

EVIDENCE PACK

Anti -Social Behaviour Scrutiny Inquiry

SUMMARY: This is the evidence pack for the Scrutiny Inquiry into Anti-Social Behaviour. It includes all of the evidence collected by the scrutiny councillors at meetings, through research and from submissions. The scrutiny councillors will present their conclusions and recommendations in a separate report based on this evidence.

Introduction

This pack draws together, in one document, all of the published evidence for the Anti-Social Behaviour Scrutiny Inquiry. Over the last 6 months a panel of scrutiny councillors has looked at the Council services, partner organisations, equalities forums, young people and the voluntary and business community. Specifically, they have been looking to answer the following question:

- ***How can the Council ensure that it is working with its partners to appropriately and effectively tackle Anti-Social Behaviour in Swansea?***

The inquiry looked at ASB in relation to the provision of council functions and also its partnership with others. It also considered what the Council does well and what can be improved in this area. This included the following key lines of inquiry:

1. **How effective are strategies, policies and procedures in tackling anti-social behaviour and is the council meeting its regulatory obligations in this area.** What legislative and policy framework is used. Are there effective and efficient systems/practices/processes in place across the Council to enable us to play our part in addressing ASB. Are Council Officers consistently applying these practices.
2. **What is the Council's role in tackling and reducing anti-social behaviour.** Are we carrying it out appropriately and effectively. What are the main challenges.
3. **What are partner roles in tackling and reducing anti-social behaviour.**
4. **How well are the Council and its partners working together to tackle and reduce anti-social behaviour in Swansea.** Who do we work with, what are the partnerships in place. How do we ensure that effective communication between us and our partners to ensure issues are dealt with in an appropriate and timely manner. Include examples of where anti-social behaviour has been dealt with and how, both by the council and in conjunction with its partners. Look at examples where partnership working has gone well, not so well, lessons learned and changes made as a result.
5. **What are the tools available to use to help the Council and its partners tackle ASB?** For example: anti-social behaviour orders, noise abatement etc. Are we using them appropriately and effectively.
6. **How good is the information provided to, and communication with, the public?** How good is the relationship with the public including communication and feedback. What do communities understand ASB to mean. Do we encourage and use resident involvement and feedback to improve people's experiences of the services dealing with ASB.
7. **How is performance monitored and managed?** Data available that measures success, gives indications of extent of the issue and how we and our partners are dealing with it.
8. **How are we and our partners addressing the causes of anti-social behaviour. For example: community policing, community working, youth services, schools etc.** What community cohesion and improvement activity takes place. What is our strategy, vision, aims and objectives in this area?
9. **Look at examples of initiatives and good practice in tackling ASB elsewhere.**
10. **Wellbeing and Future Generations:** What is our strategy, vision, aims and objectives in this area? How are we performing against those? For example, how are we considering future generations and the impact of ASB on our communities.

The final report for the inquiry, including conclusions and recommendations, is expected to be discussed by the Panel in September, be submitted to Scrutiny Programme Committee in October and onto Cabinet in November.

Key set of questions used for all evidence gathering sessions with Council and Partner Organisations

1. What is the role of your service/organisation in relation to tackling and reducing ASB?
2. What are the key challenges you are facing and how are you addressing these (what more can be done to help you to address them...)?
3. How are you engaging with the public i.e., events etc, examples? How do you use the information gained to improve the services provided?
4. What information is available that the public can access about ASB relating to your service?
5. Do you feedback to the victims/reporters of anti-social behaviour about what is being done to address ASB, either in terms of the specific incident they were involved in or reported, or more generally? Do you use this feedback to improve inform and improve your services?
6. Data – any appropriate data relating to ASB and your service area/organisation?
7. Does the council or partner organisation meet its regulatory obligations in relation to the services represented today? If not, why is that and what can be done to help you to do this?
8. How well do you feel the Council and its partners are working together to tackle and reduce anti-social behaviour in Swansea from the perspective of your service/organisation. How could it be improved further?
9. What are the key objectives in your service/organisation in relation to ASB? How do you monitor and manage performance in your service area/organisation to measure and meet these objectives?
10. How is your organisation, the Council and other partners working together to address the causes of anti-social behaviour. Strategies, tools, interventions and work happening in communities, include examples? How could this be improved further?

Key set of questions used for all evidence gathering sessions with young people, business community, equality forums and the public

1. How do you feel about Anti-Social Behaviour in Swansea? (Perceptions)
2. Do you believe it is dealt with appropriately and effectively in Swansea?
3. Do you think that the council and its partners work together effectively to both prevent and tackle ASB?
4. How would you like to see Swansea Council and its partners improve how it prevents and tackles ASB in Swansea?

Timetable of Work Completed

| Date/Venue | Evidence Gathering Activity |
|---|--|
| Pre-Inquiry Scrutiny Working Group 24 Nov 2022 | <ul style="list-style-type: none"> • Overview of subject area with Lead Council Officer/s and Lead Cabinet Member. They will provide a strategic overview of Anti-Social Behaviour including details of the legal frameworks we work under and identifying who the key influencers are. • Discuss and agree the Terms of Reference and Project Plan for the Inquiry. • Agree public call for evidence and IIA for inquiry |
| Evidence gathering | |
| Session 1 17 Jan 23 | Community Inclusion Community Safety Anti-Social Behaviour Officer |
| Session 2 2 Feb 23 | Police and Community Policing |
| Session 3 27 Feb 23 | Education |
| Session 4 1 Mar 23 | Youth Offending EVOLVE and CMET |
| Session 5 9 Mar 23 | Council Housing Neighbourhood Support Unit Public Protection services including noise abatement; and Place/environmental services including fly tipping |
| Session 6 13 Apr 23 | Registered Social Landlords / Housing Associations |
| Session 7 9 May 2023 | Hearing the Voices of Children and Young People CMET youth panel and young people from youth clubs. |
| Session 8 16 May 23 | Round table meeting with Voluntary Sector SCVS rep and Local Business |
| Session 9 23 May 23 | Roundtable meeting with Equalities Forums/Groups |

Agenda Item 6

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| 5. Community Inclusion, Community Safety and Anti-Social Behaviour Officer | 17-33 |
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| 13. Equality Forums/Groups 23 May 2023 | 181-195 |

Integrated Impact Assessment Screening Form – Appendix B

Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area: Scrutiny

Directorate: Legal and Democratic Services

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

(b) Please name and fully describe initiative here:

The Anti-Social Behaviour Scrutiny Inquiry Panel will look at how the Council and its partners are tackling Anti-Social Behaviour in Swansea, see attached Terms of Reference.

The Panel will at the end of the Inquiry write a report to Cabinet with recommendations for service improvement, Cabinet if they agree the recommendations, will be responsible for taking forward those recommendations (at that time they will complete full IIA)

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

| | High Impact | | Medium Impact | | Low Impact | | Needs further investigation |
|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|----------------------------|--------------------------|-----------------------------|
| | + | - | + | - | + | - | |
| Children/young people (0-18) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Older people (50+) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Any other age group | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Future Generations (yet to be born) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Disability | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Race (including refugees) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Asylum seekers | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Gypsies & travellers | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Religion or (non-)belief | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sex | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sexual Orientation | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Gender reassignment | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Welsh Language | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Poverty/social exclusion | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Carers (inc. young carers) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Integrated Impact Assessment Screening Form – Appendix B

| | | | | | | |
|------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| Community cohesion | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Marriage & civil partnership | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Pregnancy and maternity | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement

Councillors will speak to relevant departments, cabinet members stakeholders/partners through a roundtable meeting, panel meetings and through a call for evidence. All meeting will be recorded and made available online and every public meeting will have a section for public questions. The Panel will use any appropriate departmental consultation information already available to inform this piece of work.

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?
 Yes X No

- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?
 Yes X No

- c) Does the initiative apply each of the five ways of working?
 Yes X No

- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?
 Yes No n/a

Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)

| | | |
|--|--|---|
| High risk <input type="checkbox"/> | Medium risk <input type="checkbox"/> | Low risk <input checked="" type="checkbox"/> Recommendations only |
|--|--|---|

Q6 Will this initiative have an impact (however minor) on any other Council service?
 Yes x No **If yes, please provide details below**

Recommendations only at this stage. When/if recommendations from the Inquiry are accepted by Cabinet this will be established.

Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?
 (You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and

Integrated Impact Assessment Screening Form – Appendix B

whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

This is a Scrutiny Inquiry into Anti-Social Behaviour, the Inquiry itself will produce recommendations for service improvement based on the Terms of Reference but does not make the decisions. Cabinet, when they receive the recommendations at the end of the Inquiry, will look at each recommendation made and either agree or reject it. The recommendations that are agreed will then be taken forward and a full IIA will be produced assessing their impact and implications.

Outcome of Screening

Q8 Please describe the outcome of your screening below:

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

No impacts at this stage as not decision making.

The Panel will involve Council Departments, Councillors, providers of services via meetings and the public via Call for Evidence, they will also look at any survey consultation information departments and partners have collected and supplied to the Inquiry. Public panel meetings with public questions section on agenda.

The Inquiry aligns to the principles of the WFG

No risks identified but this will need to be considered when if recommendations are taken forward by Cabinet.

Cumulative impact will be assessed when recommendations are taken forward by Cabinet.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

Full IIA to be completed after decision made on recommendations resulting from the Inquiry. This will be done by Cabinet.

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

| |
|--------------------------------------|
| Screening completed by: |
| Name: Michelle Roberts |
| Job title: Scrutiny Officer |
| Date: 24 November 2022 |
| Approval by Head of Service: |
| Name: Tracey Meredith |
| Position: Chief Legal Officer |
| Date: 24/11/22 |

Please return the completed form to accessstoservices@swansea.gov.uk

Call for Evidence:

Scrutiny inquiry into Anti-Social Behaviour

The primary focus for the inquiry is to look at how the Council and its partners are tackling anti-social behaviour in Swansea. The key question, therefore, is:

How can the Council ensure that it is working with its partners to appropriately and effectively tackle Anti-Social Behaviour in Swansea?

What is not part of this inquiry? Individual cases of anti-social behaviour (ASB). Only as examples of practice. The inquiry will have a strategic focus, with overview of roles and responsibilities, priorities, powers, current experience and trends, partnership activity and achievement, and how things can be improved.

The inquiry will look at anti-social behaviour in relation to the provision of council functions and how it works with its partners and others to address it in communities across Swansea. It will also consider what the Council does well and what can be improved in this area.

To help understand these issues and to answer some of these questions we are inviting written submissions on the following lines of inquiry:

1. Effectiveness of strategies, policies and procedures in tackling anti-social behaviour and is the council meeting its regulatory obligations in this area.
2. The Council's role in tackling and reducing anti-social behaviour.
3. Partner roles in tackling and reducing anti-social behaviour.
4. How well are the Council and its partners working together to tackle and reduce anti-social behaviour in Swansea.
5. Tools available to use to help the Council and its partners tackle ASB.
6. How good is the information provided to, and communication with, the public.
7. Monitoring and managing performance.
8. How are the Council and our partners addressing the causes of anti-social behaviour.
9. Examples of initiatives and good practice in tackling ASB elsewhere.
10. The Wellbeing and Future Generations implications.

The panel is keen to hear from as many members of the public and organisations as possible.

If you wish to submit evidence relating to this Inquiry you can do so by writing to us at:

Email: scrutiny@swansea.gov.uk

Post: Scrutiny Team, Guildhall, Swansea. SA1 4SN



City and County of Swansea

Minutes of the **Scrutiny Inquiry Panel - Anti-Social Behaviour**

Multi-Location Meeting - Gloucester Room, Guildhall / MS Teams

Thursday, 24 November 2022 at 10.00 am

Present: Councillor T J Hennegan (Chair) Presided

Councillor(s)

S Bennett
H M Morris
M S Tribe

Councillor(s)

A M Day
C L Philpott

Councillor(s)

M Jones
B J Rowlands

Other Attendees

Alyson Pugh
Hayley Gwilliam

Officer(s)

| | |
|------------------|---|
| Julie Davies | Head of Child & Family Services |
| Paul Thomas | Community Integration Partnership Manager |
| Jane Whitmore | Strategic Lead Commissioner |
| Gareth Pritchard | Anti-Social Behaviour Officer |

Apologies for Absence

Councillor(s): R Fogarty and M H Jones

1 Disclosure of Personal and Prejudicial Interests

None

2 Prohibition of Whipped Votes and Declaration of Party Whips

None

3 Public Questions

No public questions were received.

4 Anti-Social Behaviour - Strategic Overview

Cllr Alyson Pugh (Cabinet Member for Wellbeing), Julie Davies (Head of Child and Family Services), Jane Whitmore (Strategic Lead Commissioner Social Services), Paul Thomas (Community Integration Partnership Manager) and Gareth Pritchard

(Anti-Social Behaviour Officer) were invited to attend and present their report giving a strategic overview of the issue.

They outlined:

- Why we do this, including the definition of Anti-Social Behaviour under the Crime and Disorder Act 1998, how it is reported, the 4-step plan and how we and our partners provide specific solutions.
- Early intervention and prevention work and tools used.
- The partnership approach, explaining that it is not solely delivered by Swansea Council, that there is a broad partnership approach to taking ASB.
- The Safer Swansea Partnership and the Public Service Board accountabilities.
- Our key partners
- Finance
- Current performance and trends explaining that ASB data is monitored and collated via the Police NICHE system.
- Future challenges and opportunities
- Risks
- Also attached to the report was a list of the key Legislation that impacts on ASB and the Home Office Guidance on Anti-Social Behaviour principles recently published.

The report, and full notes from the discussion, will form part of the Inquiry Findings Report and this will be brought back to the Panel at the end of the evidence gathering phase of the inquiry. It will then be considered alongside all the other evidence gathered when discussing and agreeing the Inquiry conclusions and recommendations.

5 Discuss and agree the Draft Inquiry Terms of Reference and Project Plan

The Working Group agreed their Terms of Reference and Project Plan with the addition of inviting Neighbourhood Support Officers and Local Area Co-ordinators. Also agreed was the Inquiry Call for Evidence and the Integrated Impact Assessment.

The meeting ended at 11.40 am

Chair

24 November 2022 – Pre-inquiry Working Group – Strategic Overview

Points discussed and questions asked by the Panel (over and above the written report provided)

- All depends on good partnership working and a joined-up approach to tackle ASB.
- The early it is reported the earlier the intervention can start.
- There are many different levels of intervention, some offenders are also victims themselves and/or live chaotic lives. Outreach is important here.
- Public perception of ASB can be different and not all ASB, it is a broad term.
- Panel pleased to hear about focus on early intervention and prevention. The panel would be interested in seeing examples of this. The panel felt that this is an important area to focus upon for the council and its partners.
- The Panel wanted to find out more about the extent of the issue, whether there are particular hotspots, numbers of repeat offenders etc. Anti-Social Behaviour Officer and police will be asked to provide this in their evidence sessions.
- Panel felt that the public could be better informed about the 4 stage approach and the legal constraints. Public perception of ASB and fear of crime is a challenge and does not always match with reality.
- The panel asked whether the increase in NEETs or reduction in youth provision would have an effect on anti-social behaviour. The panel will speak to both education and EVOLVE as part of inquiry so can raise this with them too. But the panel did hear that there is no correlation between NEETs and the rise in ASB. Also hearing that the youth service has taken a different form and has increased in the numbers using it, reaching thousands of young people each year.
- The issue of displacement of ASB activity and that it was difficult to predict was raised and how we tackle that was asked. The panel were informed that we can predict some of this activity but challenging as can depend on a number of things like for example good weather etc. We work with all the agencies involved to try and predict and to address this when it happens.
- Councillor membership on different groups at ward level was raised.
- Local area co-ordinators form part of the monthly local problem-solving groups, which involve all the agencies involved in that area.
- Modern building practices and designing safer areas was raised. The panel will raise this with place director when he attends.
- The panel were keen that this inquiry supports social cohesion and focus on what actions can be taken to build upon early intervention and prevention
- The panel would like to understand from officers and partners the challenges that they are facing in relation to ASB and with tighter resources what the benefits are of putting extra resources into this. For example, cost benefit analysis example of where a small investment in this area can bring larger rewards in improved community cohesion and or reduction in ASB. Whether this investment can provide greater outcomes not only for the Council but for partner organisations and the communities.

Report of the Cabinet Member for Well Being Scrutiny Meeting 24 November 2022

ANTI-SOCIAL BEHAVIOUR SCRUTINY INQUIRY PANEL

| | |
|---|---|
| Purpose | This report gives the policy and background as a pre-inquiry outline briefing for the Anti-Social Behaviour Scrutiny Inquiry Panel |
| Content | The primary focus for the inquiry is to look at how Swansea Council and key partner organisations are tackling anti-social behaviour in Swansea |
| Councillors are being asked to | Consider the contents of the report and framework for conducting and planning the scrutiny inquiry into how the Council and key partners are tackling anti-social behaviour in Swansea |
| Lead Cabinet Member / Officer(s) | <ul style="list-style-type: none"> • Cllr Alyson Pugh – Cabinet member for Wellbeing • Dave Howes – Direct of Social Services • Jane Whitmore – Strategic Lead Commissioning |
| Report Author | <ul style="list-style-type: none"> • Paul Thomas – Community Integration Manager <p>paul.thomas5@swansea.gov.uk</p> |

1. Introduction

- 1.1 Swansea Council takes a partnership approach to act in conjunction with other statutory and key partners of the Safer Swansea Partnership to help tackle anti-social behaviour (ASB) throughout the Swansea area.
- 1.2 There is not a specific Council Anti-Social Behaviour team or service area. However, the following posts co-ordinate and deliver our duties and responsibilities in partnership with other Council services and external partners.
- 1.3 The Anti-Social Behaviour Reduction Co-ordinator is an officer in the Community Integration & Partnerships team funded from the Police & Crime Commissioner's Office annual grant and works across the whole of the City & County of Swansea alongside partners.
- 1.4 The Manager for Anti-Social Behaviour Support Team is part of the Landlord & Community Housing Services and this role relates specifically to issues arising from and with Council Tenants.

1.5 Swansea Council has legislative powers to deal with Anti-Social Behaviour as outlined under the “The Anti-Social Behaviour, Crime and Policing Act 2014” which provides additional tools to tackle ASB.

These include:

- Acceptable Behaviour Contracts (ABC)
- Civil injunctions
- Community Protection Notices (CPN)
- Public Space Protection Orders (PSPO)
- Criminal Behaviour Orders (CBO)
- Housing injunctions
- Demoted tenancies
- Court orders to deal with specific situations, such as Closure Orders or Parenting Orders.

In addition to:

- Environmental Protection Act 1990
- Court Orders for Possession

1.6 Further details can be found below:

[What is being done about anti-social behaviour? - Swansea](#)

2. Why we do this?

2.1 This section provides a definition and process followed in regard to reporting, action and intervention

2.2 **Definition:** The Anti-Social Behaviour, Crime and Policing Act 2014 defines ASB as:

- a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
- b) conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises, or
- c) conduct capable of causing housing-related nuisance or annoyance to any person

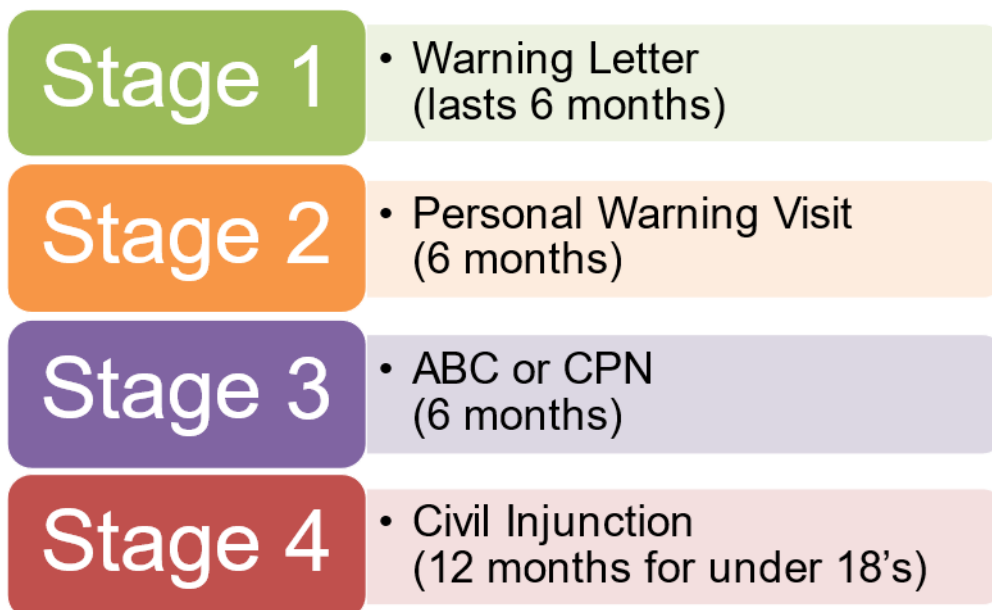
2.3 ASB is reported:

- Via 101 or through Housing Office or other council service areas
- Referral process identifies victims, perpetrators and location
- All referrals are recorded and processed on Niche
- Housing use REACT (an ASB case management database)

2.4 This is to enable us to identify the type of ASB and provide specific solutions. We record and monitor every incident of ASB in order to identify repeat victims and perpetrators and put in place action plans, support and identify vulnerabilities.

