood’s workstream of the partnership and is currently being reviewed against the national standards contained within the TSA’s Regulatory Framework. There are several areas of work linked to the standards that are well advanced including local cooperation which is focussed on partnership working and the ASB minimum standard. The Strategic Housing Partnership will be using the best practice from this work to look at further opportunities of a consistent approach to neighbourhood working.

Respect Action Activity

- Many social housing providers are fully involved in Respect activity.
- A mixed programme of Respect activity takes place across the city with Community Safety Co-ordinators leading on delivery. This activity is currently being evaluated by the Crime and Disorder Unit.
- These activities bring together officers working across all agencies and seek to integrate and embed joint approaches and identify individuals and families for enforcement and support interventions. The ALMO and RSL partners often lead and help co-ordinate this activity.
- Analysis of targeted Respect activity to date shows high levels of community satisfaction and engagement and a reduction in anti-social behaviour for the period of the intervention and beyond.

Other initiatives

Family Intervention Projects (FIPs) and the Challenge Fund

- Social housing providers in the city are demonstrating a willingness to develop FIPs within their own services.
- FIPs provide intensive support to vulnerable families and in particular those facing legal actions, evictions, or who are affected by longstanding worklessness and poverty.
- The FIP model is based on projects established as part of the Government’s Respect programme to target families involved in persistent anti-social behaviour and aims to intervene with families according to the triple track approach (early intervention, non-negotiable support and enforcement). Assertive working methods are employed and families are referred to intensive parenting programmes.
- Manchester has a number of FIPs operating to this model in the city. The existing FIPs comprise of the Council’s Family Support Plus/Manchester FIP (city wide floating support), Action for Children (5 households in core unit and north of the city floating support) and a small Youth Crime FIP (based in the

Complex Families Parenting Team in ASB Services, in the Crime and Disorder Unit).

- In addition, the Department of Children, Schools and Families has established the Challenge Fund. This is additional funding made available to encourage social housing providers to create FIPs in their organisations, in conjunction with the local authority.
- A successful bid was submitted in round one of the Challenge Fund by Northwards, Parkway Green, Willow Park and the Council for 3 additional FIP workers with management support, to be based with each organisation.
- A further bid is to be made to the second phase of the Challenge Fund for additional resources to cover City South and Southway areas, with a possibility of other RSLs joining too.

Challenge and Support/Youth and Early Intervention

- A number of RSLs part fund work in the area of youth intervention.
- The aim is to identify young people who are at early stages of involvement in ASB and direct to diversionary activities or issue warnings as appropriate.
- The Challenge and Support Team consists of a number of Youth Intervention Officers who are based locally but managed centrally through the ASBAT service. Attempts are being made to encourage more RSL partners to part fund posts in order to provide city wide coverage for the work.

4. Engagement

There is a mixed picture across the city of social housing provider engagement with relevant agencies and processes. It is probably fair to say that;

- Those organisations that have transferred from the local authority at some stage in the distant and recent past, have better structures in place and are more heavily involved in neighbourhood and partnership working across their local areas.
- It is easier for some providers with clear geographically defined areas to engage in neighbourhood and ASB structures than those who have properties spread across a wide area.
- For those RSLs with a small number of properties spread across the city there are often capacity issues affecting consistent neighbourhood engagement.
- It is also more complex for providers who operate across local authority and police authority areas to agree common operational procedures and still maintain consistency within their own organisations.
- Certain of the traditional RSLs in the city do also take a lead role in developing partnership working.
- However, apart from the framework being developed by the TSA, there is little available in terms of sanctions for those providers who do not engage.
- The Crime and Disorder Unit and Strategic Housing Services are working hard to encourage providers to participate in operational and strategic discussions and joint working practices at neighbourhood level. This includes the smaller RSLs as well as the transfer and traditional larger organisations.

5. Homelessness procedures for ASB families/individuals

Homelessness Legislation

- The provision of a service to homeless people and assessing what, if any, duties are owed to them is a statutory duty for which Manchester City Council (MCC) is responsible. The legislation sets out the baseline service that any homeless person can receive. MCC has the power to do more if it wants to but it cannot do less. An investigation into the circumstances that lead to a person becoming homeless and what duty the local authority owes to them must be carried out before any other decision, for example to exclude them from the waiting list, is made. This can lead to MCC having a statutory duty to rehouse people who are at the same time placed on the Rehousing Review List (RRL).

Homelessness Assessment

There are 5 'hurdles' to consider when dealing with applications from people who are homeless.

