

**Scrutiny Committee on Community Safety and Community Services –
19th January 2012**

Report of the Chief Executive

Dudley Borough Anti-Social Behaviour Review

Purpose of Report

1. The purpose of this report is to update Members on the review of the Council's Anti-Social Behaviour (ASB) Service and to seek the Committee's views as part of the consultation process.

Background

2. A report recommending a review of the ASB service was endorsed by Corporate Board in September 2010. A comprehensive review had not been completed since 2005 but tackling ASB has consistently remained a key concern for the public within Dudley.
3. The need to carry out a comprehensive review was driven by the outcomes from the inquest into the 'Pilkington' case which highlighted gaps in vulnerability assessments across partner agencies in Leicestershire and the need to test our own systems in Dudley, Programme Paragon which had instigated a major overhaul of the structures and processes for managing ASB in the Police and changes to Housing Regulation and the development of local offers, including service response to ASB.
4. Also driving the review was the need to improve the levels of satisfaction amongst residents who had used our services for responding to complaints of ASB.
5. The review commenced in January 2011 using a Lean Systems Thinking methodology. It was originally envisaged the review would take a period of 6 months but early into the review it became apparent for a full and meaningful review to be completed it would take significantly longer.
6. The Objectives set for the review are to improve business efficiency and maximise customer satisfaction on the response to complaints of ASB. The review group established to carry out the work were specifically asked to consider the following:
 - How we respond to and manage complaints
 - How we determine what the required outcome is
 - How we protect vulnerable people
 - How we use preventative and / or diversionary actions
 - How we work as a partnership

Review Findings

7. A measurement of service demand at the start of the project identified the main type of complaints received from residents were in relation to neighbour disputes, noise nuisance, groups of young people and environmental issues e.g. fly-tipping, dog fouling.
8. Extensive process mapping was completed on real cases across these categories to understand how we responded to them, whether those responding were following approved processes and if not to understand the reasons why. This work has provided a real understanding and insight into what type of service we currently offer to customers. Much good practice was identified, where appropriate, timely and effective responses resolved the complaint made about ASB but a number of issues were highlighted that required changes to be made to the service.
9. Customers can access the service through a number of different routes sometimes leading to confusion for customers on who they should report problems to and on who was managing their case. Officers also often experienced the same confusion with service specific procedures and processes compounding this confusion rather than providing clarity of guidance.
10. There is evidence that officer often deviate from agreed procedures because they understand they do not provide good customer outcomes and have developed their own working practices in order to tackle issues more effectively.
11. The use of diary sheets issued to residents to collect evidence of the ASB or nuisance they are experiencing are the most complained about part of our processes. However most of our procedures for responding to ASB are built around the need to obtain and collect diary sheet evidence.
12. Cases often take longer than is desirable to resolve with significant variations across cases. The time taken to resolve cases increases significantly where legal remedies are required. There is evidence that opportunities for early intervention and resolution through the use of non-legal remedies such as mediation are sometimes missed. There is also evidence that cases have been left open when all reasonable and proportionate responses have been provided and the cases should have been closed.
13. Action plans are not consistently used by officers managing complaints and are also inconsistent in quality. There is limited evidence of case reviews taking place and the absence of formal risk assessments. There is also a lack of consistency in case management across service areas and partners.
14. There are good examples of partnership working to resolve problems of ASB but there are no triggers for this to take place at operational levels across the partnership structures. Officers have indicated they would welcome a structured way of meeting with other partners working in the same location.
15. There is evidence that our responses to environmental ASB are efficient, with the exception of the process for removal of fly-tipping from land in the ownership of Housing Services, where a delay is built into the process before removing the rubbish to allow for investigation. There is no evidence that this action improves the likelihood of enforcement action against the perpetrator or reduces repeat incidents.

Service Re-Design

16. Work has now commenced on re-designing processes and procedures that are intended to address the findings from the review.
17. In order to ensure complaints about ASB are responded to effectively and by the right service area work has commenced on re-designed guidance and service requests for officers at Dudley Council Plus who take initial calls. This re-design will include an initial risk assessment and prioritisation of the complaint against an agreed set of rules. Where appropriate complainants will also be given guidance on how they can safely and effectively help to resolve the problem they are reporting themselves.
18. It is proposed to eliminate confusion regarding who responds to complaints of ASB that service requests are managed by tenure. It is proposed that any complaints made by or relating to a Council tenant will be managed by Housing Services with any other complaints being managed by the Anti-Social Behaviour Unit (ASBU). The ASBU will need to be remodelled to ensure it can meet the demand for its service, which would include a transfer of resources from Private Sector Housing.
19. Service standards for initial response to complaints of ASB have been proposed:
 - Immediate (threat to life) – Police to respond
 - Urgent – Based on initial risk assessment – ASBU / Housing Services to respond
 - Standard – Based on initial risk assessment – ASBU / Housing Services to respond
20. A partnership case plan is being developed to ensure consistency of response to complaints of ASB and to remove any barriers or blockages to successful outcomes. The plans will include extensive advice and guidance for those responding to service requests, standardised letters and documents, legal advice, advice and contact details on services available through the partnership and an escalation process to ensure problems do not get stuck. The plans will be made available through the intranet sites of partners and will be updated to reflect good practice as it is identified.
21. Partnerships meetings and structures will be re-designed to support the delivery of the case plans. It is intended to develop area based partnership meetings around ASB and improve the opportunities to seek assistance from partners in resolving cases, accessing resources from across the partnership and for intelligence data to be shared in a consistent and structured way amongst operational front line staff.
22. Further work is being done to understand why case time increases when legal remedies are required. More process mapping is being undertaken to identify inappropriate and incorrect referrals and to check if the most effective interventions and actions are being used when non-legal remedies have been exhausted. This work along with that on case plans will bed in a new approach to the use of diary sheets where there use is time and purpose specific and other options for resolving the complaint or collecting evidence are considered before diary sheets are issued.

23. To measure the impact of changes that are proposed a new partnership customer satisfaction survey is being designed. These surveys will be issued when cases have been closed but consideration is also been given to other triggers for seeking customer feedback. A set of key performance measures are also being developed that will provide better understanding on demand and actions taken so that any changes in levels of satisfaction can be considered in the context of a more holistic understanding of the service.

Consultation

24. Consultation with key stakeholders on the findings of the review and proposals for change was undertaken during November and December. The results of this consultation are attached at Appendix A. It is intended to test and refine processes early next year and fully implement changes in the new financial year.
25. Views are sought from members of the Scrutiny Committee on the following:
- Do the findings of the review match the feedback that you receive from members of the public about ASB?
 - Do you agree with the changes proposed?
 - If not what else would you recommend is changed?

Finance

26. It is anticipated that the changes made to the service will provide better value for money by reducing wasteful processes and the risk of duplication of work by different teams. The development of more robust management data will also provide greater clarity on the amount of officer time spent dealing with ASB and the total cost of doing so to the Authority.

Law

27. The Council may do anything incidental to, conducive to or which facilitates the discharge of its functions under Section 111 of the Local Government Act 1972. The Crime and Disorder Act 1998 (Section 17) and subsequent amendments including the Police and Justice Act 2006 which amended this to include the reduction of ASB as a statutory responsibility for the Local Authority and Partners is of particular relevance.

Equality Impact

28. Work on an equality impact assessment is scheduled to start in January 2012 to consider the proposals for change that have been put forward as part of the review. This work will continue through the test and refine and implementation stages of the review process.

Recommendation

29. It is recommended that Members note the progress made to date on the ASB Review and comment on the questions set out in paragraph 25 of the report.

John Polychronakis

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List of Background Papers