- Perpetrators are processed via the 4 Step Plan
- Repeat Victims are identified, and appropriate support is put in place
- Repeat locations are identified and appropriate crime reduction solutions are provided
- Niche allows for data to be collated and analysed for any developing trends

4 Step Plan



2.6 Perpetrators: Informal approach to begin with

Stage 1: Initial warning highlighting what would happen should behaviour continue

Stage 2 visit: This is done by a police officer and YJS officer. Individual will sign personal warning letter and interventions will be discussed and agreed upon

Stage 3: Acceptable Behaviour Contract. This is a Voluntary written agreement which includes both prohibitions and positive requirements. Potential further action is made clear so the person is aware of the consequences. Reviewed every 3 months

Stage 4: Formal Sanction - Civil Injunction for anyone over 10. Includes prohibitions or requirements. Power of arrest.

Early intervention is key in preventing and resolving most ASB from further escalation

2.7 Public Space Protection Orders (PSPOs) were introduced in 2014 as part of the Anti-social Behaviour, Crime and Policing Act 2014.

They provide wide-ranging and flexible powers for local authorities to address anti-social behaviours in response to particular issues affecting communities. PSPOs are a council-led tool to address certain issues in a specific location so they are just one approach that can be targeted in the right way to achieve a reduction in anti-social behaviour.

2.8 There is a broad legal framework which underpins the work. This is attached as **Appendix B**

3. Partnership Approach

3.1 As outlined in section 1, this work is not solely delivered by Swansea Council. There is a broad partnership approach to tackling anti-social behaviour which is co-ordinated through the Safer Swansea Partnership and its partnership sub groups and structures or problem-solving task and finish groups.

3.2 The Safer Swansea Partnership reports and is accountable to the local Public Service Board.

Anti-Social Behaviour is included in Priority 3 of the Safer Swansea Strategy – Stronger Communities and reported on quarterly to the partnership and annually to the Public Service Board

3.3 Some of the key Partners involved in dealing with anti-social behaviour are listed below:

- South Wales Police Community Safety
- South Wales Police Neighbourhood Policing Teams
- Swansea Bay University Health Board
- Youth Justice Service
- Evolve, Early Help and CMET (Child & Family Services)
- Mid and West Wales Fire and Rescue Services AWWFRS
- Registered Social Landlords
- Local Authority Housing ASB Support Team
- Universities and Colleges
- Probation Services
- Third Sector

All of partners engaged are involved in the process and there will be occasions where other stakeholders and partners will be involved to problem solve.

We work closely both with statutory and non-statutory partners when dealing with ASB. We are constantly looking at ways of improving our approach.

4. Finance

4.1 As outlined in Section 1, there is no one specific team that deals with Anti-Social Behaviour from a Council perspective. Swansea Council utilises Grant funding from the Police and Crime Commissioner to fund the Anti-Social Behaviour Reduction Co-ordinator. The Housing Revenue Account (HRA) funds the Anti-Social Behaviour Support Team as part of the Landlord & Community Housing Services relates specifically to issues arising from and with Council Tenants. Child & Family Services utilise a variety of grants to enhance a preventative approach for children and young people. Other areas of the Council such as City Centre Rangers also support this agenda as well as tackling poverty services.

5. Current Performance and Trends

5.1 Anti-social Behaviour is monitored and collated via the Police NICHE

Database system which the ASB coordinator has direct access to in order to update, endorse, process referrals and run reports to analyse specific trends, hotspots and perpetrators.

- 5.2 During lockdown ASB referrals increased but that was mainly due to COVID breaches being categorised as ASB. Actual ASB obviously declined due to restriction of movement. Since lockdown there has been an increase in ASB specifically youth related. In addition to this the implementation of a PSPO in the city centre has also seen a rise in reported ASB. This trend is not isolated to Swansea and is in line with what is happening nationally

6. Future Challenges & Opportunities

- 6.1 The Home Office chairs the Anti-Social Behaviour Strategic Board, which brings together a range of partners and representatives from relevant agencies and government departments to work together to identify and assess strategic issues relating to ASB and share information and good practice in order to support an effective multi-agency response to ASB.
- 6.2 The Anti-social Behaviour Strategic Board has developed a set of principles which seek to describe a consistent approach to understanding and addressing Anti-Social behaviour (ASB) in local communities.

The principles are to act as a guide in seeking to deliver the best possible outcomes for victims of ASB and can be found under **Appendix C** and could potentially form a framework for this scrutiny inquiry.

7. Risks

- 7.1 The main risk to outline in relation to the implications of this inquiry to the Council is around the understanding, definition and wider partnership responsibility for tackling anti-social behaviour together and also the public perception as to what anti-social behaviour is and how it can be tackled

8 Financial Implications

- 8.1 There are no financial implications associated with this report.

9. Legal Implications

- 9.1 There are no legal implications associated with this report.

Glossary of terms:

| Acronym | Expansion |
|---------|---|
| ASB | Anti-Social Behaviour |
| LA | Local Authority |
| WG | Welsh Government |
| TAF | Team Around the Family |
| MWWFRS | Mid & West Wales Fire Rescue Service |
| CMET | Contextual Missing Exploited Trafficked |

| | |
|-----|-------------------------------|
| EHH | Early Help Hub |
| YJS | Youth Justice Service |
| ABC | Acceptable Behaviour Contract |
| IJA | Integrated Impact Assessment |

Background papers: None

Appendices:

Appendix A – IJA Screening Form

Appendix B - Legislation

Appendix C – Home Office Anti-Social Behaviour Principles

Appendix B

Anti- Social Behaviour Legislation

- Anti-Social Behaviour, Crime and Policing Act 2014
- Housing Act 1996 as amended by the Anti-Social Behaviour Act 2003
- Crime and Disorder Act 1998
- Welsh Assembly Government: Anti-Social Behaviour: Policies and Procedures Code of Guidance for Local Authorities and Housing Associations.
- Children Act 1989
- Noise Act 1996
- Environmental Protection Act 1990
- Regulation of Investigatory Powers Act 2000 (RIPA)
- Housing (Wales) Act 2014 (implementation 1/12/22)
- Homelessness Act 2002
- Local Government Act 2000
- Data Protection Act 2018
- General Data Protection Regulation (GDPR) 2018
- Human Rights Act 1998
- Equality Act 2010
- Well-being of Future Generations Act (Wales) 2015
- Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
- United Nations Convention on the Rights of a Child (UNCRC)
- Modern Slavery Act 2015
- Estate Management Strategy 2021-25
- Local Housing Strategy
- South Wales Police & Crime Plan 2022 - 26

Appendix C

Home Office Guidance Anti-Social Behaviour Principles Updated 25th October 2022

The Anti-social Behaviour Strategic Board has developed a set of principles which seek to describe a consistent approach to understanding and addressing Anti-Social behaviour (ASB) in local communities. The principles are not intended to fetter local decision making but rather to act as a guide in seeking to deliver the best possible outcomes for victims of ASB.

- 1. Victims should be encouraged to report ASB and expect to be taken seriously. They should have clear ways to report, have access to help and support to recover, and be given the opportunity to choose restorative approaches to tackling ASB.**
- 2. Agencies will have clear and transparent processes to ensure that victims can report ASB concerns, can understand how the matter will be investigated and are kept well informed of progress once a report is made.**
- 3. Agencies and practitioners will work across boundaries to identify, assess and tackle ASB and its underlying causes. Referral pathways should be clearly set out between services and published locally. This includes pathways for the community trigger and health services.**
- 4. The public's ASB concerns should always be considered both nationally and locally in strategic needs assessments for community safety. Best practice should be shared through a network of ASB experts within each community safety partnership, each policing area and nationally.**
- 5. Adults and children who exhibit ASB should have the opportunity to take responsibility for their behaviour and repair the harm caused by it. Agencies should deliver appropriate interventions, which may include criminal justice options, based on the seriousness, risks and vulnerabilities of the case.**

The Home Office chairs the Anti-Social Behaviour Strategic Board, which brings together a range of partners and representatives from relevant agencies and government departments to work together to identify and assess strategic issues relating to ASB and share information and good practice in order to support an effective multi-agency response to ASB.

The principles have been endorsed by:

- ASB Help
- Association of Police and Crime Commissioners
- Department for Levelling Up, Housing and Communities

- Historic England
- Home Office
- Local Government Association
- National Fire Chiefs Council
- National Police Chiefs' Council
- Resolve
- Victims' Commissioner
- Welsh Government

Audience for the principles

The principles are designed to be used by any agency/partner involved in tackling ASB; for example, local authorities, community safety partnerships, police forces, health agencies, housing associations, civil society organisations, police and crime commissioners and any other agency involved in the process right from the moment an incident has occurred through to case closure and victim support. We recognise that depending on the service an agency provides, some principles might not be applicable. It is for individual agencies and local areas to take a position on which principles apply to them.

Combating anti-social behaviour involves many different partners at local level and we hope that they will apply the principles.

Implementing the principles

The principles seek to describe a consistent approach to understanding and addressing ASB in local communities. The principles are not intended to fetter local decision making but rather to act as a guide in seeking to deliver the best possible outcomes for victims of ASB. They are endorsed by the ASB Strategic Board and are also reflective of the ASB statutory guidance. We encourage partners to assess local practice against the standard outlined in the principles.



City and County of Swansea

Minutes of the **Scrutiny Inquiry Panel - Anti-Social Behaviour**

Remotely via MS Teams

Tuesday, 17 January 2023 at 2.00 pm

Present: Councillor T J Hennegan (Chair) Presided

Councillor(s)

A M Day
A J Jeffery
M S Tribe

Councillor(s)

R Fogarty
M H Jones

Councillor(s)

V A Holland
B J Rowlands

Other Attendees

Alyson Pugh Cabinet Member Wellbeing

Officer(s)

| | |
|------------------|---|
| Julie Davies | Head of Child & Family Services |
| David Howes | Director of Social Services |
| Paul Thomas | Community Integration Partnership Manager |
| Jane Whitmore | Strategic Lead Commissioner |
| Gareth Pritchard | Anti-Social Behaviour Officer |
| Michelle Roberts | Scrutiny Officer |

Apologies for Absence

Councillor(s): S Bennett and M Jones

6 Disclosure of Personal and Prejudicial Interests

Dim

7 Disclosure of Personal and Prejudicial Interests

Dim

8 Minutes

The minutes were accepted by the Panel.

9 Public Questions

No public questions were received.

10 Community Inclusion, Community Safety and the Anti-Social Behaviour Officer

The Panel thanked the Cabinet Member for Wellbeing and Officers for providing a detailed report and attending the meeting to present it and answer questions.

The report and discussion looked at the key set of question the Panel agreed to address with each service/organisation at the outset of the inquiry.

The report and full notes from the discussion, will form part of the Inquiry Findings Report and this will be brought back to the Panel at the end of the evidence gathering phase of the inquiry. This will then be considered alongside all the evidence gathered when discussing the Inquiry conclusions and recommendations.

11 Inquiry Project Plan / Work Programme

The Panel noted the Work Programme. The next meeting will be with South Wales Police on 2 February at 2pm.

The meeting ended at 3.30 pm

Chair

17 January 2023 – Evidence gathering session 1 - Community Inclusion, Community Safety and Anti-Social Behaviour Officer

Points discussed and questions asked by the Panel (over and above the written report provided)

- The Council does not have a specific ASB team or service area. Housing do have their own anti-social behaviour team which responds and manages all ASB reported.
- We have ASB coordinator, who sits within the community safety team, which is under their community integration partnership. His role is to respond to all referrals that come through. So, he manages and coordinates the responses from all of the community safety partners. This could be anyone from Youth Justice Service, South Wales Police, Local Health Board with Morrison Hospital for example. The primarily my role of the ASB coordinator is to ensure is a coordinated response and then be a link between all the various different departments and partner agencies.
- He and other partners carry out public engagement and information events. They for example seek views via questionnaires, including at the Christmas Chalet, from White Ribbon Day and a number of other events leading up to Christmas, so that they can get an idea of what the perception is from the public with regard to crime.
- The five key ASB principles are still under consultation. They have introduced them to the scrutiny panel, so that to make you all aware of what's on the horizon and what the approach is from the Home Office to try and ensure that everybody's in the UK is working towards the same goal using the same structure. The principles are designed to bring together range of partners and representatives from relevant agencies and government departments. And the idea is to work together to identify and assess strategic issues, including the leading to ASB and but share good practice share information and in order to have a effective multi agency response to ASB. This is in the consultation process, these are not embedded anywhere yet, but everything will be victim led.
- One of the aims of the principles will be to help identify, assess and tackle ASB and its underlying causes. Referral pathways should be clearly set out between services and published locally, so these are the things that hopefully can be put into practice in the next five or six months. This is in the early stages and so will develop how this is going to be done and how we are going to do that cross-borders with all the statutory partners. These principles are not intended to hinder local policy or local decision making. But they are more as a guide in how we deliver the best possible outcomes for victims of abuse or behaviour.
- Establishing of some sort of **performance framework** will follow, because if the Council and its partners are working to those principles then we can then measure whether or not they are being achieved.
- Cllr Alyson Pugh (Cabinet Member) - Lots of organisations work together here so this is really multi agency working and every agency will have its own sort of policies and procedures. But the five these principles will help with consistency.

- The Panel were informed the ASB coordinator, admin support officer and Community Safety coordinator roles are externally funded on an annual contract through Police and Crime Commissioner's Office. This is a **challenge** in itself, as officers are uncertain on their future employment year on year and this has an impact on the ability to plan for the medium and longer term, as certain projects and programmes do take a number of years to realise positive outcomes. It was felt that if funding was awarded on a 3-to-5-year cycle, rather than annually this would be far better for the long-term strategic planning and provide stability.
- Council tenants can be supported through Housing, through the HRA but there is no budget for additional support for private housing tenants or homeowners. This means no budget for, or to support legal action. Any enforcement that is not dealt with by police, are interventions that are informal or dependant on voluntary engagement by perpetrators. The Panel heard resourcing ASB will be about understanding the whole picture, how we can work smarter and organise ourselves so that we can be a bit more resilient moving forward.
- Panel asked whether there should be some sort of **question put** to the Police and Crime Commissioner about the need for a longer term financial plan. So at least there would be some element of certainty because, as has been commented on, officers of spending maybe nine months doing the job, but then three months wondering about putting an application for funding from elsewhere.
- The Panel asked whether ASB co-ordinator always organises their own kind of bespoke events or do they go where there are already things happening. The panel were told that they do all of the above. Also, if ward members were running fates or local events through the course of the summer, they are open to going to them, if they can, they do work weekends and late hours.
- There is a website but the Panel heard that it could be improved. There is lots of information on there on how to report anti-social behaviour but could be more on how we are dealing with it. We do need to look at what is done elsewhere and focus on making improvements. Especially with regards to the Community trigger applications and outcomes.
- The Panel asked for ASB Coordinator to expand a little on the numbers of young people, in figures provided, it shows that at various stages they are quite a lot higher than for adults. He said, although I haven't included previous years because of COVID, there's a general consensus of opinion across the whole of the UK, ASB has increased since COVID and this is for various reasons like the impact of multiple lockdowns and then suddenly everyone is out.
- The Panel asked whether young people who are involved in ASB are offered restorative justice. The Panel heard that yes this is called a restorative approach and does take place when appropriate, but it is very sensitive and very challenging, timing is key, it is primarily led by the youth justice service.
- What is important to highlight is the good partnership approach that we have in Swansea, if there are any additional safeguarding concerns we may have relating to ASB is that we have been able to draw down on funding from advanced prevention unit. So that there is help provided to Evolve through some additional funding for outreach workers and also someone in the custodial suite. So, if they

are young person is involved then there is engagement work done immediately on a one-to-one basis to address the ASB and to prevent it escalating.

- Wales, Swansea in particular, have the lowest amount of recorded community trigger applications. Swansea has the lowest in Wales. The ASB Coordinator said, I think it show the fact that we start and finish ASB with a partnership approach. We worked together from that first form or the 101 to that last visit with the PCSO to ensure has been managed successfully (case reviews are primarily are because this has not happened).
- The ASB Coordinator said he wanted to take this opportunity to identify that he is the Community trigger coordinator for Swansea and also the behaviour reduction coordinator for Swansea. It is very difficult to independently chair a review panel when you're the ASB coordinator that could have been involved in 95% of those cases in the 1st place. There needs to be an independent Chair and whether that is an officer or a councillor but who can be truly independent. Panel said this could also be a lay person like with the Audit Committee. The Panel may wish to consider this further for possible recommendation?

Report of the Cabinet Member for Well Being Scrutiny Meeting 17th January 2023

ANTI-SOCIAL BEHAVIOUR SCRUTINY INQUIRY PANEL

| | |
|---|---|
| Purpose | To respond to the Terms of Reference Key Questions for the Inquiry |
| Content | The primary focus in this report is to provide detail and responses to the questions laid out in as part of the evidence gathering sessions for the Inquiry |
| Councillors are being asked to | Consider the contents of the report as part of the inquiry |
| Lead Cabinet Member / Officer(s) | <ul style="list-style-type: none"> • Cllr Alyson Pugh – Cabinet Member for Wellbeing • Dave Howes – Director of Social Services • Jane Whitmore – Strategic Lead Commissioner |
| Report Author | <ul style="list-style-type: none"> • Gareth Pritchard – Anti-Social Behaviour Reduction Co-ordinator • Paul Thomas – Community Integration & Partnership Manager <p>gareth.pritchard@swansea.gov.uk paul.thomas5@swansea.gov.uk</p> |

1. Introduction

- 1.1 Swansea Council takes a partnership approach in working with other statutory and key partners of the Safer Swansea Partnership to help tackle anti-social behaviour (ASB) throughout the Swansea area.
- 1.2 This report is to provide detail and responses to the key questions agreed and laid out in the Terms of Reference for the Inquiry and any actions arising from the initial meeting held on 24th November.
- 1.3 This evidence gathering session covers community inclusion, community safety and anti-social behaviour co-ordination which all take part within the Community Integration and Partnership Team

2. Anti-Social Behaviour Scrutiny Inquiry – Key set of questions

1. What is the role of your service/organisation in relation to tackling and reducing ASB?

There is not a specific Council Anti-Social Behaviour team or service area.

Our role is to identify perpetrators, victims and locations of ASB and coordinate a response to provide early intervention and support, and to prevent and reduce further ASB.

This is carried out through a multi-agency approach with statutory and non-statutory partners and agencies. The Council ASB coordinator processes all ASB referrals and applies the 4 step process.

The ASB coordinator and Community Safety coordinator are qualified crime prevention officers and apply crime prevention techniques such as target hardening locations and victim reassurance where appropriate.

The Community Integration and Partnership team also carry out public engagement and information events throughout the year which our partners attend. We have representatives on each Police led Problem Solving Groups (PSG) providing expert advice and solutions where appropriate

2. How are you addressing the five key principles in your organisation?

The Anti-social Behaviour Strategic Board has developed a set of principles which seek to describe a consistent approach to understanding and addressing Anti-Social behaviour (ASB) in local communities.

The Home Office chairs the Anti-Social Behaviour Strategic Board, which brings together a range of partners and representatives from relevant agencies and government departments to work together to identify and assess strategic issues relating to ASB and share information and good practice in order to support an effective multi-agency response to ASB.

1. Victims should be encouraged to report ASB and expect to be taken seriously. They should have clear ways to report, have access to help and support to recover, and be given the opportunity to choose restorative approaches to tackling ASB.

2. Agencies will have clear and transparent processes to ensure that victims can report ASB concerns, can understand how the matter will be investigated and are kept well informed of progress once a report is made.

3. Agencies and practitioners will work across boundaries to identify, assess and tackle ASB and its underlying causes. Referral pathways should be clearly set out between services and published locally. This includes pathways for the community trigger and health services.

4. The public's ASB concerns should always be considered both nationally and locally in strategic needs assessments for community safety. Best practice should be shared through a network of ASB experts within each community safety partnership, each policing area and nationally.

5. Adults and children who exhibit ASB should have the opportunity to

take responsibility for their behaviour and repair the harm caused by it. Agencies should deliver appropriate interventions, which may include criminal justice options, based on the seriousness, risks and vulnerabilities of the case.

The principles are not intended to hinder local decision making but rather to act as a guide in seeking to deliver the best possible outcomes for victims of ASB.

