

The Highland Council

Agenda Item	7
Report No	CPE 22/13

Community Safety, Public Engagement and Equalities Committee –
13 June 2013

Partnership Report on Antisocial Behaviour

Report by Depute Chief Executive/Director of Housing and Property

Summary

This report provides an update in relation to the Highland Antisocial Behaviour Strategy and a summary of activity across partner agencies who have responsibilities for managing specific issues relating to antisocial behaviour. The report also sets out priorities for the year ahead.

1. Background

- 1.1 The Antisocial Behaviour etc (Scotland) Act 2004 requires that each local authority and relevant Chief Constable prepare a strategy for dealing with antisocial behaviour. The Highland Strategy reflects current national policy and guidance and places antisocial behaviour in the context of wider arrangements for community safety in Highland.
- 1.2 A Multi Agency Protocol is also in place detailing the roles and responsibilities of each agency in relation to antisocial behaviour. This provides a framework for sharing information between agencies when investigating individual cases of antisocial behaviour. Copies of both the Strategy and the Protocol can be found on the Antisocial Behaviour and Neighbourhood page on the Council's website.
- 1.3 The Strategy identifies a number of priorities, and progress on these is summarised in **Appendix 1**. The following sections of the report provide details of responsibilities and specific achievements over the last year on an agency basis. **Appendix 2** provides details of lead agency arrangements for different aspects of antisocial behaviour.

2. The Highland Council

- 2.1 The Highland Council is responsible for managing the response to antisocial behaviour, supported by Police Scotland and other statutory agency partners. A number of Council Services have responsibility for specific aspects of work. An update from each Service is provided below.

3. Chief Executive's Service

- 3.1 Regular meetings take place between the Council's Corporate Manager, Police Scotland and the Scottish Fire and Rescue Service to discuss community safety issues which require a joint strategic response.
- 3.2 The Chief Executive's Service leads in delivering Safe Highlanders which is an educational event for primary 7 pupils tackling issues of community safety. This delivers learning which is integrated with the nationally developed Primary Schools'

Curriculum for Excellence and 'Health and Wellbeing' outcomes.

3.3 This year's event took place in May, through a partnership approach including: The Highland Council, Police Scotland, Scottish Fire and Rescue Service, Scottish and Southern Energy, British Red Cross, Institute of Safety and Health, NHS Highland, Maritime Coastguard Agency, Fujitsu and Youth Action Service. Further details of Safe Highlanders and evaluations of the event can be found on the Council's website.

3.4 The Licensing section administers the Registration of Private Landlords and the licensing of Houses in Multiple Occupation (HMOs). There has been an increase in landlord registration and enforcement activity over the last year. During this period cross service work has taken place to improve guidance to landlords and tenants through newsletters and web pages with a view to preventing management problems arising. Work is currently underway to review existing complaints procedures and to review and update the HMO conditions and standards.

4. Housing and Property

4.1 The Housing and Property Service is responsible for overseeing the Council's response to antisocial behaviour complaints, although this response may vary where other services have a lead role. One of the key roles of the Service is managing and chairing local Antisocial Behaviour Partnership Groups, which are described below.

4.2 In relation to tenancy management issues, complaints are handled by the relevant landlord and may involve interventions from Community Wardens, Housing Management Officers or Antisocial Behaviour Investigators. In serious or persistent cases a joint approach is taken. This might involve accompanied visits with another service or agency or referral to the local Antisocial Behaviour Partnership Group.

4.3 If the complaint does not involve a tenant of a social landlord, advice and information is initially provided by an Antisocial Behaviour Investigator. Depending on the nature of the complaint, staff may also make enquiries with the Police, landlord registration, other Council Services and Partner Agencies to establish if there is a wider issue that requires investigation and or referral to the Antisocial Behaviour Partnership Group.

4.4 Antisocial Partnership Groups meet 6-8 weekly and are held in Caithness, Sutherland, Ross-shire, Inverness, Nairn and Badenoch and Strathspey and Lochaber. If there is a need for Skye cases to be referred, they will normally be discussed at the Lochaber group. Cases can be referred by any agency / landlord.

4.5 The Housing and Property Service reviewed the Homelessness Policy in 2011 and implemented a wider assessment of clients who are considered to have multiple and complex needs. This assessment identifies individuals who require input from other services in order to address their housing and support needs. Training on this process has been delivered to staff and the process has also been included in antisocial behaviour staff guidance in order to identify specific support needs and potentially prevent homelessness.

4.6 Staff guidance has been developed for all Highland Housing Register landlords in relation to the allocation of housing to individuals who have a history of antisocial behaviour. These cases require allocations to be risk assessed by the local Antisocial Behaviour Partnership Groups.