- Eligibility for assistance
 - This relates to residency and asylum status issues. People are eligible or not. If the latter then the investigation stops here.
- Homeless and/or threatened with homelessness
 - A person is homeless or threatened with homelessness if we have reason to believe they do not have occupation that we think it is reasonable for them to occupy.
- Priority Need
 - There are no duties other than to provide advice and assistance unless a homeless person has priority need for accommodation. People are in priority need if they are pregnant, have dependent children, are vulnerable, 16/17 years old, care leavers under 21 or homeless as a result of an emergency. Most single homeless people are found not to be in priority need and therefore there is no duty to rehouse them.
- Intentional homelessness
 - If a person is deemed to be in priority need in order to decide what duty is owed to them MCC must decide whether that person has become homeless intentionally. A person is intentionally homeless if 'he deliberately does or fails to do anything in consequence of which he ceases to occupy accommodation which is available for his occupation and which it would have been reasonable for him to continue to occupy'.
 - A deliberate act that leads to loss of accommodation could include non payment of rent, eviction due to anti social behaviour etc.
 - If a homeless person is in priority need but intentionally homeless we still need to ensure that they are accommodated for a reasonable period (up to 28 days depending on individual circumstances). Families found to be intentionally homeless are referred to Children's Services to ensure joint assessments of need and risk.
- Local connection
 - If a person successfully demonstrates that they meet the requirements of the first 4 hurdles above, the local authority can then consider whether the person has a local connection. This means they need a residency connection or have some other exceptional reason for needing to reside in the area applied to.

Homeless households who have a full rehousing duty but are excluded from the waiting list due to anti-social behaviour

- These households are placed in temporary accommodation schemes that are staffed 24 hours a day. Staff in each scheme are specifically trained to work to ensure that families engage in appropriate activities to address their anti-social behaviour.
- The household will remain in this temporary accommodation scheme until the homeless duty ends, their behaviour results in eviction from the temporary accommodation, or their behaviour improves and subject to the agreement of the Anti-Social Behaviour Panel (in the case of families) they can be moved in to self contained temporary accommodation and or rehoused.
- Until the agreement to rehouse a household is reached they will not be eligible for mainstream accommodation.
- Whatever decision is made the household will continue to be given support whether they remain in temporary accommodation or are rehoused.
- Homeless households are also subject to the Serious Offenders Panel.

Homeless households who are ready to be rehoused

- The Anti-Social Behaviour Panel decides when it is appropriate for a family to be rehoused and what level of support is required to ensure the family can live in mainstream accommodation.
- Extra tenancy conditions will also be identified by the Anti-Social Behaviour Panel in certain circumstances. If a low level of support is required the household will be referred to the relevant Housing Support Service.
- For households who require more intensive support and where the principle issue is anti-social and/or offending behaviour the household will be referred to the FIPs or the Tenancy Compliance teams.
- The appropriate worker will arrange to meet with the household and carry out a risk assessment and agree the way forward. This will identify any support needs, risks the household presents, provide clarity about the roles and responsibilities of the household the worker and any other agencies involved with the case. Both parties will sign the agreement which could include frequency of visits, involvement of other agencies , clear expectations around behaviour , management of children etc. The worker will in all cases attend the sign up interview to ensure that the support services and housing services are operating together and a consistent message is being sent out to the household.
- The support worker and housing officer will monitor the behaviour of each household in their accommodation and take any necessary action. This will include challenging the household to modify and cease the anti-social behaviour, the withdrawal of support and if necessary eviction.

6. Rehousing procedures

The Rehousing Review List (RRL)

- The RRL is list of people who may either be ineligible for rehousing under the Council's (and other partners) allocation schemes or who may not have kept to their tenancy conditions at some time and therefore warrant further investigation as to their eligibility for rehousing.

- The RRL is used by the Council and its partners to record behaviour of individuals that may have a future impact on rehousing. The RRL is not a list of people who are automatically ineligible for rehousing under the Council's scheme.

Ineligibility

- There are a number of reasons why a person might be ineligible for rehousing. The RRL makes ineligible those individuals who have committed "*unacceptable behaviour*".
- This is defined as behaviour which would, if an applicant or member of their household was a secure tenant, entitle a landlord to possession under any of the Grounds 1 to 7, Schedule 2 of the Housing Act 1985. It includes:
 - Conviction for illegal or immoral purpose.
 - Causing nuisance and annoyance to neighbours or visitors.
 - Committing certain criminal offences in or near the home and still posing a threat to neighbours or the community.
 - Being violent towards a partner or members of the family.
 - Having lost accommodation provided in connection with employment due to conduct making it inappropriate for the person to reside there
- In addition a rehousing applicant is ineligible if they are deemed as having behaved in a way that has spoilt the peaceful enjoyment of any residential area, or anyone who has been violent to or threatened staff, or agents, or those employed by the applicant's previous landlord and who has not satisfied the Council or Registered Social Landlord that they will keep to a tenancy agreement.