The principles are designed to be used by any agency/partner involved in tackling ASB; for example, local authorities, community safety partnerships, police forces, health agencies, housing associations, civil society organisations, police and crime commissioners and any other agency involved in the process right from the moment an incident has occurred through to case closure and victim support. We recognise that depending on the service an agency provides; some principles might not be applicable. It is for individual agencies and local areas to take a position on which principles apply to them.

Combating anti-social behaviour involves many different partners at local level and we hope that they will apply the principles.

The principles seek to describe a consistent approach to understanding and addressing ASB in local communities. They are endorsed by the ASB Strategic Board and are also reflective of the ASB statutory guidance. We will use the principles to assess local practice against the standard outlined in the principles.

3. What are the key challenges you are facing and how are you addressing these (what more can be done to help you to address them...)?

The ASB coordinator role, admin support officer and Community Safety Coordinator roles are externally funded on annual contract through the Police & Crime Commissioner's Office. This is a challenge in itself as officers are uncertain on their future employment year on year. It also has an impact on the ability to plan for the medium to long term as certain projects and programmes will take a number of years to realise any positive outcomes. This also means there is no resilience for sickness, leave etc.

If grant funding was awarded on a 3 to 5 year cycle, rather than annually this would be far better for the long term strategic planning and provide stability of staffing. We have been very fortunate that the staff teams involved in this area have been in posts for 10 years plus and are very experienced.

Whilst council tenants can be supported by Housing through the HRA there is no budget for additional support to private residents. As a service, we have no budget to support legal action for any enforcement such as injunctions and although this type of action is a last resort, without that in place many of our interventions are on an informal basis and are dependent on voluntary engagement by perpetrators.

4. How are you engaging with the public i.e., events etc, examples? How do you use the information gained to improve the services provided?

The Community Integration and Partnerships Team carry out public engagement events throughout the year which all partners are invited to attend to provide information, advice and public reassurance for all aspects of their respective organisations which includes ASB. Some examples of the info graphic reports published after each event are attached as **Appendix A**

The location of these events are on a needs basis from information and trends of crime, ASB, community tensions or if a specific issue has been identified. Questionnaires are completed during these events to identify what the residents in that particular community have concerns about, what services they feel they do not have (or access to), and also what they feel is good about their community.

This provides the data and post analysis which we then feedback to other service areas.

We also support SWP when they carry out Op Perception events which is a direct response from outcomes from PSG's where specific trends and concerns have been identified.

Where links have been identified questionnaires are tailored through consultation with statutory partners to ensure there is no duplication.

5. What information is available that the public can access about ASB relating to your service?

The Council website has a page [Anti-social behaviour - Swansea](#) dedicated to ASB and provides information on ASB, the law, how to report it, the 4-step process and what tools are available.

We also use Social Media through the Safer Swansea twitter page to raise awareness and provide information.

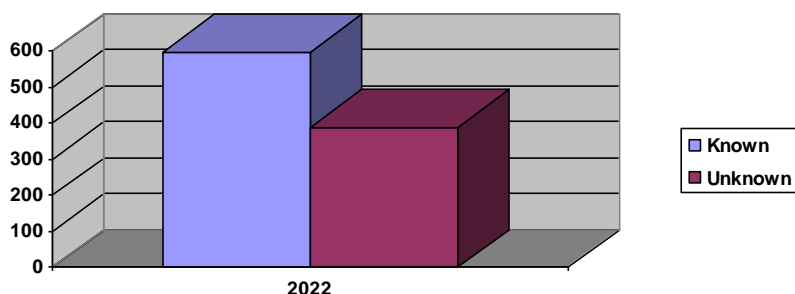
We don't currently provide much in the way of statistics but feel going forward that this should be something we need to consider.

6. Do you feedback to the victims/reporters of anti-social behaviour about what is being done to address ASB, either in terms of the specific incident they were involved in or reported, or more generally? Do you use this feedback to improve inform and improve your services?

Individual agencies/depts (housing, police through victim satisfaction surveys) This information would be for the individual agencies to provide when they attend scrutiny. We don't deal directly with victims and RP's as that is led by SWP

7. Data – any appropriate data relating to ASB and your service area/organisation?

| |
|---|
| Total Number of ASB Referrals for Jan-Dec 2022 = 979 |
|---|



In 2022 there was a total of 979 ASB referrals, of which over half of perpetrators were already known and within the system

| |
|-------------------------|
| Perpetrator Known = 597 |
|-------------------------|

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|---------------------------|
| Perpetrator Unknown = 382 |
|---------------------------|

Perpetrator Known is where the individual has been identified either by the person reporting the ASB, the officer attending, other individuals involved or by other means (this could be through CCTV when carrying out follow up enquiries). To be clear, not all ASB referrals will result in a warning letter as other interventions may have been used to or are already in place.

Perpetrator Unknown is where no individual has been identified either because the reporting person didn't recognise them, they had left the location by the time officers attended, there is no CCTV for follow up enquiries or if it is location based ASB such as fly tipping, graffiti etc. This type of referral obviously doesn't generate any warning letters as there is no subject, however these referrals allow us to monitor if a specific location becomes a repeat location. These are commonly referred to as AREA referrals.

The table below shows a breakdown of the outcomes and stages of ASB incidents in 2022.

We are not responsible for stage 4 injunctions/CPW/N's as other agencies will lead on them.

| |
|----------------------------------|
| Adult Stage 1 First Warning = 45 |
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|----------------------------------|
| Adult Stage 1 Final Warning = 15 |
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|---|
| Adult Stage 2 Personal Warning (PW) = 0 |
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|--|
| Adult Stage 3 Acceptable Behaviour Contracts (ABC) = 0 |
|--|

| |
|-----------------------------------|
| Youth Stage 1 First Warning = 178 |
|-----------------------------------|

| |
|--|
| Youth Stage 1 Final Warning = 51 |
| Youth Stage 2 Personal Warning (PW) = 16 |
| Youth Stage 3 Acceptable Behaviour Contracts (ABC) = 2 |

- 72% of youth first warnings did not repeat their behaviour
- 69% of youth final warning did not escalate to a Stage 2 PW
- Only 12% of those on a Stage 2 PW received an ABC

These figures demonstrate that the earlier we provide intervention the more successful we are in preventing repeat behaviour and escalation of the process.

8. Does the council or partner organisation meet its regulatory obligations in relation to the services represented today? If not, why is that and what can be done to help you to do this?

Yes, it does through a multi-agency approach. The ASB coordinator works directly with the Police Community Safety department specifically alongside the SWP ASB coordinator. Both officers manage all ASB incidents that are referred via 101 or other organisations such as local health board and the council housing department. These referrals are processed via the Niche police database whereby actions are recorded and monitored. The ASB coordinator processes warning letters and liaises with other departments and/or refers to other agencies where necessary to arrange interventions. The ASB Coordinator also monitors and manages jointly all Stage 2 cases and any Acceptable Behaviour Contracts.

However, there are aspects of the way we deal with victims that can be improved. One of the tools available is the Community Trigger. This is an independent case review process that allows victims of ASB who feel their case hasn't been dealt with appropriately to ask for it to be reviewed. The process itself is robust and has been structured in partnership with all 7 local authorities and SWP. Although the structure of the actual panel that carries out the review requires representation from statutory partners, how it is chaired is a local decision. Currently the Community Trigger applications are received and processed by the ASB Coordinator who also chairs the panel. As the coordinator is most often than not already involved in the specific ASB case under review this could be seen as not being independent

There is a need to consider how we change this and make sure an independent person chairs and manages this process in order to provide transparency to the process. There are examples in other areas outside of Wales where this responsibility is being considered to be led by councillors rather than officers who are then supported by the ASB coordinator to provide legislative advice and support on applying the ASB processes

9. How well do you feel the Council and its partners are working together to tackle and reduce anti-social behaviour in Swansea from the perspective of your service/organisation. How could it be improved further?

We work very well and have robust partnership arrangements in place to tackle ASB.

Historically we have not published data that highlights successful intervention and support which would inevitably provide the community with reassurance and confidence in how we deal with ASB.

We attend the monthly Sector Problem Solving group meetings chaired by SWP. These multi agency meetings are to identify any specific locations, perpetrators or victims that require further problem solving with other agencies. The agendas are agency led and allow for information sharing across all agencies.

We also have monthly meetings with the YJS for all YP's that are either on a Stage 2 or on a stage 1 final.

Where there are safeguarding issues identified we liaise with the Contextual Safeguarding Team and if appropriate refer into the CMET for further support and intervention

The general communication with the wider community on ASB data and promotion of the case review process for victims in line with the new guiding principles is an area to consider for further improvement.

10. What are the key objectives in your service/organisation in relation to ASB? How do you monitor and manage performance in your service area/organisation to measure and meet these objectives?

Through SWP Case Management files are created and monitored and updated monthly as to the progression of the case. Monthly reports are run for the PSG meetings which provide data on where, type of behaviour and how many referrals are being made. Utilising the 3 in 3 method to identify repeat locations and victims. The 3 in 3 method is defined as being 3 incidents within 3 months whereby the location or same victim is identified and targeted

11. How is your organisation, the Council and other partners working together to address the causes of anti-social behaviour. Strategies, tools, interventions and work happening in communities, include examples? How could this be improved further?

Through multi agency partnership working we tackle perpetrators by way of the 4-step process. With young people this involves interventions utilising various services such as YJS Prevention Programmes, referrals to the Early Help Hub which can then involve various teams within Child and Family Services to provide support and tools to assist in managing and improving behaviour of individuals.

We also have monthly meetings with the YJS for all YP's that are either on a Stage 2 or on a Stage 1 final. We also attend the monthly Sector Problem Solving group meetings chaired by SWP. These multi agency meetings are to identify any specific locations, perpetrators or victims that require further problem solving with other agencies. The agendas are agency led and allow for information sharing across all agencies.

Where there are safeguarding issues identified we liaise with the Contextual Safeguarding Team and if appropriate refer into the CMET for further support and intervention

We also liaise with and refer into the SV MARAC when dealing with individuals that have been identified as vulnerable through the PSPO process

With adults we work in partnership with the SWP and other services who they may be open to on a case by case basis, which depends on what services are already working with that individual. For example, we liaise with probation, community mental health teams, Housing Options and various third sector agencies, speaking with the individual workers to ascertain what the appropriate action should be.

Early identification of repeat locations and victims allows for crime prevention tools and principles to be applied to target harden those spaces to prevent and deter future behaviour and to provide victim support to those that have suffered from anti-social behaviour. Working with communities through local community working groups we provide reassurance and advice to empower communities to support local decision making to help deal with anti-social behaviour.

We also offer a mediation service for all council residents involved in neighbour disputes as and when required at the earliest stage to assist and support resolutions.

3 Financial Implications

3.1 There are no financial implications associated with this report.

4. Legal Implications

4.1 There are no legal implications associated with this report.

5. Integrated Assessment Implications

5.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.

- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

5.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

5.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

5.2 An IIA screening form (**Appendix B**) has been completed with the outcome that a full IIA report will not be required as this is a for information report. Any initiatives referred to within this report may be subject to individual IIA assessments.

Glossary of terms:

| Acronym | Expansion |
|---------|---|
| ASB | Anti-Social Behaviour |
| LA | Local Authority |
| WG | Welsh Government |
| SWP | South Wales Police |
| PSG | Problem Solving Groups |
| MWWFRS | Mid & West Wales Fire Rescue Service |
| CMET | Contextual Missing Exploited Trafficked |
| EHH | Early Help Hub |
| YJS | Youth Justice Service |
| YP | Young Persons |
| RP | Repeat Perpetrator |
| ABC | Acceptable Behaviour Contract |
| CPW/N | Community Protection Warning/Notice |
| IIA | Integrated Impact Assessment |

Background papers: None

Appendices:

- Appendix A – Examples of Community Engagement Event Info Graphics
- Appendix B– IIA Screening Form

Community Engagement Day

Melin Mynach Park, Gorseinon
June 25th 2022




Once the grey skies and drizzle had passed allowing the sun to peep through, members of the public, families, children and young people turned up to share their views on the local area, enjoy the free entertainment and gather useful information from partners.





Partners

Swansea Council, MAIWF, Gorseinon Fire Station, South Wales Police, Y Future, Early Years, Swansea Working Heartbeat Trust UK, CMET



Entertainment

Roly Poly Entertainment; Crazy Characters, Face-Painting, Artistic Felting, Inflatables



Actions

More events like this in the area at future. Make contact with ASQA and Cleaning Team regarding trolleys dumped in waterways.

CONTACT
FOLLOW

 @SaferSwansea

 @safer_swansea_

 @SaferSwanseaPartnership

 community.safety@swansea.gov.uk

"I walk my dog through this park every day and I have to say it's lovely seeing the kids enjoying today."
- Local Resident

"I'm the admin on the (Local Facebook Group) page. People are always kicking off about something but it's been mainly about the gangs of kids lately."
- Local Resident

"I like living here because everyone knows everyone but it would be good if there was more things for the community, especially the teenagers."
- Local Resident

"Just 'cos some people do bad things around here we get called all sorts because we know the people but it's not us who's doing it."
- Young Person

"I moved here from England five years ago. It is a nice place but there could be more in the town cos the main road is mainly just loads of closed down pubs."
- Local Resident

"Today is good because I just did the drunk driving game and I'm going on the slide again now!"
- Young Person

"Brilliant that all this is free and on our doorstep as well."
- Local Resident



Abertawe Mwy Diogel
Safer Swansea



Dyngor Abertawe
Swansea Council

Community Engagement Day

Bonymaen Park, July 29th 2022



Another gloriously sunny day greeted the amazing turn out of friends, families, children, and young people who had all arrived for a day of fun and information sharing as part of the Safer Swansea Partnership's Summer Roadshow of free Community Engagement Days. With partners and paid associates filling the space with a wealth of knowledge and fun to share, the local community came together in the spirit of the day to enjoy the event and share their opinions of the local area to inform future plans and changes.

Attendance

Partners

Entertainment

Actions



community.safety@swansea.gov.uk

Twitter @SaferSwansea
Instagram @safer_swansea_
Facebook @SaferSwanseaPartnership



Partners

Bronwen the CMET vehicle made a high-tech appearance at this event, offering a safe and informative space for children and young people to hang around as well as offering parents/carers advice about who is best place to offer support. Joining Bronwen were South Wales Police, Swansea Council and Victim Support.

Entertainment

Family favourites Roly Poly Entertainment provided the soundtrack to the day with all the party classics - including the now famous Community Day Conga - filling the air, attracting crowds from afar. Crazy Character including Encanto's Mirabel made an appearance, much to the delight of the younger attendees.

Actions

Members of the public completed many surveys and participated in conversations with officers from Swansea Council about the issues that are affecting them in their community issues such as off-road bikes were raised as matters of concern for the community. Parents of younger children expressed concerns that the play provision ending at age 11, coupled with the unmonitored play areas that are blocked by a building could lead to safeguarding issues in future. These matters were shared with partners on site at the time and will be raised in subsequent meetings to ensure the messages are passed on to the correct teams.








Long queues snaking around the park suggested that the Facepainter was once again a popular choice with big kids of all ages!





City and County of Swansea

Minutes of the **Scrutiny Inquiry Panel - Anti-Social Behaviour**

Multi-Location Meeting - Gloucester Room, Guildhall / MS Teams

Thursday, 2 February 2023 at 2.00 pm

Present: Councillor T J Hennegan (Chair) Presided

Councillor(s)

S Bennett
R Fogarty
Y V Jardine
C L Philpott

Councillor(s)

A Davis
H J Gwilliam
A J Jeffery
B J Rowlands

Councillor(s)

A M Day
V A Holland
M H Jones
M S Tribe

Other Attendees

Hayley Gwilliam
Alyson Pugh
Mark Brier, Chief Inspector South Wales Police
Hayley Griffiths, Anti-Social Behaviour Force Manager South Wales Police

Officer(s)

| | |
|------------------|---|
| Julie Davies | Head of Child & Family Services |
| Paul Thomas | Community Integration Partnership Manager |
| Jane Whitmore | Strategic Lead Commissioner |
| Gareth Pritchard | Anti-Social Behaviour Co-ordinator |

Apologies for Absence

Councillor(s): M Jones and H M Morris

12 Disclosure of Personal and Prejudicial Interests

None

13 Prohibition of Whipped Votes and Declaration of Party Whips

None

14 Minutes

The minutes were agreed.

15 Public Questions

No public questions were received.

16 Police and Community Policing

The Panel thanked Chief Inspector Mark Brier and Hayley Griffiths the Anti-Social Behaviour Force Manager for attending the Panel and for providing and presenting a report that addressed the key set of questions, sent to them in advance, from the perspective of South Wales Police.

The report presented by South Wales Police and full notes taken from this discussion will form part of the Inquiry Findings Report. The Findings Report will be brought back to the Panel at the end of the evidence gathering phase of the inquiry. Today's evidence will then be considered alongside all the evidence gathered when the Panel discuss and formulate the inquiries conclusions and recommendations to Cabinet.

17 Inquiry Project Plan / Work Programme

The Inquiry Project Plan and the next meeting date of 27 February 2023 at 10.00am was noted.

The meeting ended at 3.30 pm

Chair

Notes from the Anti-Social Behaviour Scrutiny Inquiry Panel on 2 February with South Wales Police, over and above the report provided.

Chief Constable Mark Brier

- We are here today to discuss the role of the police within the partnership and to look at how the police integrate with the partnership with the local authority.
- Since I've been in this role, which is now over seven years in a role as a Chief Inspector there has very some very good and close work closely knit working arrangements with the local authority, especially with respect to how they manage themselves, how we manage ourselves and how we integrate on a day-to-day basis.
- I've got a number of coordinators and their job is to have an overarching view. They make sure that we're actively looking at individuals, actively looking at locations, actively looking at areas of interest where antisocial behaviours causing an issue for the Community. With the assistance of the wider neighbourhood teams, we have is to come up with initiatives and operations that deal with anti-social behaviour on a specific location basis.
- Basically, I've got a view of the whole of the BCU. It's the whole of the force because where I sit, I can see the issues in Cardiff. I can see the issues in Bridgend and I can compare and contrast about how we're doing. What I'll say from the outset for Swansea, there is no real difference from any city of a normal size. What I will say is I think we've got some real challenges and some of the issues we've seen, for instance, coming out of the pandemic, for example with our foreshore and green spaces.
- One of our key areas of focus is as a team with the local authority is looking at youth intervention.
- We are plugged in nationally, not just within the Welsh network, but also within the UK around different forces. What best practice is how you deal with antisocial behaviour and the like.
- We focus our intervention not just on enforcement for anti-social behaviour on a staged approach to deal with individuals in the first instance we believe need our help and need some intervention with respect to their parental family support networks. So, we take people through a staged process. I think the drop off rate at first stage it's sitting around 63 percent, 70% or so for the people that we intervene in, the first instance, do not progress anywhere else. Which is a really good thing. Nationally and even force wide it is similar type of figures.
- The first impact is the letter we send to the parents with regards to young people. The parents have a good influence over their children and their young people and their behaviour usually stops. For some, it continues and then we have to put interventions in place with partnership with Gareth Pritchard's team, with the Youth service and even with some elements of youth justice to ensure that we wrap around individuals and families to make sure we offer them the most support as a partnership.
- It doesn't stop there though, we've do a lot of crime prevention issues some areas like Penderry Ward, with off road bikes and on the sea front where we've got to work hard from an operational point of view, to put stuff in place to ensure that we're visible and we're proactive in in preventing things occurring in the first instance.
- I think the partnership and the whole approach national has grown over the last 20 years because we now look at the issues from a problem-solving approach,

but for young people from a contextual point of view, so we try and hit every element of that young person's.