- 4.7 Further Housing legislation is expected later in 2013, which is likely to contain new provisions relating to:
- more flexibility for landlords to consider previous antisocial behaviour when deciding priority for housing
 - more flexibility in using Short Scottish Secure Tenancies in more cases of antisocial behaviour
 - allowing landlords to convert a tenancy from a Scottish Secure Tenancy to a Short Scottish Secure Tenancy without a court order
 - simplifying the eviction process where another court has already considered antisocial behaviour by a tenant of the household
 - creating an initial tenancy for all new affordable rented housing tenants which would automatically convert to a Scottish Secure Tenancy after 12 months if no repossession action had been taken.
- 4.8 The Housing and Property Service, in partnership with other Council Services and Community Safety Partners has piloted a Junior Community Warden Scheme involving 1st Year pupils of Thurso High School. The scheme aimed to engage with community groups and young people to promote positive behaviour and good citizenship in communities in Highland.
- 4.9 The scheme was very successful and culminated with a presentation ceremony held in 2013 where the young people delivered presentations on their experience and were awarded certificates from Ormlie Community Association and further certificates recognising their volunteer work which goes towards the Saltire Awards Scheme.
- 4.10 Following some reporting issues experienced with the recording information on antisocial behaviour cases, a data recording module has been set up internally within the Housing Information System. Housing and Property staff have been trained on this and procedures have been developed to support staff with this recording process which went 'live' on 1 April 2013.
- 4.11 The Council's Antisocial Behaviour Policy was agreed in 2009 and although it remains compliant with current legislation and national policy some changes may be required to take account of local consultation and proposed changes to legislation. We are currently consulting on possible policy changes with tenants and other interested groups, as well as other Services and agencies.
- 4.12 A Community Safety Memorandum of Understanding (MoU) has been developed to provide a framework for intelligence sharing between Northern Constabulary, Highlands and Islands Fire and Rescue Service and the Highland Council in relation to community safety and antisocial behaviour. This and the current Multi Agency Protocol and Strategy on antisocial behaviour are currently subject to review following implementation of the Police and Fire Reform Scotland Act 2012 and local arrangements with Health and Social Care Integration and High Life Highland.

5. Transport, Environmental and Community Services (TECS)

- 5.1 Antisocial issues managed and investigated by TECS are littering and fly tipping, dog fouling, stray dogs, abandoned vehicles, noise nuisance and enforcement of houses in multiple occupancy (HMO) licensing conditions.
- 5.2 The TECS Committee approved a Zero Tolerance approach to litter in May 2013. This will involve widening the group of staff authorised to enforce the law relating to

litter and fly-tipping, linked to the preparation and publication of a calendar of enforcement days. The approach will encourage and support local communities to organise events aimed at keeping their communities free of litter and improving the overall environment.

5.3 The zero tolerance approach will see a shift from education to enforcement with the main centres of population being the target of enforcement days. Education and awareness resources will continue to be provided to schools and others on the problems associated with litter and fly-tipping.

5.4 The Community Safety MoU has provided an opportunity for cross Service/Agency information sharing in relation to enforcement activity and matters being investigated by Trading Standards.

6. Health and Social Care

6.1 Where a perpetrator of antisocial behaviour is known to the Criminal Justice Service (CJS) the service continues to contribute to a multi-agency plan tackling the behaviour.

6.2 Following the introduction of Community Payback Orders (CPOs) in 2011, CJS continues to strengthen its range of community-based interventions for offenders subject to statutory supervision.

6.3 Following the report of the Commission on Women Offenders in 2012, CJS is developing services in line with key recommendations in the report, including establishing a dedicated social worker for women offenders as part of the re-designed substance misuse service. This brings together the 3 key components of the one-stop shop for women recommended by the Commission: social work, health and substance misuse services.

6.4 Mentoring services for women and young offenders aged 16 – 24 years will be established in 2013/14 in partnerships with Sacro and Action for Children/Barnardos as a result of the Scottish Government's Reducing Reoffending Change Fund. This will further strengthen services for women offenders in Highland.

6.5 Antisocial behaviour and offending by young people is managed through Children's Services, and through GIRFEC procedures. Highland Council provides a specialist service to young people who commit offences and those who are involved in substance misuse.

6.6 The Council also funds three police constable posts, one within each of the Public Protection Units. These posts, called Youth Coordinators work very closely with Youth Action Teams and help identify young people who are in danger of becoming involved in offending behaviour with a view to prevention through diversionary activity.