Current situation

- Many people are listed on the RRL for multiple reasons with debt being the highest and anti social behaviour, being the second highest reason for exclusion.
- Once entered onto the RRL there are a number of points in the rehousing process where this status should be checked. The procedure requires that Housing Staff check that applicants are not on the RRL when registering an applicant and at offer stage. To ensure this is completed staff are prompted by the computer to do this at registration and when making an offer. This means that not to do this requires a staff member to bypass this part of the processes and so gives more assurance that these checks are completed.

Appeal process

- An applicant is able to appeal their entry onto the RRL. The review is conducted by a senior officer and is made in writing and setting out why the applicant believes that re-entry onto the rehousing register is now justified. For debt, re-entry onto the rehousing register is permitted after an agreement plan is made to repay the debt for those owing under £500 in unpaid rent and after making payments over 13 or 26 weeks (dependent on the debt level) for those owing higher amounts.
- Appeals on the grounds of anti social behaviour require a higher level of consideration so the appeals officer can satisfy themselves that there is very low risk of the anti social behaviour reoccurring in a future tenancy. Reviews generally involve interviews with the applicant and could include the applicant

demonstrating cooperation with support agencies which has led to a substantial improvement in behaviour.

- To agree re-admission the reviewing officer has to be satisfied there has been no reasonable cause for complaint or concern against the applicant (or members of their prospective household) for a continuous period of one year.

6. Conclusions

- There is a wealth of work going on across the city by individual social housing providers and by the local authority and the police to ensure that ASB is tackled at neighbourhood level.
- This is at legal enforcement level and also in early intervention, prevention and support.
- Many local structures work well and partners engage effectively.
- However, there is room for improvement in some areas.
- The Strategic Housing Service is developing a neighbourhood focused approach in relation to local common standards across social housing provider partners.
- The Crime and Disorder Unit are committed to ensuring social housing providers sign up to the ASB Strategy and minimum standards and develop delivery plans to implement improved service delivery at local level.
- Performance on ASB will be monitored through the Crime and Disorder Reduction Partnership framework for accountability.

7. Recommendations

- That members note the contents of this report and continue to support the approach taken by partners to tackle ASB in the city.
- That Overview and Scrutiny committee members make any recommendations as appropriate.

Appendix 1

Partnership	<p>Partnership We will work in partnership to tackle ASB and produce positive measurable outcomes for residents.</p>	<p>We will:-</p> <ul style="list-style-type: none"> • Ensure effective communication between partners in identifying and dealing with ASB • Share information and intelligence in a timely manner to ensure that officers dealing with ASB cases can do so, based on all relevant facts and considerations. • Provide the appropriate level of support to Partnership activities and to improve Partnership performance
	<p>Prevention and Early Intervention We will identify opportunities to prevent ASB and/or to intervene early to prevent escalation.</p>	<p>We will:-</p> <ul style="list-style-type: none"> • Use a range of information and intelligence sources pro-actively, to identify patterns of ASB, including hotspots and repeat victims. • Challenge those who engage in ASB and where appropriate, encourage people to access support services. • Work together to encourage participation in positive activities as an alternative to ASB
	<p>Enforcement We will take enforcement action to stop anti-social behaviour and to protect complainants / witnesses as appropriate.</p>	<p>We will:-</p> <ul style="list-style-type: none"> • Take reports of ASB seriously, recording, investigating and keeping complainants informed of action taken. • Use tools and powers available to tackle ASB, as deemed necessary and proportionate. • Take quick and decisive action to investigate deal with hate crime and other forms of harassment.
	<p>Support We will support victims / witnesses who are suffering ASB and we will support perpetrators to change their behaviour.</p>	<p>We will:-</p> <ul style="list-style-type: none"> • We will maintain regular contact with victims / witnesses in ASB cases and ensure they are fully aware of what is happening with their case. • Offer support and practical help to victims / witnesses. • Work in partnership to identify the underlying causes of the anti-social behaviour and we will support perpetrators to change their behaviour using Think Family Approach.
	<p>Communication We will increase the number of people who feel safe and increase public confidence in local agencies.</p>	<p>We will:-</p> <ul style="list-style-type: none"> • Publish our service standards and by being held accountable for performance against these. • Provide residents with accessible complaints processes. • Involve and empower communities and provide residents with information about action being taken to tackle ASB.
	<p>Performance We will seek to continually improve our performance on tackling ASB.</p>	<p>We will:-</p> <ul style="list-style-type: none"> • Regularly review ASB policies, procedures and commitments and ensure that these are up to date and reflect best practice. • Share good practice / lessons learned. • Use performance information / other data to identify trends / opportunities to improve