- Question (Councillor)
It is a very full report and also very good with the summary that you provided. One particular issue I wanted to explore a little bit was the relationship with schools. I was in a meeting yesterday with the Admissions Forum and we were talking about exclusions either on a temporary or a permanent basis. And one of the comments that was made there was about the fact that they identified an increase in violent behaviour either towards members of staff or pupils and clearly, I think you referred to the impact that COVID has had on behaviour, but I just wondered if there was something that you could tell us about your interaction with schools and the work that might be doing in schools.
- Mark Brier
Yes, you are right we do work in schools around cyberbullying, exploitation knife crime, drug awareness, there's a lot of stuff in there about worries of drug and alcohol and also around sex education to a certain extent. We have a team of staff that deliver a set of lessons in liaison with the head teachers throughout the through the school year. I actually think that these officers going to schools and the work they do is absolutely invaluable.
- Question
It was interesting to hear that investment is something that could be done with early intervention. And just wondered where there might be other areas that might cause you some frustration perhaps with other organisations where there aren't the facilities for young people to be perhaps more positively engaged. We are fortunate to live by one of Swansea's largest parks and our young people tend to congregate in the park. Is that because they do not have anywhere else to meet, are more resources needed?
- Mark Brier
In every statutory organisation, there's finite resources to do finite number of things. It is not for me to question statutory partners and others. There is a lot of good work that goes on around outreach work, which is people on the ground. The answer may not be the provision of another youth. A lot of stuff that we don't see does happen with children from a partnership perspective. But I get your point about the parks. Parks have been an issue because that's where children congregate too. And I think the answer lies, partly with the community coming together.
- Julie Davies. What young people have said they want is somewhere safe, light, somewhere to sit down somewhere they can be with their mates. Small shelters are really good for doing that. There can be next to parks. They could be in various places other than parks, but it's where young people are more likely to feel that they're going to go to rather than acquiring things to sit on from other places that maybe they shouldn't. Also need to understand what may lie behind that young person's behaviour rather than jumping to issuing a warning or going down the criminal routes sometimes it can be just the community being interested. If older people being interested in them as a young person rather than feeling as they're not welcome in that park. I think there are opportunities for us to strengthen our community work together that doesn't necessarily mean we need statutory partners to be forever putting in resources.
- We have a neighbourhood policing team which is made-up of probably 12 to 15 PCSO's, neighbourhood beat managers whose only job is to look after problem

solving within Swansea City centre. There's a whole team of PCSO's who sit and work with the local authority on early help and their basic job is to look at vulnerability and incidents that are referred to as that relate to family including for example drug taking. So, we've really put some of our resources if you're like into the beginning of the issue rather than the end. I think if that makes sense.

- Every area has their own designated PCSO, which you should be having regular contact with and they'll be proactive in our communities. There is a team available to you when you need them. It is about moving from reactive to the proactive.
- Question: Thank you for the report and for the summary, from my interpretation of the report it is it's very youth centric. I think it's really encouraging that the results of early intervention are what they are, that looks fantastic, but I just wanted to get some clarity around the data that's in the report about whether the focus on youth is because the majority of referrals are relating to youth or whether there's a particular approach to youth that is distinct from approach to adult?
- Question. What feedback is made to victims? As that is really essential because when people report and they don't feel that they get adequate feedback about action that's been taken, they then are dissuaded from reporting again.
- Question. What kind of barriers are you facing, whether it be resourcing or capacity etcetera to for that feedback element of the role? Because I think it is just really, really important in maintaining those relationships with residents to ensure that you're getting reports in a timely fashion in, in a way that you can actually then respond and take action.
- Mark Brier. We've done a lot of studies the force has around how good we are at our initial contact, and our initial response is pretty good and people feel confident in what we do and how we then interact with them. Our Achilles heel is your point, which is the follow up contact not just on antisocial behaviour, but on crime and criminality as well. It's one of the critical areas of our business now around officers and staff and we have almost mandated and put a real stern scrutiny and process around what we call victim coding, which means you have updated the victim after a certain amount of time on an investigation. We recognise that we lose confidence of the public if we don't enter into that into that contract and maintain it and so on. This is also about us really understanding how people want to be dealt with.
- Hayley Griffiths. In 2002, there was 65 first stage one warning letters issued, 2 adults out of those in the progressed up through using legislation we're looking at 8 of these being issued a community protection warning which would have prohibitions or requirements from them to stop doing certain behaviours. We only actually progress to 1 criminal behaviour order in Swansea issued last year, so it's like with the youth stats, it's showing that early intervention is effective as we move up those stages and we start using our powers, the number of individuals involved are less and the individuals that do escalate tend to have more deep-rooted issues and vulnerabilities. They will require specific support and sufficient time for them to be addressed, and for that change to be made and enforcement is always a last option for us. We will put everything in place and give them the opportunities to change themselves.
- Mark Brier. We work to two basic plans as a as a police service in South Wales. One is the chief constable delivery plan, the other one is the is the Commissioners plan and they both dovetail really. The Chief Constable delivery plan goes into a lot of areas around people, partnerships, business and strategy

around what we're doing as an organization. But what it says in that plan is that we've got to react to what the communities see as problems in their local communities. It is getting down to right granular level. The priorities are regularly reviewed. So, what might be a priority one month might not necessarily next be your top priority in the next month. We review them as the community is changing and what Community response is required.

- Some of the challenges we've got from a South Wales Police perspective is improving the feedback loop and repeat victim identification. Repeat victim identification comes into play when 3 incidents in three months but we and partners do feel this definition is a bit arbitrary, because we know that the context says a whole lot different sometime, so we act within it and act outside of it as well. We are also looking at problem solving for repeat victims and putting more effort behind that. We recognise that actually the capability lies within the local authority as well, so there is probably scope for us to widen as a partnership who does what and when.
- I think the other thing to mention is we need to improve on as a service and from a partnership perspective in relation to the community trigger. About 8 years ago nationally the community trigger was launched, it is now called the anti-social media case review. It was a way that members of public could put up get a review if they believe ASB has not been dealt with correctly. I think there's more work to do to put that out to the general public to actually hold elements of us to account on certain areas where we have not done what we should have done at a certain time. So, there's a bit more work there for us to do there.
- We actually have one of the lowest figures of applicants for community trigger nationally, across England and Wales. And part of that is down to the very good partnership working and relationships, problem solving and all this early intervention that we put in place. But there's a potential that part of that new figure might be as well down to the fact that it isn't as widely promoted as perhaps it could be.
- Hayley Gwillam. I just wanted to add really that this part of my role is to develop and strengthen relationships, especially between ward members and the local police in teams and that's to pick up on incidents. We know Ward members are embedded in our communities and we pick up on things that are perhaps people aren't willing to disclose to the police and by doing that we preventing that escalation and avoiding incidents and further harm. I know that the expectation on particularly PCSO's is that they've got that presence in our communities, that they visit our libraries, they attend our community events, they develop relationships with our young people adults.



HEDDLU
POLICE

H E D D L U D E C Y M R U | S O U T H W A L E S P O L I C E

| | |
|------|-------------------------------|
| Date | 2 nd February 2023 |
|------|-------------------------------|

ANTI-SOCIAL BEHAVIOUR SCRUTINY INQUIRY PANEL

1. Context.

As part of both the Chief Constables Delivery Plan and the drive to maintain Safer Communities SWP provides a robust response to Anti-Social behaviour in its many forms.

The response is delivered by a partnership with statutory and non-statutory organisations. The engagement and contact with the community is delivered by our neighbourhood and wider policing teams and supported by various engagement activities.

The approaches taken to deal with ASB hinge around the 4-stage intervention process but also form part of wider problem-solving initiatives and OSARA methodology that have been adopted force-wide.

These approaches seek to problem solve in communities for the long-term and interventions on individuals are complemented by location and contextual approaches to provide long term solutions.

The approaches taken in Swansea are a mix of interventions in line with the different challenges that we have which are connected to housing and community infrastructure as well as issues directly linked to a busy day time and night time city centre.

The scope of our interventions are governed by the Anti-social Behaviour Act 2014. In general terms our interventions operate around the following parameters: -

1. Personal antisocial behaviour is when a person targets a specific individual or group.
2. Nuisance antisocial behaviour is when a person causes trouble, annoyance or suffering to a community.
3. Environmental antisocial behaviour is when a person's actions affect the wider environment, such as public spaces or buildings.



2. Anti-Social Behaviour Scrutiny Inquiry – questions

1. What is the role of your service/organisation in relation to tackling and reducing ASB?

Our role is to engage the community, and to prevent and intervene in all forms of Anti-Social Behaviour. Our approach is intervention at the earliest opportunity and only moving to enforcement or other forms of ASB intervention when necessary. The causes of ASB with young people are complex and varied and offering only solutions that are based on enforcement will not necessarily address some of the causation factors of the behaviour. That said we are victim-led and recognise the debilitating effects of persistent ASB and the impact it has on the quality of life of individuals and communities. We provide a partnership response through referrals to the most appropriate agency in order to reduce the number of ASB incidents.

We have dedicated resources within our Community Safety team made up of police officers and PCSOs who identify persistency and repeat victims and together with the LA team pro-actively manage interventions. This is a small team however their role is to monitor and link in with the wider neighbourhood policing teams to ensure that either key areas or individuals are identified and ASB referrals are timely, and action is taken.

The team in Community Safety is linked into the force-wide response through the BCU coordinators bi-monthly meetings where all South Wales police areas are represented together with representatives from all 7 Local Authorities. This allows the sharing of best practice throughout South Wales Police force area as well as being linked into national perspectives provided by the Home Office and the recently launched Wales Safer Communities Network and the All-Wales ASB Group.

ASB problem solving is then governed by our Problem-Solving Groups (PSG) where partners attend and seek joint solutions to key issues. There is an escalation process now in place where matters can be escalated through to the Community Safety Board and ultimately to the PSB should community problems present certain barriers that need a resolution.

2. How are you addressing the five key principles in your organisation?

We have only recently come out of consultation with The Home Office over the make-up, wording and approach of the principles outlined below. The conversation in the workshop with the Home Office was in support of the approaches taken, however the introduction of the principles is not mandated to forces as a robust framework to follow. Their introduction is to inform best practice.

From a South Wales Police perspective work is on-going to assess where we are as a force in relation to the below and CSPs will be asked to assist in this process.



As an indication of areas for further development there is some narrative offered below.

1. Victims should be encouraged to report ASB and expect to be taken seriously. They should have clear ways to report, have access to help and support to recover, and be given the opportunity to choose restorative approaches to tackling ASB.

There are already methods in place with respect to Victim Support and clear lines of reporting through 101 / 999. Our growing digital footprint and single online home offers a number of methods to report all community concerns. Restorative approaches form a key part of our out of court disposal options.

2. Agencies will have clear and transparent processes to ensure that victims can report ASB concerns, can understand how the matter will be investigated and are kept well informed of progress once a report is made.

These are in place, and we continue to strive to ensure all victims are updated on the progress of their investigation.

3. Agencies and practitioners will work across boundaries to identify, assess and tackle ASB and its underlying causes. Referral pathways should be clearly set out between services and published locally. This includes pathways for the community trigger and health services.

As stated above our approach is understanding causation and being proportionate in our approaches and not necessarily just sanction or enforcement. The pathways for the community trigger (now ASB Case review) are clearly signposted.

4. The public's ASB concerns should always be considered both nationally and locally in strategic needs assessments for community safety. Best practice should be shared through a network of ASB experts within each community safety partnership, each policing area and nationally.

There are clear processes involved in sharing best practice via the new Welsh Safer Communities network and the Knowledge Hub in addition to the All-Wales ASB Group which sits bi-monthly and shares best practice. There are already clear regional and national forums for the sharing of best practice. There is work to do however to fully understand the make-up of a strategic needs assessment for community safety and how this will inform and link into present practice and governance.

5. Adults and children who exhibit ASB should have the opportunity to take responsibility for their behaviour and repair the harm caused by it. Agencies



should deliver appropriate interventions, which may include criminal justice options, based on the seriousness, risks and vulnerabilities of the case.

This is in place through Restorative Approaches however the extent to which we can align RA to offences is governed by a criminal justice framework.

3. What are the key challenges you are facing and how are you addressing these (what more can be done to help you to address them...)?

We have restructured force-wide in splitting our Neighbourhood and initial response capabilities and this has enabled us to concentrate dedicated resources into problem solving. Presently the working arrangements that we have with the Local Authority are excellent and the processes that have been put in place which have developed over several years have a sound basis in practice and further stability in this area would be welcome.

The current challenges we have are the following but are mainly from a process perspective and which are currently under review with the LA where appropriate.

Repeat Victim Identification. Is the 3 by 3 method of identification still effective as it can lead to arbitrary recording of repeat victims and some obvious repeat victims can be missed. We now ensure that all staff are widening their understanding of the 3 by 3 definition and incorporating persistence / likelihood of threat and risk of harm into the identification of a repeat.

ASB policy awareness re Stalking and Harassment. This indicated that in amongst incidents recorded as ASB there were evident potential crimes in relation to stalking and harassment that were not being recorded. Supervisors now review each ASB incident and ASB referral to assess for stalking and harassment offences. Further action to be explored is the provision of a niche compliance tick box for supervisors to complete that negates stalking and harassment offences.

Enhance supervision of ASB cases by BCU CSP departments. An improved ASB saved search is to be implemented force-wide to ensure (as far as possible given the limitations of searches) all ASB related matters are being identified.

Problem Solving Approach with Repeat Victims. A clear distinction needs to be made re problem solving with respect to repeat victims and Repeat Victim action plans. We now ensure the distinction is made between a repeat victim action plan which is a harm centred approach for the victim and the need for an OSARA which is primarily a location driven problem profile.

Partnership

For future development there is also scope to expand the use of partnership powers. Further emphasis could be placed on the scope for CPN/ CBO and injunctions to be applied for by the LA. There is also scope for wider involvement in ASB referral direct from places like Environmental depts or Council Tenancy issues. The police are more often best situated to progress these matters but for expansion elsewhere needs to be explored.



4. How are you engaging with the public i.e., events etc, examples? How do you use the information gained to improve the services provided?

There are several well tested engagement options that we use locally and as a force. We still engage in certain areas with Pact processes, but our teams now also use Op Perception events to focus and gauge with quality-of-life issues for communities. We have also introduced last year an engagement portal which tracks all engagement of our teams and enables them to track next steps so that are engagement is meaningful and proportionate. We also work closely with the LA in their public engagement events.

As a routine the force also manages victim satisfaction surveys and related activity to pin-point what and how we can do things better based on this data. Specific victim led questionnaires have been sent out solely with respect to ASB.

The force is also currently on the cusp of launching the neighbourhood alerts functionality which is widely used by other forces and gives real time feedback and other key functionality from an online application. This is in addition to BCU open days with partnership attendance and key event periods in the year like ASB awareness week where the key focus and profile is placed on this area nationally and regionally.

5. What information is available that the public can access about ASB relating to your service?

We communicate regularly through our engagement activities and signpost to our web and digital pages. There are also walk in workshops and events organised by the partnership that assist in this two-way flow of information. Our PRO and related teams are proactive in providing educational messages which are preventative, and which aim to engage all demographics. With ASB the force has recently used specific youth related forums to present and articulate key messages.

6. Do you feedback to the victims/reporters of anti-social behaviour about what is being done to address ASB, either in terms of the specific incident they were involved in or reported, or more generally? Do you use this feedback to improve inform and improve your services?

Our victim contact is under continual review and subject to some key scrutiny with respect to keeping victims up to date. We have scrutiny on the use of victim codes which allows us to track officer's activity and contact. Outlier incidents and where process has not been followed correctly are used as learning and briefed force-wide within the BCU and LA coordinators meeting. We also have the facility of the ASB case review which is marketed as a defined option to review where there may be challenges within ASB partnership working. Furthermore, victim contact letters are

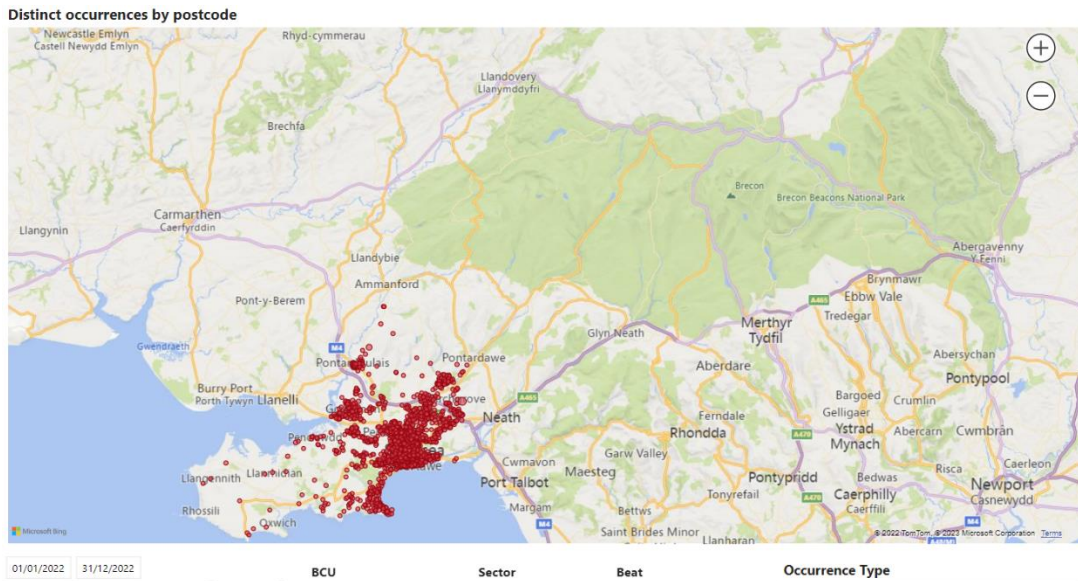


sent which advise of the partnership response to ASB and encourage reporting of further incidents to the correct agency.

7. Data – any appropriate data relating to ASB and your service area/organisation?

Below is an example of an ASB heatmap which assists us and partners areas of focus. The below is data for December 2022.

Data below shows ASB incidents from the 010122 to the 311222.



Total Number of ASB Referrals for Jan-Dec 2022 = 979

In 2022 there was a total of 979 ASB referrals, of which over half of perpetrators were already known to us. Perpetrator known equated to 597 referrals and Perpetrator unknown equated to 382 referrals.

The below shows a breakdown of the outcomes and stages of ASB incidents in 2022.

- 72% of youth first warnings did not repeat their behaviour



- 69% of youth final warning did not escalate to a Stage 2 PW
- Only 12% of those on a Stage 2 PW received an ABC

These figures demonstrate that the system that we have in place does have a critical impact as it stops escalation and prevents repeat behaviour.

8. Does the council or partner organisation meet its regulatory obligations in relation to the services represented today? If not, why is that and what can be done to help you to do this?

Currently we are meeting our obligations respect to the management of ASB and with cognisance to the Act. There are also solid governance arrangements in place to manage the partnership activity and the relationship with the BCU coordinators and LA staff is operationally sound.

The management of the ASB Case Review (Community Trigger) is one area that may need some more focus in how practically it is managed and the profile of the concept within communities does need to be improved. The marketing of this facility within SWP is managed by the Commissioners Team and further work locally may be needed to rectify this.

9. How well do you feel the Council and its partners are working together to tackle and reduce anti-social behaviour in Swansea from the perspective of your service/organisation. How could it be improved further?

As stated above both police and LA counterparts work closely together on process and the management of ASB. There is a combined understanding at any one time of either individuals or locations that merit attention and intervention. This is due to the effective working of both the LA staff and the BCU coordinators. In the not-too-distant past however due to operational necessity some resources have been temporarily deployed elsewhere from the BCU coordinators post which has inevitably had an impact on delivery. Currently however the posts are consistent and filled with wider Pcco involvement and a dedicated Sergeant. There are no current gaps in our provision but as a general observation some further elements of co-location of resources may assist.

10. What are the key objectives in your service/organisation in relation to ASB? How do you monitor and manage performance in your service area/organisation to measure and meet these objectives?

With the new introduction of the NHP and response restructure there also came a new NHP performance framework which tracks amongst a number of other PIs, ASB referral data and looks for both qualitative and quantitative aspects. Also in this framework is the OSARA progress and the internal Demand and Performance Group where we track Sector related activity against certain performance data. All aspects of our work are governed by the Chief Constables Delivery Plan, and this is in place



from a sector point of view up to the strategic intentions of the service. ASB is thus governed within wider sector performance. The force also track key ASB issues and challenges via the Community Program Board which is chaired by an ACC.

11. How is your organisation, the Council and other partners working together to address the causes of anti-social behaviour. Strategies, tools, interventions, and work happening in communities, include examples? How could this be improved further?

There is a recognised staged process on how we deal with anti-social behaviour which we implement in partnership with both the Local Authority and other third sector partners. The staged process begins with a stage one intervention and can lead to more strict interventions like CBOs. In our experience throughout the force area and indeed replicated here in Swansea, the data points to the fact that after the initial intervention there is a drop off of 80% in graduating to other stages of the interventions.

It is also recognised that in the vast majority of cases ASB in particular involving young people is committed by a nucleus of individuals who are well known to services. Their lives are complex, and the interventions put in place also span a number of partnership services and their peer influence can be significant. The staged process highlights these individuals, and we work hard within the partnership to recognise proportionality in our interventions.

Below are some brief summaries on how with the wider partnerships we have responded to ASB community issues: -

- **Anti- Social Behaviour (ASB) Broughton Avenue, Blaen-y-maes**

To counter an escalation of ASB in this area Operation Dunlin was devised which concentrated on diversion and enforcement. Part of the project involved diversion attempts run by Army recruitment and attempts to engage youths via a local boxing club. An extensive working group was set up which included representation from the Local Housing Association, Local Authority, ASB outreach workers, Mid And West Wales Fire Service (MAWWF) and the local councillor in order to continue diversionary initiatives and interventions.