6.7 Diversionary activities play a key role in reducing offending behaviour by providing alternative facilities and activities for young people. While the aim of diversion is to target young people engaging in, or on the edge of offending behaviour, a positive additional outcome is that all young people can take part in many of the activities. Examples of diversionary activities taking place in Highland are:

- Street Football – this began in 2008 and has proved a worthwhile activity for young people
- Fusion – Fusion events are run in partnership between Highlife Highland, Action

for Children and Youth Highland. Between January and May 2012 the Fusion partnership ran 119 youth work events that were attended by 2842 young people.

- Twilight Basketball – is now run with support from a number of partners including Cashback for Communities and Shell. This is a national programme which provides basketball sessions in safe settings
- Youth Advantage Outreach (YAO) supports vulnerable young people who are engaged in minor offending behaviour, are disadvantaged or disengaged. It is run in partnership with the Police, the Scottish Fire and Rescue Service, Highland Council and Army Youth Teams. YAO is a five day residential course facilitated by the Army.

7. Police Scotland

7.1 The Highland Local Policing Plan 2013/14 contains a specific objective to reduce the level of antisocial behaviour. From a police perspective antisocial behaviour includes alcohol misuse; breach of the peace; disturbance / noise; drunkenness; disorder; litter / fly tipping; fire raising; neighbour disputes; public mischief (wasting police time); suspicious persons; threat / extortion and vandalism. Statistical information has been provided in the Community Safety Strategic Assessment reported separately to the Committee.

7.2 The key operations which are used by Police Scotland to tackle the various elements of antisocial behaviour within Highland are :

1. “Operation Deter” – which aims to raise the profile of vandalism and to take a focused and proactive approach to deterring and detecting incidents.
2. “Operation Notebook” – which aims to make people feel, and be, safer by tackling antisocial behaviour in and around residential properties within the community. This includes a 3 stage escalatory approach.
3. “Operation Respect” – which aims to reduce street violence, disorder and incidents linked to licensed premises.

7.3 Police Scotland are also leading on “campaign against violence” days. This involves non-public facing officers deployed to frontline operational duties, as an additional resource, to tackle specific areas of public concern such as antisocial behaviour. The types of activities which are being conducted under these operations are:

- High visibility patrols during the school holidays targeting town centres where youths tend to gather.
- Liaison / engagement activities with community councils, schools and youth groups to both highlight incidents of vandalism and the impacts of antisocial behaviour.
- Increased frequency of Licensed Premises checks.
- Intelligence led stop and search operations.
- Proactive use of CCTV to both pre-empt and identify incidents of antisocial behaviour.

7.4 Police Scotland has an Antisocial Behaviour Liaison Officer (part funded by Highland Council) who provides analytical data to both the Highland Council and Police Officers.

7.5 In light of the recent change to the policing landscape, work will take place over the next year in relation to partnership documentation and priorities. In particular the

links with the new Divisional structure and the Partnership Community Safety Strategic Assessment, Single Outcome Agreement, the Highland Local Policing Plan, Antisocial Behaviour Strategy and Protocol and the Safer Highland Leadership Group all required to be reviewed.

7.6 It should be noted that none of this work will impact on the Police Scotland operational focus on antisocial behaviour and it is anticipated that on completion of this work, it will greatly enhance partnership working.

8. Scottish Fire and Rescue Service (SFRS)

8.1 One of the key fire safety priorities for the Scottish Fire and Rescue Service (SFRS) is a focus on those most at risk individuals and communities. Through a multi-agency approach the SFRS is tackling deliberate fire setting and fire related antisocial behaviour in order to reduce demand on resources. Fire related antisocial behaviour in Highland consists mainly of deliberate fire setting and hoax/malicious fire calls.

8.2 The SFRS is keen to build on the existing partnerships in order to identify contributory factors and develop activities to reduce these issues. The Community Safety Memorandum of Understanding referred to earlier in this report is being used to work towards a reduction in fires involving refuse and refuse containers. In addition through working with businesses under the Fire (Scotland) Act 2005 advice is given on the hazards of unnecessary build-up of waste material and the securing of refuse bins around business properties.

8.3 There is believed to be a close link between deliberately set secondary fires and other forms of fire related antisocial behaviour and the SFRS and partner agencies see diversionary activities and education as a means to reduce this. Examples of on-going initiatives in Highland are:

- Firesetters Intervention Scheme which involves specially trained SFRS personnel delivering fire safety intervention to young people who have been identified as displaying previous fire setting activity, through active liaison with parents, operational crews, teachers, social services and other agencies.
- Hi-Fires youth engagement programme aimed at young people aged 12-16 who may be on the brink of offending, are truanting, have behavioural issues or suffer from low self-esteem. The programme is held on Fire Stations across Highland and through partnership changes attitudes and perceptions of young people by promoting life skills and good citizenship. This is achieved by providing a positive work experience programme including the essential elements of first aid, use of operational equipment and simulated fire incidents, all within a disciplined and controlled environment.
- Delivery of a DVD using puppets aimed at school and nursery pupils in order to emphasise the associated dangers of hoax calls.
- Youth Advantage Outreach (YAO) – described in paragraph 6.7 above.