- **Safer Gorseinon**

Safer Gorseinon was implemented as a result of occurrences of youth incidents in prominent locations in Gorseinon. There was a Prevent orientated plan put in place which involved Contextual Missing Exploited and Trafficked (CMET) partnership approaches. The Prevent plan involved workshops delivered to peer-mapped individuals within the education and youth provision environment. Each session was designed to take 1 hour to deliver and was delivered weekly. Sessions included



Emotional Health and Wellbeing, Knife Crime, County Lines, the work of St Giles Trust, Safety Planning and Substance Misuse.

- **Operation Shora**

Neighbourhood teams have worked hard in Eastside with Operation Shora which ran to combat ASB related issues in and around the SA1 area due to youths swimming in the docks and causing ASB general issues for the residents. Eastside officers worked in partnership with youth outreach workers from Evolve and stakeholders from the Welsh Government to identify and divert the main perpetrators of ASB, using the Problem On a Page (POP) problem solving method. Eastside officers were able to identify benches that youths would congregate on which resulted in ASB issues, the NPT worked with the Welsh Government to remove the benches which saw a noticeable decline in reported incidents.

- **Operation Perception example.**

Between the 8th June 2022 and the 26th of July 2022, several ASB referrals were submitted for an individual. The referrals all involved off road motorbikes, which were regularly attending at the subject's address, and causing harassment alarm and distress to local residents, in the manner they were being driven. In June a first warning letter was issued to the subject, followed by a final warning letter on the 26th of July. An engagement day was then arranged with partner agencies to attend the area, speak directly with the individual and also speak to other local residents regarding the issue, the different reporting mechanisms, and what action the partnership had taken, and what other actions would be available if the behaviour continued. The engagement involved an Op Perception being carried out, at the same time as a leaflet drop, and the Local authority also issuing a warning letter to the individual. South Wales Police, several Swansea Council departments, and Neighbourhood watch all took part in this engagement. As a result of this there was one more incident reported in the locality in August, but no further incidents have been reported to the police since then. The ASB process never progressed beyond Stage 1.

- **Criminal Behaviour Order**

The individual is a well-known repeat caller to SWP who has issues with alcohol misuse. They regularly contact the police threatening self-harm. On the majority of these incidents, ambulance and police have attended, the individual would always be intoxicated, they would become abusive towards persons, and would be arrested for either a breach of the peace, or for being drunk and disorderly. After several months of this behaviour continuing, and the individual failing to engage with services regarding their drinking, a decision was taken to apply for a Criminal Behaviour Order. Impact statements were obtained from control room staff, the Force Incident manager and staff from the local health board, covering the implications of the individual's continued behaviour. The application was successful at court with conditions being placed on the individual.







City and County of Swansea

Minutes of the **Scrutiny Inquiry Panel - Anti-Social Behaviour**

Online only via MS Teams

Monday, 27 February 2023 at 10.00 am

Present: Councillor T J Hennegan (Chair) Presided

Councillor(s)

V A Holland
M H Jones
R V Smith

Councillor(s)

Y V Jardine
C L Philpott
M S Tribe

Councillor(s)

A J Jeffery

Other Attendees

Alyson Pugh
Robert Smith

Officer(s)

Julie Davies
Helen Howells
Kate Phillips
Jane Whitmore

Head of Child & Family Services
Team Manager for Pupil Support
Head of Vulnerable Learner Service
Strategic Lead Commissioner

Apologies for Absence

Councillor(s): S Bennett, A Davis, A M Day, R Fogarty, M Jones, H M Morris and B J Rowlands

18 Disclosure of Personal and Prejudicial Interests

None

19 Prohibition of Whipped Votes and Declaration of Party Whips

None

20 Minutes

The Minutes were received by the Panel.

21 Public Questions

No public questions were received that relate to today agenda.

22 Education - Tackling Anti-Social Behaviour

The Panel thanked the Cabinet Member for Education and Learning Cllr Robert Smith, Kate Phillips (Head of Vulnerable Learners) and Helen Howells (Team Manager for attending the Panel and for providing and presenting a report that addressed the key set of questions, sent to them in advance, from the perspective of Education services.

The report presented by the Education Department and the full notes taken from this discussion will form part of the Inquiry Findings Report. The Findings Report will be brought back to the Panel at the end of the evidence gathering phase of the inquiry. Today's evidence will then be considered alongside all the evidence gathered when the Panel discuss and formulate the inquiries conclusions and recommendations to Cabinet.

23 Inquiry Project Plan / Work Programme

The Panel noted the work programme.

The meeting ended at 10.45 am

Chair

Notes from the Anti-Social Behaviour Scrutiny Inquiry Panel on 27 February with Education Department

Points discussed and questions asked by the Panel (over and above the written report provided)

- Education has prevention at its heart, creating a culture in our schools and with young people that is based on positive behaviours. Promoting positive behaviour and a preventative approach that enables CYP to reach their best potential.
- Swansea Education behaviour policy focuses on promoting positive behaviours and healthy relationships. When this is not achieved there are a range of strategies that can be used to manage more challenging behaviours and to support children and young people to reengage positively and swiftly in educational opportunities
- Education work alongside other departments and outside agencies to ensure advice, support and guidance is provided to schools to ensure they have the tools prevent, educate and address any impacts of anti-social behaviour within schools.
- Key challenges identified are around low attendance and persistent non-attendance and a rise in behaviours leading to school exclusions. This is not just Swansea but a national issue, Swansea is performing better than some currently 6th out of Wales 22 local authorities but the Panel heard that attendance is still a high priority for improvement for Swansea. An action plan to address this and engagement is in the latter stages of development but is set against challenging budgetary constraints for both schools and the local authority. This action plan is considering ways to engage with families.
- The greatest challenges in terms of securing impact and improvement are around funding and the implications on capacity of staffing. While the approaches focus on prevention and building capacity the importance of building positive relationships is significant and that requires more resource than we have available.
- The Panel were pleased to hear that multi-agency working is a key feature of the work of the department. They are currently finalising an inclusion strategy which encompasses the priorities for supporting vulnerable learners over the next three years. They work in multi-agency contexts to consider and respond to community issues and the Mayhill riots was cited as an example of this.
- Key objectives for education in relation to ASB as outlined in the draft Inclusion Strategy. It will have a strong focus on prevention by supporting school communities to build safe and healthy relationships. The three priorities that specifically focus on ASB are increasing attendance, promoting inclusion and supporting emotional health and wellbeing.
- Question: Do we use restorative approaches?
Yes, schools deliver appropriate interventions depending upon will provide the most positive outcome.
- Focus on prevention but provide a wraparound around support as needed.
- Question: information give shows a clear and comprehensive commitment to partnership working. Want to ask about vaping exclusions and whether there is a different way of dealing with managing this aspect. Should we for example be looking for confiscation of vape? Should there be a policy developed for low level

activity like vaping, so a consistent approach is made across and within Schools? Also, what impact is exclusion having on the pupil referral unit and education other than at school services?

There is a clearly outline graduated response for children, young people and their families to challenging behaviour and this includes vaping.

Cabinet member: With regard to exclusions and vaping, it is important to drill down into the underlying trend. It features in the exclusion policy and schools do need the flexibility to deal with it depending on school needs but do need a consistency on how it is dealt with in and across schools. We need to interrogate our own data and look at causes of different types of exclusions and continue to use that to inform our strategy moving forward,

- Permanent and fixed term exclusions. Resources have been targeted as permanent exclusion to reduce them down to a low level but recognised that we also now need to look at doing similar with fixed term exclusions. Exclusions form part of the graduated response and are only used as a last resort and are part of a wider package of support provided to the young person and their family.
- Question: has the pandemic had influence on attendance issues and is it likely that younger pupils who have not got into the routine of attending schools improve this figure moving forward.

Yes this is likely to be the case although the messaging is very different to before Covid and Strep. They are now told to keep pupils at home when there is any sign of illness and infection. But also, Covid impacted on many children and young peoples health and wellbeing, with a large increase in fearfulness and anxiety, emotionally based nonattendance.



Report of the Cabinet Member for Education and Learning

Anti Social Behaviour Scrutiny Panel – 27th February 2023

Education Directorate response to Anti Social Behaviour Scrutiny Inquiry Panel

| | |
|--|---|
| Purpose: | To provide a response to the Anti-Social Behaviour Scrutiny Inquiry Panel in relation to the work of the Education Directorate. |
| Content: | Responses to the specific questions asked in relation to the inquiry. |
| Councillors are being asked to: | Consider the information provided. |
| Lead Councillor: | Cabinet Member for Education and Learning |
| Lead Officer & Report Author: | Kate Phillips, Head of Vulnerable Learners Service E-mail: kate.phillips2@swansea.gov.uk |

1. Background

1.1 The Education Directorate has been asked to provide a response to the Anti Social Behaviour Scrutiny Inquiry. This report outlined that response.

2. **The role of the Education Directorate:** The role of the Education Directorate in relation to tackling and reducing anti social behaviour focuses primarily on both prevention and managing any impact anti social behaviour may have within school communities. The Directorate work alongside other council directorates and outside agencies to ensure that timely advice, support and guidance is provided to schools to ensure they have the tools to prevent, educate and address any impact of anti social behaviour within schools.

Anti-social behaviour in schools can impact on the school community in a number of ways including disruption to the smooth running of the school day and learnt anti-social behaviour within pupil's own communities which can be exhibited in school environments. A small number of children and young people who do not attend school on a regular basis become vulnerable to engaging in ASB in their community

Swansea Education Directorate's behaviour policy focuses on promoting positive behaviours and healthy relationships. We focus on prevention and inclusion as an approach to ensure learners explore and understand healthy,

safe relationships and behaviours. When this is not achieved we have a range of strategies to manage more challenging behaviours and support children and young people to reengage positively and swiftly with educational opportunities. Our school improvement officers can also support schools to develop curriculum and pastoral offers which emphasise the importance of safe and healthy relationships.

3. **Response to the five principles.** There are five key principles in responding to anti social behaviour. These are outlined below along with detail of the ways in which Education Directorate and schools in Swansea respond:

Principle 1. Victims should be encouraged to report ASB and expect to be taken seriously. They should have clear ways to report, have access to help and support to recover, and be given the opportunity to choose restorative approaches to tackling ASB.

Principle 2. Agencies will have clear and transparent processes to ensure that victims can report ASB concerns, can understand how the matter will be investigated and are kept well informed of progress once a report is made.

Individual schools' behaviour policies will set out clear ways for any pupil to report anti social behaviour observed. Support is provided for any child who has been affected by the behaviour of their peers, such as exchange counselling, pastoral support, and youth worker sessions.

Most schools are now implementing a trauma informed environment which seeks to de-escalate through a variety of emotion coaching techniques. Through additional funding the Education Directorate have been able to secure 90 places for school based practitioners to attend a level 3 trauma informed diploma. Trauma informed practice in schools aims to increase teachers, staff and practitioners' awareness of how trauma can negatively impact individual children and the whole school community. This includes children and young people's ability to feel safe, and develop trusting relationships with others. It is too early to understand outcomes however, initial feedback is very positive.

Principle 3. Agencies and practitioners will work across boundaries to identify, assess and tackle ASB and its underlying causes. Referral pathways should be clearly set out between services and published locally. This includes pathways for the community trigger and health services.

The Education directorate works collaboratively with other departments within the council as well as external agencies to ensure information is shared in a timely and appropriate way. This includes education representation in Early Help Hubs and on the Contextualised Exploited Missing and Trafficked (CMET) strategic and operational groups. There are clear referral mechanisms into these multi agency groups.

Principle 4. The public's ASB concerns should always be considered both nationally and locally in strategic needs assessments for community safety. Best practice should be shared through a network of ASB experts within each community safety partnership, each policing area and nationally.

Officers recently took part in ADEW problem solving sessions in relation to improving attendance, reducing exclusion and link with colleagues in other authorities. On a local level Education officers attend multiagency and cross

directorate strategic and operational groups to ensure links are made between issues in school and the community, most notably CMET groups.

Principle 5. Adults and children who exhibit ASB should have the opportunity to take responsibility for their behaviour and repair the harm caused by it. Agencies should deliver appropriate interventions, which may include criminal justice options, based on the seriousness, risks and vulnerabilities of the case.

Schools' behaviour policies outline actions which the school will take to administer consequences in the case of inappropriate behaviour. Children who exhibit ASB are given the opportunity to take responsibility for their behaviour and repair the harm caused by it. Restorative behaviour support is often adopted in schools with input from the school's police liaison officer.

Schools deliver appropriate interventions, based on the seriousness, risks and vulnerabilities of the case. In serious cases where exclusions are issued, the Education Directorate will assist the head teacher in exploring all avenues for support and signposting to appropriate agencies, such as the Early Help Hub referral, Youth Justice Service prevention referral, as well as third sector agencies such as Media academy and BAROD if needed.

Each incident is logged so that schools are able to build up a picture of need, most schools use My Concern as a recording mechanism. We are currently reviewing the effectiveness of this as a tool to oversee incidents from a school wide perspective.

- 4 Key challenges.** The key challenges for the Education are around low attendance, and persistent non-attendance and a rise in behaviours leading to school exclusions. This is a national picture, and despite ranking 6th in Wales, attendance is a high priority area for improvement. We want our children in school with more opportunities for successful engagement which distracts from antisocial behaviour. An action plan for attendance and engagement is in final stages of development. Improving attendance and increasing inclusion are key strategic priorities for the Education Directorate but set against challenging budgetary constraints for both schools and the local authority.

We are also implementing our action plan in relation to preventing peer on peer abuse in response to Estyn's 2021 report We Don't Tell Our Teachers. The intention is to both prevent and respond better to incidents of peer and peer abuse, including those incidents generated by use of social media.

- 5. Engagement.** The current action plan to improve attendance is considering ways in which we can improve information to families through the use of social media and better use of website pages. This is currently in development. Schools' curriculum and pastoral offers are shared with parents via their usual channels and will include the focus on developing safe and healthy relationships.
- 6. Information available.** Behaviour, attendance and curriculum policies are available on an individual schools website. Each school will have its own policies and information for parents, and an appropriate methods of communication with parents which works best for each school community. The Education Directorate strategies are reflected in the wider Swansea Council corporate policies available on the Council's website.
- 7. Reporting.** Schools will work with reporters or victims, and their parents, of antisocial behaviour in school. They use pupil voice effectively to improve their

processes. Education officers are able to support this through the work of our Education Welfare Service, Pupil Inclusion Team and multi agency network working.

8. **Data.** Attendance data for each school is shared monthly via Welsh Government, and this informs the direction of work for the Education Welfare Service. Pupil mobility data, including exclusion data, is collated termly and published annually giving data rich information and enables us to spot trends to inform future work streams. Data is shared with colleagues across directorate through relevant groups to provide a bigger picture of need throughout Swansea.
9. The Education Directorate meets all regulatory obligations in terms of attendance, exclusions and safeguarding.
10. **Multi agency working** is a key feature of the work of the Education Directorate and we are currently finalising an inclusion strategy which encompasses our priorities for supporting vulnerable learners over the next three years. We are committed to working in multi agency contexts to consider and respond to community issues. We considered our response to significant events such as the Mayhill riots and have strengthened our practice accordingly. We have developed strong responses in supporting schools and school communities following difficult community issues and this is now embedded in our practice. Education officers across the Pupil Support teams and Additional Learning Needs and Inclusion Teams are clear how to respond and support schools when unexpected community issues arise. The focus on prevention is important but equally a wrap around support for school and learners is critical when needed and this includes a range of strategies, as appropriate to the circumstances, which could include; counselling offer for learners and staff, educational psychologist support, education safeguarding and child protection support and links into our CMET and Early Help Hubs via our Education Welfare Service.
11. **The Key objectives** for the Education Directorate in relation to anti social behaviour are outlined in our draft Inclusion Strategy. We have a strong focus on prevention by supporting school communities, children and young people and their families to build safe and healthy relationships. We have five key priorities and the three that relate most specifically to addressing anti social behaviour are increasing attendance, promoting inclusion and supporting emotional health and wellbeing.
12. Finally, to outline the way in which the Education Directorate works in partnership across the council and other partners, we are engaged in a number of groups, strategies and interventions which include the work around; Community focussed schools, NEET prevention, the Cynnydd fund and transition to Shared Prosperity Funding and the strategies to increase engagement via these funds, our strategy to reduce Emotionally Based School Avoidance, our multi agency working with CMET, Youth Justice Services and Early Help Hubs and our work developing Whole School Approaches to Emotional Health and Wellbeing. We are also involved with regional partnerships including the Western Bay Safeguarding Board and West Glamorgan Children and Young Peoples Programme Board.

Our greatest challenges in terms of securing impact and improvement are around funding and the implications on capacity of staffing. While our

approaches focus on prevention and building capacity the importance of building positive relationship is significant and that requires more resource than we have available.

13. **Legal implications.** This report is for information only
14. **Finance Implications.** This report is for information only
15. **Equality & Engagement Implications.** This report is for information only.



City and County of Swansea

Minutes of the **Scrutiny Inquiry Panel - Anti-Social Behaviour**

Multi-Location Meeting - Gloucester Room, Guildhall / MS

Teams

Wednesday, 1 March 2023 at 10.00 am

Present: Councillor T J Hennegan (Chair) Presided

Councillor(s)

S Bennett
A J Jeffery

Councillor(s)

L S Gibbard
C L Philpott

Councillor(s)

H J Gwilliam
M S Tribe

Other Attendees

Louise Gibbard
Hayley Gwilliam
Alyson Pugh

Officer(s)

Julie Davies, Head of Child and Family Services
Phillipa Elliott, Youth Justice Practice Manager
Tom Minshall, Children and Young People Prevention Co-ordinator
Paul Worsfold, Evolve Team Leader
Amanda Wilson – Practice Lead Children and Young People
Kelli Richards – Early Help and single point of contact
Kelly Shannon – Principal Social Worker CMET (Contextual, Missing, Exploited & Trafficked)
Gareth Pritchard - Anti-Social Behaviour Co-ordinator
Paul Thomas - Community Integration Partnership Manager
Jane Whitmore - Strategic Lead Commissioner

Apologies for Absence

Councillor(s): A M Day, R Fogarty, V A Holland, Y V Jardine, M H Jones, M Jones, H M Morris and B J Rowlands

24 Disclosure of Personal and Prejudicial Interests

None

25 Prohibition of Whipped Votes and Declaration of Party Whips

None

26 Public Questions

No public questions were received.

27 Youth Justice Team and Evolve

The Panel thanked the Cabinet Members Hayley Gwilliam, Louise Gibbard and Alyson Pugh and officers for providing and presenting a report that addressed the key set of questions, sent to them in advance, from the perspective of Youth Justice, Evolve and the Contextual, Missing, Trafficked and Exploited Teams.

The report presented by these services and the full notes taken from this discussion will form part of the Inquiry Findings Report. The Findings Report will be brought back to the Panel at the end of the evidence gathering phase of the inquiry. Today's evidence will then be considered alongside all the evidence gathered when the Panel discuss and formulate the inquiries conclusions and recommendations to Cabinet.

28 Inquiry Project Plan / Work Programme

The Panel noted the Project Plan.

The meeting ended at 11.35 am

Chair

Notes from the Anti-Social Behaviour Scrutiny Inquiry Panel on 1 March with Social Services Department including Youth Justice Service, Evolve and the Contextual, Missing Trafficked and Exploited Team

Points discussed and questions asked by the Panel (over and above the written report provided)

- Partnership working is a priority. The approach that taken to anti-social behaviour in child and family services is very much a partnership approach. This is important for many reasons. One because there are separate teams within child and family itself where there is crossover around working with young people who may be involved in anti-social behaviour, but also, it is linking in with our external partners. Without that partnership approach, we would not be able to reach the numbers of young people in the communities that we work with.
- In terms of the connection between youth justice and anti-social behaviour, it's important to note that we work closely with our partners and the anti-social behaviour coordinator. There is very distinct partnership working between those two services. Youth Justice pick up the work with young people who reach Tier 2 of the anti-social behaviour process and when they get to that stage, the visits that are undertaken in partnership between youth, Justice Service and Gareth Pritchard and his team.
- This element of work for youth justice is preventative and across the board we work to address ASB at the earliest possible opportunity. So, our aim is to be preventative and to provide early intervention. In addition, we work with Evolve and schools in order to reach young people and the wider community.
- The Contextual, Missing Trafficked and Exploited Team (CMET) focus is around exploitation, youth violence, peer on peer abuse and work in a contextual way, working in places and locations. Quite often what we are finding is that when referrals made into CMET, there is often a crossover between concerns around exploitation and some young people who might be involved in anti-social behaviour.
- The YJS work in partnership with the Safer Swansea Partnership, CMET, police forces, health agencies, and housing associations to identify areas of concern for anti-social behaviour across the local authority. A targeted response is undertaken between agencies and responses have included workshops being delivered in school and youth clubs.
- The Evolve manager and YJS often attend problem solving community groups and staff from these teams attend local community groups. Each early help hub has a locality meeting which brings together professionals with invested interest in the areas where issues such as anti-social behaviour can be discussed.
- We do a lot of detached work within our communities now, what that means is that we have people on the ground, out and about talking to young people and adults within communities.
- We have integrated early help hubs that have early intervention workers and Police Community Support Officers (PCSOs) attached to hubs. If Public Protection Notices (PPNs) are sent to the early help hubs relating to anti-social behaviour, and it is felt there is a need for workers to speak to parents or visit, this would be arranged.
- Younger children are coming to the attention of services, sometimes this is due to behaviours in the community. This is challenging as YJS can only work with young

people from the age of 10, as do the youth service. Pre-covid these were not worries that were being seen; staff who work with younger age range in early help are learning new skills to respond to these needs.

- As a collective (CMET, YJS, Evolve and early help) teams are worried about how the online world impacts on young people and the response to anti-social behaviour. In particular, Facebook community groups can escalate issues significantly. Under section 49 of the Children and Young Person Act 1933 there is an automatic restriction on reporting information that identifies or is likely to identify any person under 18 who is involved in youth court proceedings. Despite this children are often identified online; this is difficult to monitor however it has a big impact on restorative work and also has a detrimental effect on a child's wellbeing.
- It appears that considerations should be given to exploring targeted work at a primary school level if resources are able to be identified for this.
- The YJS would undertake reparation and restorative work where young people have the opportunity to repair harm caused and take responsibility for their action; this is offered as part of a statutory order or pre court disposal.
- Key challenges include:
 - Data – concept is large and behaviours considered anti-social can be broad and wide ranging and of different levels and severity. Capturing data can therefore be difficult to collect and pinpoint.
 - Resources – limited resource so cannot do everything at the same time, need to channel resources to area of need.
 - Younger children – more children under 10 being involved in anti-social behaviour, so for example, more need to work with and in primary schools.
 - Online influences like social media, chat room etc.
- Question: Do you think families generally understand all the online influences and how to make CYP use of it safer? The Panel heard inappropriate online content etc can do for example exploitation but is very difficult to monitor. Internet challenges different and change very quickly, keeping up with this is difficult.
- The focus of services must be keeping a focus on the young person and supporting positive behaviours by working with family and the community as well as in partnership with other organisations.
- Pupil behaviour has changed since Covid and is manifesting itself in many ways, creating demands and pressures on services.
- Question was asked should we be asking young people what they want and need, especially those whose behaviour is challenging? Many young people use youth clubs and such services but there are many who will not. Young people have said that they would like a space of their own, somewhere light, safe and ideally with Wi-Fi.
- There is also a perception that large groups of young people gathering together are up to no good. This is often not the case, they are just meeting up, which was something they were unable to do through covid and are coming back together hanging out with mates. Perception and attitudes to young people can be the issue rather than actuality. Next steps are to develop an understanding of what they can do that causes upset in communities. Need to raise awareness and encourage a positive narrative on the issue, young people seen as part of the community. We want to encourage communities to involve and include young people but not do it for them...give support and guidance so communities can do it themselves.

- The language used for young people like for example 'undesirable' or 'problem' can be unhelpful and looks to victimise them, and these blanket terms can help to miss some of those who need help. It was also mentioned that it can also become a self-fulfilling prophecy for young people who are labelled. If young people feel a part of the community, they are more likely to have positive behaviours within it.



Report of the Cabinet Member for Care Services and Cabinet Member for Community Services

ANTI-SOCIAL BEHAVIOUR SCRUTINY INQUIRY REPORT

1 March 2023

| | |
|--|--|
| Purpose: | To respond to the Terms of Reference Key Questions for the Inquiry |
| Content: | The primary focus in this report is to provide detail and responses to the questions laid out in as part of the evidence gathering sessions for the Inquiry |
| Councillors are being asked to: | Consider the information provided and give views |
| Lead Councillor: | Councillor Louise Gibbard, Cabinet Member for Care Services Councillor Hayley Gwilliam, Cabinet Member for Community Services |
| Lead Officer & Report Author: | Kelli Richards Tel: 01792 635180 E-mail: kelli.richards@swansea.gov.uk Helen Williams Tel: 01792 635180 E-mail: helen.williams3@swansea.gov.uk |

1. Introduction

Swansea Council takes a partnership approach in working with other statutory and key partners of the Safer Swansea Partnership to help tackle anti-social behaviour (ASB) throughout the Swansea area.

This report is to provide detail and responses to the key questions agreed and laid out in the Terms of Reference for the Inquiry and any actions arising from the initial meeting held on 24th November.

This evidence gathering session covers Evolve Young People Services, the Contextual, Missing Trafficked and Exploited Team and the Youth Justice Service, all of which sit in Child and Family Services in the Social Service Directorate.

2. Response to Anti-Social Behaviour Scrutiny Inquiry Key Questions:

2.1 What is the role of your service/organisation in relation to tackling and reducing ASB?

Across Child and Family Services there are 3 service areas that are involved in engaging with young people to support them in understanding and developing positive behaviours.

Evolve youth service, deliver a blended model of youth work - detached, outreach, youth clubs and school based work, following the five pillars of youth work. Through these forms of work, one of the priorities is to develop young people's skills, knowledge, understanding, and build positive values and attitudes, towards certain issues they may face, in the communities they live. Evolve youth service can take a targeted, voluntary approach, in creating early intervention opportunities, aiming to deter anti-social behaviour, when it is brought to the team's attention. Evolve youth workers deliver group work sessions with young people on becoming active members of their communities, trying to help communities understand young people and what matters to them.

The Youth Justice Service (YJS) undertake targeted work with individuals and group work. The service works closely with the community safety team's anti-social behaviour co-ordinator to deliver the four step process. The first of this is to undertake visits to those on the anti-social behaviour pathway. The Youth Offending Service issue the stage 2 warnings and offer support to individuals. The work focuses on consequential thinking with young people and diversionary interventions. The service also works on peer relationships, recognising that anti-social behaviour is often peer led.

The Youth Justice Service also work in schools and deliver anti-social behaviour workshops when these are requested through schools or other services. These workshops will also be delivered when patterns of referrals from schools are seen.

The Contextual Missing Exploited and Trafficked (CMET) team respond to extra familial harm; this is harm faced by young people outside of the family home including exploitation, youth violence and peer on peer abuse. The team take a location based approach to addressing these concerns and by nature of the young people they are working with there is sometimes a cross over with those who are at risk of harm also being involved in anti-social behaviour.

2.2 How are you addressing the five key principles in your organisation?

Principle 1

Victims should be encouraged to report ASB and expect to be taken seriously. They should have clear ways to report, have access to help and support to recover, and be given the opportunity to choose restorative approaches to tackling ASB.

Evolve and CMET often work on a detached basis, this gives communities an opportunity to speak about their worries, we are able to sign post the community members where to report. We have developed a QR code and link tree for the public to access information and advice from a number of organisation including how to report issues and how to access support.

YJS have a victim worker who links in with victims of young people that are open to the service. This worker will assist the victim in recovery by supporting them to understand how they would like the young person/people to repair the harm. This is often done restoratively. Our aim is to build on the communities' confidence in young people and allows young people to demonstrate remorse. This is one worker so not every victim of anti-social behaviour would receive this service.

Principle 2

Agencies will have clear and transparent processes to ensure that victims can report ASB concerns, can understand how the matter will be investigated and are kept well informed of progress once a report is made.

We have integrated early help hubs that have early intervention workers and Police Community Support Officers (PCSOs) attached to hubs. If Public Protection Notices (PPNs) are sent to the early help hubs relating to anti-social behaviour, and it is felt there is a need for workers to speak to parents or visit, this would be arranged.

The YJS Victim Officer doesn't normally become involved with anti-social behaviour unless they have been referred through to Bureau / Court. They do however stay in touch with victims through the restorative justice process, update the victims when required and are available to be contacted if the victim has any further questions.

Principle 3

Agencies and practitioners will work across boundaries to identify, assess and tackle ASB and its underlying causes. Referral pathways should be clearly set out between services and published locally. This includes pathways for the community trigger and health services.

The YJS work in partnership with the Safer Swansea Partnership, CMET, police forces, health agencies, and housing associations to identify areas of concern for anti-social behaviour across the local authority. A targeted response is undertaken between agencies and responses have included workshops being delivered in school and youth clubs.

The Evolve manager and YJS often attend problem solving community groups and staff from these teams attend local community groups. Each early help hub has a locality meeting which brings together professionals with invested interest in the areas where issues such as anti-social behaviour can be discussed.

The CMET panel brings together around 23 professionals who work together to respond to harm experienced by young people in places and spaces, there is sometimes a cross over that impacts on anti-social behaviour.

Principle 4

The public's ASB concerns should always be considered both nationally and locally in strategic needs assessments for community safety. Best practice should be shared through a network of ASB experts within each community safety partnership, each policing area and nationally.

The YJS work in partnership with the Community Safety Partnership and at stage two of this process a prevention intervention is offered. Prevention data is reported to the Youth Justice Service management board on a quarterly basis. Including reference to the reason for the referral which can include behaviour described as anti-social behaviour.

Principle 5

Adults and children who exhibit ASB should have the opportunity to take responsibility for their behaviour and repair the harm caused by it. Agencies should deliver appropriate interventions, which may include criminal justice options, based on the seriousness, risks and vulnerabilities of the case.

The YJS would undertake reparation and restorative work where young people have the opportunity to repair harm caused and take responsibility for their action; this is offered as part of a statutory order or pre court disposal.

On a higher level, the CMET panel has responded to incidents of community unrest. The panel is able to bring together adult community members and young people from the community to understand what matters to everyone involved and create an action plan that addressed all the community's needs.

2.3 What are the key challenges you are facing and how are you addressing these (what more can be done to help you to address them...)?

The quantitative data received by CMET provides little context to the type of worries in areas or communities; and anti-social behaviour reports are often different depending on the communities the teams are working within. To be able to target early prevention, it is important to understand what the anti-social behaviour looks like.

Similarly, in YJS the qualitative information isn't received until the young person is on a stage 2. This could mean there is the potential to be missing opportunities to deliver sessions in schools and in groups at much earlier stages.

Anti-social behaviour is a very broad term that incorporates a vast range of behaviours, by categorising in this way it can be difficult to respond to specific worries and often the opportunity to tackle specific concerns is missed.

All services are under pressure because of staff shortages, which means critical work such as child protection and statutory offending behaviour has to be prioritised.

As much as individuals are encouraged to engage in support and prevention work, this is all voluntary. The anti-social behaviour process is not able to enforce statutory involvement with services.

Younger children are coming to the attention of services, sometimes this is due to behaviours in the community. This is challenging as YJS can only work with young people from the age of 10, as do the youth service. Pre-covid these were not worries that were being seen; staff who work with younger age range in early help are learning new skills to respond to these needs.

As a collective (CMET, YJS, Evolve and early help) teams are worried about how the online world impacts on young people and the response to anti-social behaviour. In particular, Facebook community groups can escalate issues significantly. Under section 49 of the Children and Young Person Act 1933 there is an automatic restriction on reporting information that identifies or is likely to identify any person under 18 who is involved in youth court proceedings. Despite this children are often identified online; this is difficult to monitor however it has a big impact on restorative work and also has a detrimental effect on a child's wellbeing.

It appears that considerations should be given to exploring targeted work at a primary school level, if resources are able to be identified for this.

2.4 How are you engaging with the public i.e., events etc, examples? How do you use the information gained to improve the services provided?

The teams attend and host community events, for example in the past 12 months the CMET team and the Youth Service (Evolve) attended 72 community engagement events across the whole of Swansea, and including events run by community safety. These events are often supported by 3rd sector organisations.

2.5 What information is available that the public can access about ASB relating to your service?

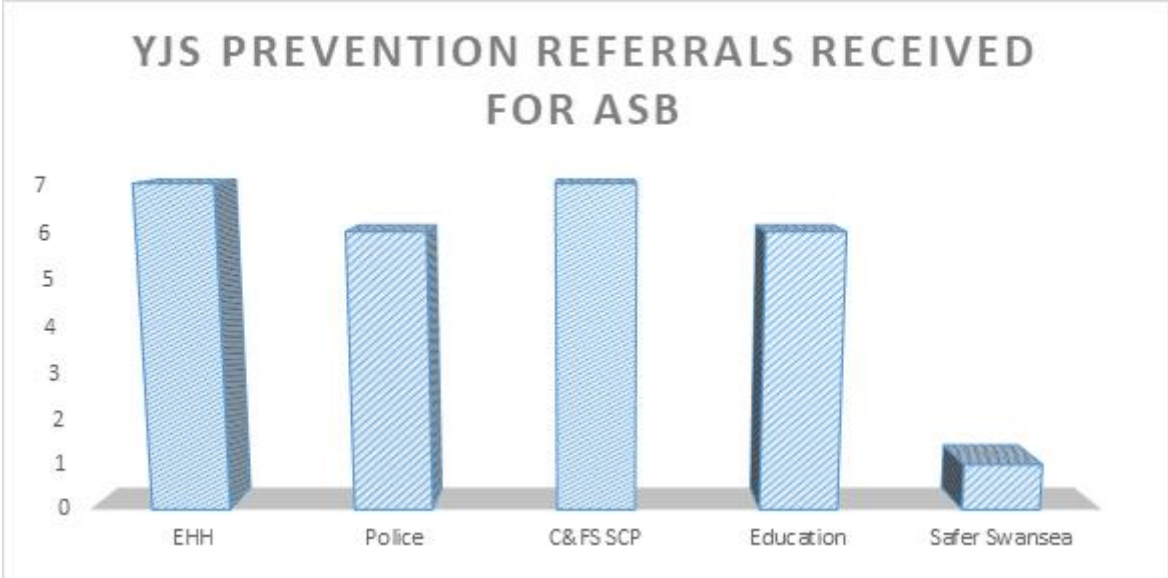
There is information available about the support and interventions that the teams provide or can provide relating to promoting positive behaviours, developing resilience and working with communities. An example can be found via this link [Continuum of Need Indicators For Support \(CONIFS\) - Swansea](#)

2.6 Do you feedback to the victims/reporters of anti-social behaviour about what is being done to address ASB, either in terms of the specific incident they were involved in or reported, or more generally? Do you use this feedback to improve inform and improve your services?

The YJS Victim Officer feeds back to the victims on the outcomes from Bureau /Court on their specific incident and inform them of what interventions are being put in place to address these issues. This officer collates feedback from victims and tries to address any issues that may have been brought up.

The only issues tend to be that the victim's view that the outcomes weren't severe enough, but these are rare. Up until now victim feedback has only been discussed in supervision. The YJS Data Officer is exploring how this information can be used in the future to improve services.

2.7 Data – any appropriate data relating to ASB and your service area/organisation?



Of the 86 Prevention referrals received since April 2022, 27 have been for anti-social behaviour (31%).

Once a young person breaches their Stage 1 Final Warning, this triggers a Stage 2 home visit between the Youth Justice Service and Safer Swansea Partnership. All who receive a Stage 2 personal warning have an offer of support from Swansea YJS. However, as engagement with this provision is on a voluntary basis, not all young people choose to take advantage of this support.

2.8 Does the council or partner organisation meet its regulatory obligations in relation to the services represented today? If not, why is that and what can be done to help you to do this?

The YJS continues to drive its agenda on early response to tackling anti-social behaviour – working with partner agencies on the early identification and/or response to anti-social behaviour (either individually or group related). Where a young person has been referred either by the police and/or Court, the YJS continue to assess and deliver appropriate interventions that tackle the issues identified to prevent further incidents of concern recurring.

2.9 How well do you feel the Council and its partners are working together to tackle and reduce anti-social behaviour in Swansea from the perspective of your service/organisation. How could it be improved further?

There are good relationships between the YJS and the community safety team to intervene with the individuals that are subject to the anti-social behaviour process. The two teams meet monthly and discuss all young people on stage 2 or a final warning. If there are young people where there are worries around them experiencing harm outside of the home, there is a good link internally with the CMET Team. YJS work with the youth service and will attend clubs when requested.

There are PCSOs within the early help hubs and police officers within the Youth Justice Service, which helps with improving and strengthening relationships. On youth clubs nights in the early help hubs, there are regular visits from police and 3rd sector organisations.

The Evolve manager and YJS often attend problem solving community groups and staff from these teams attend local community groups. Each early help hub has a locality meeting which brings together professionals with a vested interest in the areas where issues such as anti-social behaviour can be discussed.

The CMET panel brings together around 23 professionals who work together to respond to harm experienced by young people in places and spaces, there is sometimes a cross over that impacts on anti-social behaviour.

Some key examples of are outlined below.

Example 1

Co-ordinated response to the large scale public order incident in May 2021

- Pop up youth club in Community Centre was set up and continues to run on a Monday evening. This was initially delivered by the CMET Youth Work Co-ordinators and Level 1 staff from the open access Youth Club but is now a 'business as usual' youth club run by the open access team with support from community volunteers.
- C-card scheme has been set up in local area to enable young people to access information and advice in respect of sexual health and free contraception.
- Young people asked for more sporting opportunities, so Swans in the Community have been running football skills sessions and the CMET team are working with Park Lives to set up some sessions in the area.
- There is a Friday night youth club opened run by volunteers.
- Weekly school drop in sessions have been held in the local comprehensive school facilitated by the CMET team, Youth Hub Development Officers and Emotional Health and Wellbeing Lead Workers.
- The Children's Rights and Participation Officer is undertaking preparation work with the pupils with a view to setting up a youth forum to consider the perception of the young people in the community to address and negatives.
- Youth Justice Service were in touch with every young person identified and 5 are receiving ongoing support.

Example 2

Response to incident of serious youth violence in February 2022

- The local Early Help Hub was opened for additional sessions to provide a safe space for young people to access support from youth workers and the CMET Youth Work Co-ordinators.
- Multi-agency partners provided input to these sessions including BAROD, YJS, Media Academy Cymru and St Giles Trust who also supported the local secondary school with drop in sessions.
- Targeted work was undertaken with identified young people who had experienced or are at risk of extra familial harm.
- CMET area and peer group assessments were undertaken resulting in increased provision in the area for a period and the allocation of a number of

identified young people to lead workers within the Early Help Hubs or Social Workers in the CMET team.

- The area CMET assessment identified a number of young people involved in the incident that do not reside in or access support in that area and therefore targeted work was undertaken with these young people within their schools and communities.
- Continued allocation of a CMET worker who will work on 3 specific areas
 - 1) Community Guardianship – Worker has undertaken work in the community to understand what matters to them, to encourage community members to be the eyes and ears of the community with an understanding of child safety.
 - 2) Environment and community – CMET team have been developing training to deliver to businesses to create safer spaces for young people. This will be delivered to businesses in the area.
 - 3) Young person's experience – CMET will be working alongside local schools and intends to undertake work with local businesses to increase safer spaces for young people in the community and build links with school to provide education around youth violence on an ongoing basis. Worker will also be looking at places in the community where young people feel safe, where there is good light and good shelter.

2.10 What are the key objectives in your service/organisation in relation to ASB? How do you monitor and manage performance in your service area/organisation to measure and meet these objectives?

The key objectives are summarised below:

- The coordination and management of the anti-social behaviour process for young people.
- To work closely with referrers and agency partners and providers such as early help hubs, social work teams, Police, schools, colleges, training providers and community groups to provide early intervention services and deter children and young people from anti-social behaviour and offending
- Co-ordinate the delivery of prevention and early intervention work in conjunction with partner agencies in local schools/youth clubs as a method of reducing anti-social behaviour.

2.11 How is your organisation, the Council and other partners working together to address the causes of anti-social behaviour. Strategies, tools, interventions and work happening in communities, include examples? How could this be improved further?

Integrated hubs have been developed across Swansea for early help, this has supported the conversations between professionals to address issues within communities. The locality meetings that happen in these hubs allow professionals in the areas to target support for these issues at an early level.

Contextual safeguarding approach has meant there is a focus on issues outside the home in more detail. Data is correlated from multiple agencies to improve targeted responses to harm outside the home. One area of focus is youth violence; recognising there is a rise in this issue across Swansea within communities and schools, partnership working with education is being explored

to target these worries at an early level, with a working group in place to focus on this.

A co-ordinated response can be provided to extra familial harm within schools. A carousel event has been created with multiple agencies including drug service, and 3rd sector organisations. An example of this is attached (Appendix A). The intention has been to roll this out across Swansea however all agencies are experiencing resource issues that would impact on this being delivered across all areas.