9. Future Priorities

9 This report provides a summary of the wide range of activities undertaken by the Council and other agencies aimed at preventing and responding to antisocial behaviour. Priorities in the year ahead have been identified as:

- Reviewing current strategy to take account of the Local Policing Plan, Local Fire Plan and priorities identified from the Community Safety Strategic Assessment.

- Continuing to develop approaches to partnership working to prevent and respond to antisocial behaviour.
- Reducing the impact of antisocial behaviour through a range of partnership activities.

10. Implications

- 10.1 **Resources:** The arrangements for responding to issues of antisocial behaviour are delivered through existing resources within each Council Service and Partner Agency.
- 10.2 **Legal:** Council Services and partner agencies work within a variety of legislative and regulatory requirements, however, the Antisocial Behaviour etc.(Scotland) Act 2004 is the overarching legislation that applies to this report.
- 10.3 There are no known climate change or risk implications arising from this report.
- 10.4 The Highland Council Antisocial Behaviour Policy and Joint Strategy will be subject to an Equality Impact Assessment which will identify any equality issues that require to be addressed.

11. Recommendation

11.1 The Committee is invited to:

- **support** the approach taken to antisocial behaviour
- **agree** the following priorities for the year ahead:
 - reviewing current strategy to take account of the Local Policing Plan, Local Fire Plan and priorities identified from the Community Safety Strategic Assessment.
 - continuing to develop approaches to partnership working to prevent and respond to antisocial behaviour.
 - reducing the impact of antisocial behaviour in the Highlands through a range of partnership activities.

Designation: Depute Chief Executive/Director of Housing and Property

Date: 3 June 2013

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Background Papers: Antisocial Behaviour etc. Scotland Act 2004;
 Police and Fire Reform Scotland Act 2012;
 Local Antisocial Behaviour Strategy;
 Highland Council Antisocial Behaviour Policy;
 The Highland Multi Agency Antisocial Behaviour Protocol

Highland Council and Northern Constabulary Antisocial Behaviour Strategy 2011-2016 – Action Plan	
1.	Improve customer engagement and encourage reporting of antisocial behaviour at the earliest opportunity. This would include promoting the use of alternative reporting methods (i.e Crimestoppers, Hate Free Highland)
	<ul style="list-style-type: none"> • Regular promotion of Crimestoppers and Hatefree Highland at Tenant Conference and Tenant Newsletters • Joint Crimestoppers/ASB Workshop at Tenant Conference 2012 • Antisocial Behaviour Booklets and Charter available in Highland Council Offices • Promotion of Neighbourhood Watch through Highland Council Tenant Newsletters • Highland Council Webpage relating to antisocial behaviour • Reporting details to be included in the Highland Council Tenant Handbook • Reporting information communicated by Tenant Participation Officers in a variety of forums • Reporting information provided in Highland Council Tenant Newsletters • Regular engagement activities with Community Councils and Ward Forums to identify community issues such as ASB. • Use of social media to request information and inform the public safety issues. • Police Scotland Website to inform the public on local policing teams and their priorities. • Engagement activities with reference to the development of the priorities, which currently included ASB, of both Local and Ward Policing Plans. • Regular local press releases in support of Antisocial Behaviour operations when they occur.
2	Better reassurance to the public of the ongoing work undertaken by agencies in tackling antisocial behaviour.
	<ul style="list-style-type: none"> • Highland Council standard presentation available for delivering to community groups on request • Presentation to Highland Council Tenant Conference • Regular engagement activities with Community Councils and Ward Forums to identify community issues such as ASB. • Use of social media to request information and inform the public safety issues. • Police Scotland Website to inform the public on local policing teams and their priorities. • Engagement activities with reference to the development of the priorities, which currently included ASB, of both Local and Ward Policing Plans. • Regular local press releases in support of Antisocial Behaviour operations when they occur.
3	Develop procedures to ensure that appropriate support is offered to victims of antisocial behaviour
	<ul style="list-style-type: none"> • Highland Council antisocial behaviour staff guidance directs staff to ensure victims are aware of Victim Support Services and make referrals as appropriate • Highland Council Staff also support victims by listening to the issues, ensuring regular contact and providing contact details for further updates • Victim Support have access to the Highland and Islands Division crime recording system in order to identify the support requirements for victims. • Where a ASB crime has been committed the victim will be sent a letter informing them that they will be contacted by Victim Support unless they request otherwise • Victim Support Scotland undertook an initiative around historical neighbour disputes which ran for 2/3 months in 2012
4	Develop procedures to ensure appropriate referrals are made at the earliest stage in relation to cases where there appear to be factors contributing to neighbour problems (i.e housing support, fire safety, mental health, addictions)
	<ul style="list-style-type: none"> • Highland Council Multiple Needs assessment/homeless prevention procedure document complete and shared with staff • Multiple Needs assessment undertaken to identify specific support needs and referrals made appropriately (i.e housing support, fire safety, mental health, addictions, mediation, employability)
5	Develop procedures for the use of multiple / complex needs assessments, support planning and joint working in relation to rehousing clients with a history of antisocial behaviour
	<ul style="list-style-type: none"> • Note Action 4 progress • Multiple Needs Assessment training delivered to Highland Council Housing and Property Staff