The youth service can act on a response basis to support the prevention of community unrest. There have been multiple examples of this in the last 12 months. One example was in January 2023 when a balloon release was arranged by young people to pay tribute to the sad passing of a young friend. There were worries around a potential escalation of anti-social behaviour and youth violence due to the large number of young people intending to attend the event. The youth service worked together with the police and 3rd sector agencies, listened to the young people and were able to ensure young people's voices were included in the planned response. This resulted in the service mobilising resources to open the nearby youth club and provide emotional health and wellbeing support as well as other issues such as substance use with a view to reducing the concerns. This was a positive response that appeared to work with over 40 young people accessing the service. However it is important to understand that to achieve this response required the movement of resources from other areas of Swansea.

4. Legal implications

4.1 None

5. Finance Implications

5.1 None

6. Equality & Engagement Implications

6.1 None

Glossary of terms: *Please add glossary of terms if you are using acronyms*

Background papers: *(Either use the word 'none' or list all the Background papers).*

None

Appendices:

Appendix A – Proposal to support schools with understanding and preventing extra familial harm

PROPOSAL TO SUPPORT SCHOOLS WITH UNDERSTANDING AND PREVENTING EXTRA FAMILIAL HARM

1 day program Proposal

Feedback from our initial school work as part of contextual safeguarding approach and work that YOS have co-ordinated has been successful and schools have been asking for this to be rolled out further. As a multi-agency approach we feel we could offer something different to young people in Swansea that supports us in preventing the risks of extra familial harm that we are seeing utilising the skills and commitment of our partner agencies.

We would like to begin offering a universal preventative offer of support covering a range of worries including the following



- CSE, online safety and sexual health
- Criminal Exploitation
- Youth Violence including knife crime
- Preventing offending
- Substance misuse
- Keeping safe

Every comprehensive school offer wellbeing days – our proposal would be for us to offer to year 9 groups in school a full day of services providing their expert knowledge providing the same session to 5 separate groups in a day.

We have 14 comprehensive schools in Swansea so this may mean commitment to 1 day a month and 2 days on 2 months of the year.

Alongside this we would like to offer a support session to a select few Staff on how to respond to Extra Familial harm, where we would provide training and a resource pack that would include referrals to specific services and advice sheets.

By launching our multi-agency offer to schools we would not only be offering an innovative and supportive approach to preventing risk in the community but will also assist in fulfilling our individual responsibilities to the safeguarding board.

| SESSION TITLE | SERVICE PROVIDING | LEARNING OBJECTIVES | KEY POINTS TO BE COVERED | |
|--|---|---|--|---|
| Consequences in the community & keeping safe from criminal exploitation. | Youth Justice Service and Criminal exploitation | Understand how to prevent getting on the wrong side of the law by avoiding Anti-Social Behaviour. | <ul style="list-style-type: none"> • ASB – What is ASB? • Whom does it affect? • Why YP's get involved & What can be done to help prevent ASB? • (Group Activity) What happens if you become involved in ASB? Where to get help. • CCE – What is CCE? "What do you see?" "What don't you see?" Where to get help. | |
| Consent, Sex and Substances workshop. | Barod Youth Workers | Understand the effect of drugs and alcohol on the ability to give consent. | <ul style="list-style-type: none"> • What is Consent? • How do substances affect your ability to give consent? • C- CARD scheme |  Consent and Substances session pl |
| Emotional Literacy | Emotional wellbeing and YHDO's | Linking | <ul style="list-style-type: none"> • Recognition of basic emotions, namely: Fear, anger, sadness, happiness, surprise and contentment. • Understanding how thoughts, emotions and behaviours interact and inform one another. |  Emotional Literacy session plan.docx |

| SESSION TITLE | SERVICE PROVIDING | LEARNING OBJECTIVES | KEY POINTS TO BE COVERED | |
|---|------------------------------------|---|---|--|
| | | | <ul style="list-style-type: none"> • Linked scenarios to situations of EFH such as peer pressure, youth violence. | |
| Knife crime and violence St Johns | Media Academy Lifesaving skills | The consequences of youth violence and how you can support with someone who is injured. | <ul style="list-style-type: none"> • Consequences of carrying a knife • Life saving skills if someone was in trouble | |
| Sexual health and relationships and CSE | CMET team | The importance of sexual health and contraception and C-card scheme. Healthy relationships and CSE. | <ul style="list-style-type: none"> • Free contraception • Healthy relationships – what they look like • Recognising signs of CSE • Keeping safe | |
| Digital Dilemma | CMET team and Platform | Keeping safe from harm online | <ul style="list-style-type: none"> • Popular Apps and risks • Social Media and relationships • Safe use online | |

| | |
|---|--|
| Professional Extra Familial harm training | <ul style="list-style-type: none"> • What is Extra Familial Harm • What is contextual safeguarding • How can harm outside the family home affect school |
|---|--|

Wellbeing Plan

Thank you all for taking part in today's events—we have put together some of the key learning points for you to take away from today and some advice on where to get further support.

Internet safety

- Check your privacy settings - if you're unsure how to do this, ask a parent, teacher or youth worker.
- Remember owning or sharing indecent images of anyone under 18 (even if it's your own image) is illegal.
- You can report any concerns online to the following agencies.



Sexual Health

- A Sexual health nurse is present in Info Nation, The Kingsway, Swansea on a Wednesday afternoon; an appointment can be booked by calling 01792 484010.
- FriskyWales.org— Sexual Health Wales offers information, advice and access to online sexual health testing in Wales.
- Confidential information on sexual health and access to free contraception can be accessed from your youth workers; you can DM these on social media platforms below.



Evolve Swansea



@evolveswansea

Consent and Substances

- Consent means it is your choice
- Substances such as alcohol affect your ability to give consent
- You can self refer to Barod if you need advice on substances.



@choiceswest

Anti Social Behaviour

Be aware of how your behaviour can affect those around you.

Talk to Parents, Carers, Friends, Teachers, Youth Justice Staff, Social Workers and Police.

Fearless website, Fearless.org offers non-judgmental information and advice about crime and criminality.

Criminal Exploitation

Anybody can be a victim of criminal exploitation and it may not seem obvious at the time.

Be aware of grooming—if you are given gifts or money, being asked to share online content or to provide details of your friends - Question why!

If your worried about exploitation contact Fearless - Fearless is a service that allows you to pass on information about crime 100% anonymously. This means you don't have to give any personal details.

To report a crime or share information you may have about a crime anonymously please complete an online form here <https://www.fearless.org/en/give-info>



For information and advice at your fingertips on issues that affect young people scan the QR code below and follow our social media accounts by scanning the QR code below.





City and County of Swansea

Minutes of the **Scrutiny Inquiry Panel - Anti-Social Behaviour**

Multi-Location Meeting - Gloucester Room, Guildhall / MS Teams

Thursday, 9 March 2023 at 10.00 am

Present: Councillor T J Hennegan (Chair) Presided

Councillor(s)

C Anderson
A J Jeffery
M S Tribe

Councillor(s)

S Bennett
A S Lewis

Councillor(s)

R Fogarty
A Pugh

Other Attendees

Cabinet Member Cyril Anderson
Cabinet Member Andrea Lewis
Cabinet Member Alyson Pugh

Officer(s)

Chris Howell (Head of Waste Management)
Paula Livingstone (Divisional EHO, Pollution Control and Private Sector Housing)
Adrian Johnson (Operational Lead, Pollution Control and Private Sector Housing)
Carol Morgan (Head of Housing & Public Health)
Judith Williams (Operations Manager Landlord Services)
Dave Thomas (Anti-Social Behaviour Officer Housing)
Sarah Jordan (Landlord and Community Housing Services Manager)
Mark Wade (Interim Director of Place)
Jane Whitmore (Strategic Lead Commissioner)
Gareth Pritchard (Anti-Social Behaviour Co-ordinator)
Michelle Roberts (Scrutiny Officer)

Apologies for Absence

Councillor(s): A M Day, M H Jones, M Jones and C L Philpott

29 Disclosure of Personal and Prejudicial Interests

Terry Hennegan, Sam Bennett and Rebecca Fogarty declared personal interests.

30 Prohibition of Whipped Votes and Declaration of Party Whips

None

31 Minutes

The minutes of the 27 February and the 1 March 2023 were agreed as a correct record.

32 Public Questions

No public questions were received.

33 Council Housing, Public Protection and Fly-tipping

The Panel thanked the Cabinet Members Andrea Lewis, Cyril Anderson and Alyson Pugh and officers for attending the Panel and for providing and presenting a report that addressed the key set of questions, sent to them in advance, from the perspective of Council Housing, Public Health and Fly tipping services.

The report presented by these services and the full notes taken from this discussion will form part of the Inquiry Findings Report. The Findings Report will be brought back to the Panel at the end of the evidence gathering phase of the inquiry. Today's evidence will then be considered alongside all the evidence gathered when the Panel discuss and formulate the inquiries conclusions and recommendations to Cabinet.

34 Inquiry Project Plan / Work Programme

The next meeting is scheduled for 13 April at 10.30am and will be with Housing Associations operating within Swansea.

The meeting ended at 11.20 am

Chair

Notes from the Anti-Social Behaviour Scrutiny Inquiry Panel on 9 March with Place Services including Council Housing, Public Health and Fly Tipping

Points discussed and questions asked by the Panel (over and above the written report provided)

- From a Housing Service perspective we are focussed on ASB which occurs on Council Estates and carried out by either tenants, members of their households or visitors to their homes.
- In respect of a tenancy, this is an incredibly secure form of housing, a tenancy can only end in three ways, by a tenant voluntarily surrendering their tenancy, by a possession order granted by a Judge at the County Court, we can also take back possession of a property of which we are 100% confident a property has been abandoned, this can be subject to challenge.
- In the Housing Service we are responsible for the day-to-day tenancy management of 13,700 tenancies, this includes dealing with ASB. We take reports of ASB primarily through the Area Housing Office Service and out of hours from the NSU. Our approach is centred very much around the person, this includes those reporting and affected by ASB and also when dealing those carrying out ASB.
- Within our service our teams work very closely together, in particular the Area Housing Officers, supported by the ASB Support Team, alongside the key role of the Neighbourhood Support Unit in its 24/7 capacity, responding to out of hours issues and undertaking targeted patrols and of course the Tenancy Support Unit which supports some of the most vulnerable people in our tenancies. We also achieve this through Housing first and the Rapid Re-housing Support for those coming through the homelessness route.
- It is important not to lose sight that a proportion of tenants are the most vulnerable in our society and sometimes have significant challenges in respect of their behaviour, this is often multi layered. It is our role to ensure that we strike a balance to support those affected by ASB and to help those carrying out ASB to also be supported to modify their behaviour to sustain their tenancy.
- We achieve this through the teams mentioned working together and by working jointly with a number of partners as detailed in the report. Notably the Police, SSP and CMHT, Pollution Control and Social Services, basically any organisation that can help us we will work with.
- We take ASB seriously, appreciate the impact it has on the individual. We triage and investigate all the ASB complaints we receive and ensure that those affected are given as much information as we can; bearing in mind we are sometimes constrained by data protection and GDPR in respect of the sharing of personal information.
- We face many challenges; they are detailed in the report. Key areas are:
 - a) Expectations - in trying to achieve resolutions for ASB, primarily through behaviour modification, we have to give realistic advice about anticipated outcomes. We are bound by the law, and the provision of evidence.
 - b) Engagement - is often challenging and from the heading in the question 3 it is complex and influenced by many different factors. We will engage with people

in whatever way works for them and for us and by also accessing the service to partners to support those carrying ASB and to support us.

- In terms of what tools we use to deal with ASB, in respect of those causing the ASB: we will speak to them, issue warning about their behaviour, work with them (and support workers) to help them to modify their behaviour, offer mediation if appropriate, escalate our warning letters and interviews, consider injunctions if appropriate, look to serve a notice of seeking possession, this is often useful to focus minds. Ultimately, we will move towards possession, when a possession order is given by the court we will continue to work with individuals, ultimately if all avenues of engagement and behaviour modification fail, we will look to evict to protect the wider community.
- Engagement with tenants (and residents) is done in a number of ways and we recognise the importance of gathering views and opinions. On a more local level we participate in engagements events, sometimes on our own and other times with partners such as SSP/Police etc. In response to specific issues, we use a combination of engagement methods including door knock, questionnaires (can be anonymous), community consultative events particularly for environment issues.
- We also work closely with ward members within their communities, we recognise that they have their ear to the ground, at the end of last year we did some really good joint working in Port Tennant with members and the Police.
- In respect of information, web pages are currently in the process of being updated, most tenants will however report ASB to the AHO's and NSU. ASB is talked about at the start of the tenancy and Neighbourhood Officers have strong links within communities, they are out and about and are accessible. Similarly, this is the case for the NSU.
- Feedback is important to us, it helps us direct resources, look to make estate improvements and enables us to give direct feedback to officers in respect of their individual performance.
- We are actively monitoring 206 ASB cases across the city, this represents 1.5% of our stock. Additionally, there more incidents recorded than cases created, this is because there will in some cases be several reports against 1 case.
- We work within regulatory frameworks, delivering services whilst considering a number of legal obligations. In respect of tenancy management, we rely on the Renting Homes (Wales) Act 2016, this is new legislation which came into effect on 1st December. As yet untested in court but its principles are focussed on supporting tenants to have secure rented accommodation. We also use the Crime and Policing Act 2014 for injunction purposes against individuals who are displaying the most challenging and disruptive behaviour. We rely on a Judge to either give as a possession order, which can, lead to eviction or to allow us an injunction. In both instances the evidence bar and burden of truth are high.
- We also consider our statutory obligations in respect of homelessness, every person here in Wales has a right to a home, therefore if we evict, they will come back to us through the homeless route. Again, this is reinforced in our ethos of working with people who cause ASB to engage with them and provide support, through many avenues, to help them achieve behaviour modification to sustain their tenancies and help stabilise communities.

- Joint working is absolutely key in the work we do in our communities, as partners we have clear roles and responsibilities whether it is us (the Housing Service), the Police, the Safer Swansea Partnership, Social Services in respect of Safeguarding (children and vulnerable adults) and also Contextual Missing Exploited Trafficked (CMET) and Community Mental Health Team, these along with many other organisations work together within communities.
- Together we work to try and keep people safe from harm, to sustain tenancies and communities. This happens against the backdrop of the multiple challenges.
- In respect of how it could be improved, we already do all we can, this is not to say that we are not looking for more opportunities and innovative ways to engage with partners and our communities.
- As stated in the report the Housing Service will look to support people to maintain their tenancies to help provide stability and security for families and communities, and our aim is to help reduce anti-social behaviour to help support community cohesion across estates.
- In terms of addressing the causes of ASB, we will continue to engage, work with and support partners through the use of a wide spectrum of tools at our disposal. We will always look for opportunities to engage with partners and communities.
- We work to deal with ASB in a proportionate, appropriate and measured way, we will be clear to those reporting ASB on what we can and cannot achieve. With significant ASB it is usual for a complainant to demand a tenant is evicted, as professionals we know how difficult this is to achieve, therefore, we will be truthful from the outset about managing expectations and supporting them through the issues they are experiencing. We will deal robustly with those individuals that carry out ASB, by using the tools we have available to us and this will be done in a person-centred way.
- Question: Do you experience any issues with areas that are a mixture of tenancy and private ownership? Can be an issue often neighbour disputes which it can be difficult for housing to find solution but this is when partner organisations can come in. Public Health can be involved in some aspects, irrespective of tenure.
- Question: Do we use mediation and figures given look low, why is that. The Panel heard that it can be difficult to engage people especially when neighbour disputes as people don't want to sit down together to discuss. But Council does its best to engage and encourage mediation as it can be beneficial.
- Question: What do you find is people's perception and understanding of ASB? Peoples perceptions of what is classed as ASB can vary widely and we do have honest dialogue with people when complaints are made that are not reasonable.
- Question: Do have some issues with students and ASB, do we use mediation for this? The Panel heard that the Council contributes resources to the employment of a Community Liaison Officer that's role is to work with the university and local communities. They are active in communities with high student populations. Universities themselves also have disciplinary policies and procedures to deal with students who are causing persistent issues in the community.
- Is the Mediation done using internal council staff or is it bought in. The Panel heard that mediation in Swansea in this aspect is bought in using external company. Tenants have said they prefer this as it is then independent.

- Noise Abatement – the panel heard that this can be difficult. When we receive a complaint about noise a council officer needs to be able to witness it. We ask complainants to keep a diary of evidence. We operate an out of hours response, with a rota of officers who can come out and hear and witness activity. Using a noise abatement order is a last resort. Once we have that we can take the offender to court if they do not comply or in extreme cases seize equipment being used to create the noise.
- Fly tipping – The Panel heard that Swansea Council has worked hard to improve the reduction in fly tipping. Councillors agreed that a lot of work has been done and from their experience the team is very responsive and remove fly tipping quickly once reported. Some of the work being done to prevent and reduce fly tipping are outlined in more detail in 1.5 of the report (page 20 of Agenda).
- The Panel heard that Housing and Waste also work closely together to prevent and address fly tipping in Council owned areas.
- The Council website has good amount of information on waste and recycling and people can report fly tipping online or via the call centre. The Panel heard that some report come through social media routes like our Facebook page.
- Question: it was noticed in the waste data that there are quite low levels of Fixed Penalty Notices issued, is that due to lack of resources for enforcement? The Panel heard that the goal would be for their not to be any but recognise that will never be the case but we do only use FPN as a last resort, preferring to support and educate first. The Team is adequately resourced for what we need currently.
- Question: Can we use tools like CCTV and/or boulders to block access? Yes, we can use both, and both can be helpful. Although it can just move the problem on elsewhere. CCTV can be used especially for large scale tipping but is exposed and can be vandalised by offenders. To film covertly a court order is needed.
- The Panel heard there are a couple of types of waste issues with regard to kerbside collecting including:
 - a. Persistent disregard for kerbside collections (if this is for example someone putting their rubbish further down the street away from their own property, wrong days etc. Enforcement action can be made if they can be traced back to property.
 - b. Not presenting waste in the correct fashion. This is about the duty of care of householder and a formal notice can be given. This is where the persistency issue comes in.
- There are four stage process to deal with this. Letter to householder explaining their responsibilities and offering support and education. Then a second letter saying same with formal notice. A further warning letter is sent (still offering information and support) and finally if still not complying then Fixed Penalty Notice can be issued. But first and foremost, we want to education and support using enforcement as the last resort.



Report of the Cabinet Member for Service Transformation

Scrutiny Panel – 9th March 2023

Anti-social Behaviour Scrutiny Inquiry Panel Housing and Public Health Response

| | |
|--|---|
| Purpose: | To provide responses to key questions in respect of the Anti-social Behaviour Inquiry. |
| Content: | This briefing provides detail and the responses of Housing and Public Health in respect of the 11 questions laid out by the Anti-social Behaviour Inquiry to assist its evidence gathering. |
| Councillors are being asked to: | Consider the information provided and give views on the responses given by Housing and Public Health. |
| Lead Councillor: | Cabinet Member for Service Transformation |
| Lead Officer & Report Author: | Carol Morgan, Head of Housing Judith Williams Tel: 07976 201445 E-mail: judith.williams3@swansea.gov.uk |

1. Background

- 1.1 Where Anti-social Behaviour (ASB) is experienced across housing estates, officers, predominantly from Landlord & Community Housing Services (L&CHS), work with key internal and external partners to help tackle and modify such behaviour plus support those affected by it. L&CHS is a key member of the Safer Swansea Partnership (SSP) and our priorities align with those of the partnership.
- 1.2 Officers in Pollution Control and Private Sector Housing respond to a range of neighbour issues, which although not necessarily strictly ASB, can cause problems. These issues include noise and waste on private land. Not all noise problems we deal with are from domestic premises, but it is domestic noise issues that are covered in this report.

2. Briefing – responses to agreed evidence gathering questions

- 2.1 **Question 1. What is the role of your service/organisation in relation to tackling and reducing ASB?**

2.1.1 The Council through L&CHS manages 13,709 tenancies. Day-to-day tenancy and estate management is predominantly delivered via 4 Area Housing Offices (AHOs). Officers from the AHOs work in partnership with a number of sections within L&CHS, including:

- The ASB Support Team (ASBST)
- The Neighbourhood Support Unit (NSU) which operates a 24/7 service
- The Tenancy Support Unit (TSU)
- Homelessness service

We also work with internal and external partners, including but not limited to:

- Pollution Control & Private Sector Housing
- Social Services
- South Wales Police (SWP)
- Probation
- Mental Health Services
- Third sector support providers
- Other social landlords
- Safer Swansea Partnership (SSP)

The role of the Housing Service in relation to tackling and reducing ASB involves:

- Supporting tenants to sustain satisfactory tenancies
- Responding to instances of reported ASB on 24/7 basis
- Mediating between parties to seek resolutions as appropriate
- Working with partners in respect of statutory nuisance, criminal activity, safeguarding concerns etc.
- Sharing information with partners to identify areas / individuals of concern
- Supporting tenants who have been subject to ASB etc.
- Pursue legal action

2.1.2 As a social landlord it is our objective to support people to sustain their tenancies and to help create communities which are safe and secure. We recognise that some tenants have complex needs and present challenging behaviour and we work closely with those tenants, and with other services as appropriate, in an effort to modify that behaviour.