	undertaken
6	Develop procedures to help staff implement current policy on sensitive allocations
	<ul style="list-style-type: none"> • Highland Council Antisocial Behaviour staff guidance highlight information sharing requirement in relation to cases identified by the ASBPG for the purpose of allocations • Allocations staff guidance has been drafted to reflect need for ASBPG view on allocations to applicants who have been highlighted by the group : this guidance note is awaiting approval from the Highland Housing Register (HHR) Management Group • Awaiting forthcoming legislative change or guidance following the Scottish Government Consultation on Affordable Rented Housing
7	Extend the use of interim accommodation and / or Short Scottish Secure Tenancies (SSST) with support
	<ul style="list-style-type: none"> • Use of interim accommodation is identified through applying the multiple needs assessment • Use of SSST is assessed in terms of current legislation • Awaiting forthcoming legislative change or guidance following the Scottish Government Consultation on Affordable Rented Housing
8	Continue to focus on the use of education, prevention and intervention methods with a view to reducing future antisocial offending.
	<ul style="list-style-type: none"> • Review the Community Safety MoU to take account of Police and fire reform, Health and Social Care integration and Highlife Highland as a separate organisation. • Formalise operational working arrangements in relation to the Community Safety Memorandum of Understanding Police/Council/Fire
9	Develop arrangements for Ward reporting of case numbers and outcomes and communication with Members in relation to Antisocial Behaviour Partnership Groups
	<ul style="list-style-type: none"> • Highland Council Antisocial Behaviour Staff Guidance reflect agreed method of ensuring Members are notified of actions/outcomes of cases they have an interest in • Withdrawn from the TASBIT system and an antisocial behaviour module now live on the internal Housing Information System (Live from 1st April 2013) Reports will be extracted to comply with the National Reporting Framework

Lead agency arrangements for issues of antisocial behaviour	
Nature of problem	Lead Agency/Service
Neighbour disputes e.g. noise, untidy gardens, children's behaviour, parking, pets, lifestyle clashes	Individual Social Landlords for tenants Antisocial Behaviour Investigators/CAB/Solicitor/Independent advice for other tenures
If the antisocial behaviour involves a young person or a parent/guardian of a child/children	Youth Action Service
Houses of Multiple Occupancy licensing	Chief Executive's Service - Administration of HMO licenses TECS Environmental Health – Enforcement and Inspection of HMO Licenses
Registration of Private Landlords	Chief Executive's Service– Administration of registration applications
Any form of harassment and or intimidating behaviour	Police Scotland
Behaviour that causes alarm	Police Scotland If the behaviour is as a result of alcohol or drug misuse, referral may be made to the NHS and or the Community Mental Health Service
Vandalism and graffiti	Police Scotland TECS – Community Works
Littering and fly-tipping	TECS – Community Works
Abandoned vehicles	TECS – Community Works
Dog fouling	TECS – Community Works
Animal Welfare	TECS – Animal health and welfare
Noise nuisance	Police Scotland TECS Environmental Health Landlord/owner
Fire setting/raising hoax fire calls	Police Scotland Scottish Fire and Rescue Service
Antisocial use of vehicles	Police Scotland
Unwelcome or aggressive Doorstep sellers	TECS -Trading Standards
Sale of fireworks, tobacco and other age regulated goods (excluding alcohol) to children and young people	TECS Trading Standards
Unlicensed second-hand vehicle dealing from domestic premises	Police Scotland TECS Trading Standards