2.1.3 In some instances, and despite everyone's best efforts, where behaviour continues to have a detrimental impact on neighbours and / or the wider community we would look to take action through the court. This would be a last resort; it is also very difficult to achieve.

2.1.4 **Pollution Control and Private Sector Housing**

There is a regulatory function for statutory nuisance which is dealt with by enforcement tools including abatement notices requiring the person responsible for the nuisance to abate or prevent the nuisance within a given timescale.

2.1.5 Not all noise problems are a statutory nuisance. There is no specific measurement to define when noise becomes a statutory nuisance and each instance is assessed according to individual circumstances. For instances where there is no statutory nuisance, informal steps may be taken to try to deal with the

problem, trying to persuade the person making the noise to reduce or stop and sometimes attempting to mitigate between them and the complainant.

- 2.1.6 This can also be the same approach to problems of waste on private land, although there is also legislation to deal with waste that is prejudicial to health or a statutory nuisance and where food or harbourage is being provided for rats or mice. Enforcement notices can then be served, which may result in the local authority arranging work in default of a person who does not comply with the notice requirements. The cost of that work, along with an administrative charge, is re-charged to the notice recipient and steps taken to recover unpaid debt.
- 2.1.7 Failure to comply with abatement or other statutory notices may result in prosecution in the Magistrates Court. Equipment, such as televisions and music devices may be seized.

2.2 **Question 2. How are you addressing the five key principles in your organisation?**

- 2.2.1 The 5 key principles which include: encouraging victims to report ASB, having clear and transparent processes, clear referral pathways, shared strategic priorities with the police and restorative justice are reflected in our practices and links with the SSP.

The principles are:

- i. Encourages the reporting of ASB, takes it seriously and adopts a restorative approach when dealing with.
 - ii. Has clear and transparent processes to ensure that individuals affected by ASB can easily report concerns, we investigate complaints thoroughly and ensure complainants are well informed.
 - iii. Has clear referral processes in place to link in with partners, including the SSP to have a joined up approach to dealing with ASB.
 - iv. Links in with the SSP its partners and shares and adopts examples of best practice.
 - v. Supports individuals who cause ASB to modify their behaviour, adopting a restorative approach and taking vulnerabilities into account
- 2.2.2 As a set of principles they reflect the approach which the Housing Service takes when dealing with ASB, the aim of which is:

To support people to maintain their tenancies to help provide stability and security for families and communities. The Housing Service will aim to help reduce anti-social behaviour to help support community cohesion across estates.

The Housing Service has clear and varied means to report ASB which are publicised in various ways.

- 2.2.3 ASB is taken seriously, all incidents are recorded on a tailored database, triaged and investigated at the AHO, and there is a dedicated ASBST which assists the AHO team. Complainants are provided with updates in respect of their

complaints and are given advice and support which includes managing expectation in respect of what can be achieved and likely outcomes.

- 2.2.4 There are strong partnership links in place within the Council, e.g. Social Services and the SSP, and external partners such as the SWP, Mid & West Wales Fire & Rescue Service (MAWWFRS), Mental Health Services plus many others.
- 2.2.5 Working with individuals to modify behaviours is integral when dealing with ASB help achieve better outcomes. It is essential that a holistic person-centred approach is taken when dealing with each ASB case.
- 2.2.6 A similar approach is taken in Pollution Control and Private Sector Housing with service standards being included in the corporate standards. Information on how to report concerns are available on our web pages. The Environment Call Centre, e-mail and online forms are used. Complaints are recorded on a database, which also records officers' actions.

Where issues are reported regarding council tenants, officers liaise with the AHOs to try to bring about a resolution.

- 2.2.7 Officers also have a strong working partnership with Swansea University, the University of Wales Trinity St David (UWTSD) and South Wales Police. This partnership funds a Community Liaison Officer (CLO) employed by Swansea University whose role includes working with students living in residential communities to ensure there is greater community cohesion. This can often involve responding to noise and waste complaints and invoking the universities' disciplinary procedures where appropriate.

2.3 Question 3. What are the key challenges you are facing and how are you addressing these (what more can be done to help you to address them)? There are a significant number of challenges in respect of dealing with ASB.

2.3.1 The key challenges faced by our teams include:

- Expectations
- Non-engagement
- Complex needs
- Clash of lifestyles / low -level nuisance
- Substance use
- Environment

How we are addressing these challenges:

2.3.2 Expectations

Expectations across the board are a challenge, not just from complainants but also from partners.

Complainant's expectations are managed from the outset. Officers are open and honest in respect of any likely outcomes from a complaint. Serious personal threats can be dealt with through injunctions, in terms of possession however the bar for eviction is very high and based on corroborated evidence.

The expectations of partners, particularly within the context of moving tenants quickly, is managed through conversations that clearly define what can and cannot be achieved. It is however common for other agencies to assume an urgent transfer can be easily achieved which is not always possible.

In addition, there can be an expectation that the NSU have enforcement powers. Whilst the NSU plays a key role in witnessing ASB, offering advice and support and diffusing situations, they are not the police and should not be used as an alternative to calling the police where ASB is of a criminal nature.

2.3.3 **Non-engagement**

Individuals who will not engage with officers are a challenge. To try and counter this the service works closely with Support Workers, Social Services (in respect of safeguarding concerns), family and friends and a range of partners.

In respect of Pollution Control and Private Sector Housing prosecution would never be the first choice to deal with anyone failing to comply with an enforcement notice, but individuals who repeatedly cause noise or waste problems and consistently fail to comply with enforcement notices may be subject to legal proceedings. However, this is not necessarily the best option depending on the specifics of each case and would not necessarily mean that the problem stops.

2.3.4 **Substance use**

The use of substances whether legal (alcohol) or illegal (drugs) is prolific across the country and across all tenure types. The ASB often associated with excessive substance use, both taking and supplying, presents challenges. Dealing with any illegality linked to both is a matter for SWP, the Housing Services will however look to address any ASB within the context of tenancy support, working with partners and trying to engage with individuals to effect behaviour modification.

2.3.5 **Complex needs**

Some individuals may have experienced adverse childhood experiences which can lead to substance dependency, mental health issues, chaotic lifestyles etc. Individuals with complex needs can be vulnerable to coercion, cuckooing and exploitation. We work both locally and at a strategic level to ensure the right support and advice is available to such individuals whilst also trying to minimise the impact of their behaviour on the wider community.

2.3.6 **Clash of lifestyles / low -level nuisance**

Often there are high expectations and an over-dependency from tenants in expecting the AHO to deal with issues such as clash of lifestyles / low-level nuisance e.g. one off incidents such as noise/parties, dislike of each other, and play (e.g. ball games). Broadly what is and is not ASB can be found at Appendix A. Particularly with low level ASB, there will be times when the only assistance the AHO can offer is advice and possibly mediation. All instances of reported ASB are however recorded.

2.3.7 **Environment**

Some locations, particularly open large spaces lend themselves to gatherings which can lead to ASB, such as bike scrambling.

The Housing Estate Management Strategy sets out what the Housing Service can do to address this:

- Support the development of areas for play on our land
- Carry out environmental works to improve areas, such as boulders to restrict access to areas (not effective for scrambling)
- Carry out a responsive and effective caretaking across estates
- Monitor high rise blocks through the remote concierge system
- Use CCTV, area based and within high rise and some low rise flats.
- Arrange and attend engagements events to gather the views of residents in communities.
- Through capital works we undertake, including new build, looks to design out crime.

2.3.8 Public Health

The transient nature of the population in areas with high student numbers can be problematic. Work is done to educate and inform students, linking various council services with the universities and student unions and this has to be done on an annual basis due to the regular churn of tenants.

There can be problems with investigation and evidence gathering, particularly when complainants wish to remain anonymous or access is not available to witness a nuisance. Although in Public Health there is an on-call service for responding to noise and other pollution-related complaints, access to this service has to be filtered due to staffing resources and noise that is of limited or sporadic duration cannot always be witnessed.

2.4 Question 4. How are you engaging with the public i.e., events etc, examples? How do you use the information gained to improve the services provided?

2.4.1 Engagement is integral to the work of the Housing Service, examples include:

- Day to day estate based presence
- Surgeries and area based offices
- Engagement events – housing led / multi-agency
- Tenant Consultative Panel (TCP)
- Targeted door knocking exercises
- Satisfaction questionnaires
- AHOs through community based surgeries
- Ward Member walkabouts
- Attending community hubs

Information is used for planning purposes, targeted improvements to help design out crime and putting in measures to restrict access to some areas.

Information also helps in respects of deploying resources within the service such as at the AHOs and within the ASBST, NSU and Caretaking Services.

2.4.2 There is a corporate approach to informing and educating students and landlords in the private sector every year. This pulls together on waste (including household waste and recycling collections), noise and licence conditions for licensed houses in multiple occupation (HMOs). Information is provided by direct e-mail, door-knocking by the Waste and Cleansing teams, events at the universities and in Singleton Park and working with the CLO and student unions. Ward Members are also central to this approach.

Reviews of previous years' activities, reported complaints and activities can help inform both our pro-active approach and how we respond to subsequent complaints.

2.5 Question 5. What information is available that the public can access about ASB relating to your service?

2.5.1 Information regarding ASB is available at the AHOs and on the Council's webpages* <https://www.swansea.gov.uk/reportantisocialhousing> ASB can be reported through both of these routes. Information is routinely shared on social media. Most ASB is reported directly to the AHOs during office hours and to the NSU out of hours.

New tenants are provided with a handbook containing information on how to report ASB.

2.5.2 Information, including online reporting forms are available regarding noise problems [Noise problems - Swansea](#)

**To ensure web pages accurately reflect the new Renting Homes (Wales) Act 2016 (RHWA) legislation they are currently being updated, however how and what to report, including contact details, is still available including a reporting link.*

2.6 Question 6. Do you feedback to the victims/reporters of anti-social behaviour about what is being done to address ASB, either in terms of the specific incident they were involved in or reported, or more generally? Do you use this feedback to improve inform and improve your services?

2.6.1 ASB cases are recorded on a case management data case, a primary case officer is allocated either from the AHO or the ASBST and the officer is the first point of contact and whilst a case is live will provide an ongoing dialogue in respect of case progression.

Following case closure the ASBST will conduct a telephone interview to explore the individual's experience, this information feeds in to service improvement, including direct feedback to individual officers and for shared learning and informing best practice.

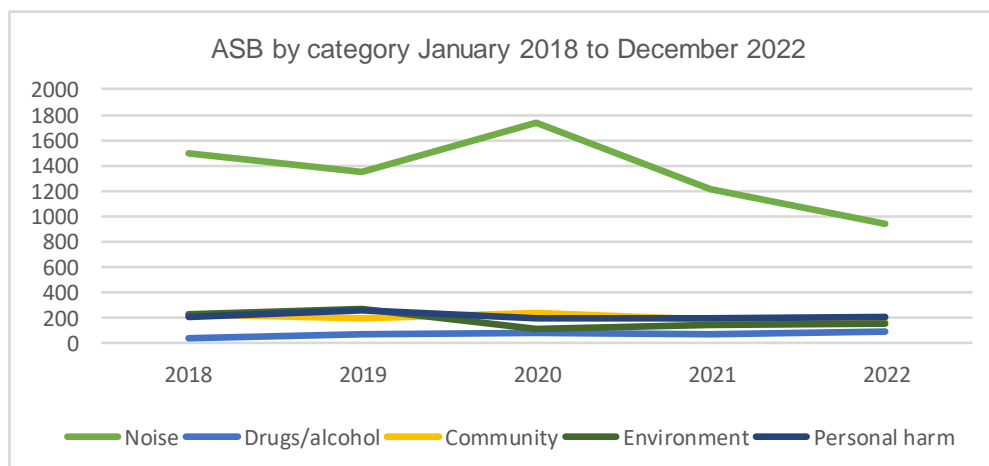
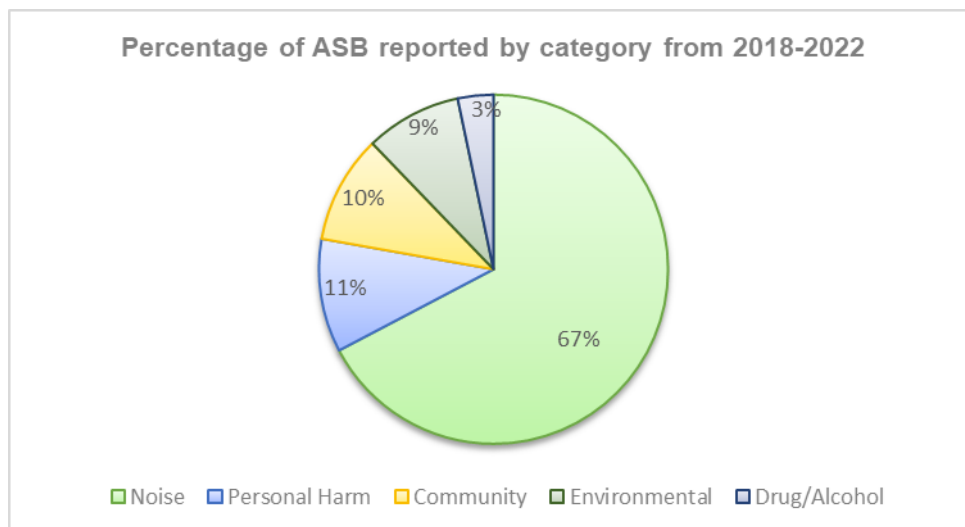
2.6.2 In respect of Public Health, people who complain about noise problems are contacted and kept informed throughout an investigation. Where any legal proceedings are considered, their evidence may be called on as part of the council's case. Officers are currently reviewing how we feedback to people who

complain about waste: we do not have powers to remove waste on private land without first serving notice on the owner or occupier and so it may be some time before the complainant sees an improvement. There are also instances where no action can be taken and we need to be clear on explaining that to complainants.

2.7 Question 7. Data – any appropriate data relating to ASB and your service area/organisation?

2.7.1 ASB cases reported and case created by year 2018 – 2022

| January 1 st to December 31 st | 2018 | 2019 | 2020 | 2021 | 2022 |
|--|-------|-------|-------|-------|-------|
| How many properties are covered by your ASB service? | 13528 | 13525 | 13530 | 13579 | 13709 |
| Number of new ASB cases created | 711 | 760 | 862 | 671 | 633 |
| Total incidents recorded <i>A single case may have multiple incidents recorded within it.</i> | 2175 | 2129 | 2389 | 1762 | 1558 |
| Noise incidents | 68.9 | 63.4 | 72.8 | 68.9 | 60.3 |
| Drug & alcohol related incidents | 1.5 | 3.1 | 3.3 | 3.5 | 5.8 |
| Community | 10.3 | 9.0 | 10.0 | 10.3 | 10.8 |
| Environmental | 10.2 | 12.6 | 5.8 | 6.2 | 9.6 |
| Personal harm | 9.2 | 11.9 | 8.1 | 11.0 | 13.4 |



2.7.2 ASB actions for cases between January 2018 and December 2022

| | 2018 | 2019 | 2020 | 2021 | 2022 |
|--|------|------|------|------|-------|
| Mediation cases undertaken | 1 | 3 | 8 | 8 | 5 |
| Notices of seeking possession served | 6 | 1 | 3 | 0 | 11*** |
| Anti-Social Behaviour Injunctions served | 6 | 0 | 0 | 7 | 4 |
| Evictions carried out | 4 | 1 | 0 | 0 | 0 |

*** One NSP was served for ASB and rent arrears, tenant was evicted for rent arrear

2.7.3 Service requests relating to noise and waste reported to Pollution Control and Private Sector Housing by year 2018 – 2022

| January 1 st to December 31 st | 2018 | 2019 | 2020 | 2021 | 2022 |
|--|-------|------|------|------|------|
| Rubbish in council properties | 53 | 14 | 24 | 59 | 75 |
| Rubbish on private land | 706 | 807 | 775 | 842 | 598 |
| Amplified music | 1,174 | 1166 | 1942 | 1723 | 1033 |
| Barking dog | 756 | 988 | 823 | 968 | 1160 |
| DIY | 46 | 90 | 108 | 341 | 409 |
| Audible alarm ¹ | 179 | 210 | 72 | 68 | 49 |

2.8 Question 8. Does the council or partner organisation meet its regulatory obligations in relation to the services represented today? If not, why is that and what can be done to help you to do this?

2.8.1 Whilst there is national legislation, notably the Anti-Social Behaviour, Crime and Policing Act 2014, this is primarily used by SWP and Community Safety in respect of criminality. One aspect more relevant to us, is the use of Anti-social Behaviour Injunctions.

2.8.2 When taking action against a council tenant for ASB, we rely on housing legislation through the tenancy conditions the Renting Homes (Wales) Act 2016 and with due regard to other legislation including, but not limited to, the Mental Capacity Act and Equality Act.

2.8.3 Complaints of potential statutory nuisance are investigated, and appropriate action taken as required by the Environmental Protection Act 1990 when a statutory nuisance is confirmed.

2.9 Question 9. How well do you feel the Council and its partners are working together to tackle and reduce anti-social behaviour in Swansea from the perspective of your service/organisation. How could it be improved further?

¹ Some of these alarms may have been on non-residential premises

2.9.1 Teams across the Housing and Public Health Service work well with internal and external partners and have robust partnership arrangements in place to tackle ASB covering an extensive range of services.

2.9.2 At a local operational level, links with SWP are strong including links with Police Community Support Officers, joint visits, information sharing, good relations with Sector inspectors and their teams.

There is representation at the monthly Problem Solving Group's (PSG) run by SWP, we contribute significantly to these meetings where individuals are discussed and intelligence shared. The agendas are agency led and allow for information sharing across all agencies.

2.9.3 The Service is represented at both Strategic and Operational CMET and also at the Corporate Safeguarding Group.

2.9.4 The Housing Service also participates in events arranged by Community Safety and the partners of the Safer Swansea Partnership, including the SWP and MAWWFRS and other sections of the Council including Trading Standards and Social Services (through CMET).

2.10 Question 10. What are the key objectives in your service/organisation in relation to ASB? How do you monitor and manage performance in your service area/organisation to measure and meet these objectives?

2.10.1 The Housing Service's primary aim in relation to ASB is to support individuals to maintain their tenancies to help provide stability and security or families and communities. The Housing Service will aim to help reduce anti-social behaviour to help support community cohesion across estates.

2.10.2 In order to help achieve the service aim, the Housing Service's key objectives to effectively deal with anti-social behaviour, are to:

- Put those affected by ASB first
- Carry out careful and thorough investigations
- Deal appropriately and proportionately with tenants or their families/friends who are causing anti-social behaviour within the community or targeted against individuals
- Provide updates within specified time scales
- Ensure tenants, leaseholders and residents 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
- Provide realistic expectations at what outcomes can be achieved within the context of current legislation
- Support people carrying out ASB to change their behaviour
- Recognise that the people carrying our ASB can themselves be targeted
- Work with partners to prevent and tackle anti-social behaviour
- Support vulnerable individuals within communities.

2.10.2 The aims of the Pollution Control and Private Sector Housing Division are to protect human health and the environment from any form of pollution and to improve housing and public health standards through regulation and enforcement. There are no specific ASB-related aims, but ASB-type issues are often dealt with as part of our wider public protection response.

Performance

2.10.3 ASB cases are managed locally at the AHO, each area is supported by the ASBST to assist with the joint case management of the most serious, complex and persistent ASB cases. Case numbers and the actions within each case are monitored at the AHO.

Formal case reviews take place within each AHO 4-6 weekly, undertaken by the Area Housing Manager (or Deputy) and a representative from the Anti-Social Behaviour Support Team. Following the closure of an ASB investigation, the Council will notify the complainant of the outcome and 3 attempts to undertake a satisfaction survey with all complainants will be made. The information collated from the case reviews and satisfaction surveys is used as part of officers' 1-2-1s and good practice shared between teams. Learning through feedback is used as an effective training/mentoring tool.

2.10.4 In Pollution Control and Private Sector Housing there are a series of targets for a wide range of service delivery areas. These again are monitored using our departmental database and discussed at 1-2-1s. Environmental Health Officers (EHOs) are required to complete a specific amount of continuing professional development to maintain their contractual membership of the Chartered Institute of Environmental Health in order to maintain professional competency. Paid-for training for EHOs and other technical officers in the Division is considered within budget restrictions. Team meetings and peer review exercises can assist in ensuring consistency of response, interpretation and application of legislation.

2.11 **Question 11. How is your organisation, the Council and other partners working together to address the causes of anti-social behaviour. Strategies, tools, interventions and work happening in communities, include examples? How could this be improved further?**

2.11.1 ASB covers a wide spectrum of behaviours from relatively low-level noise nuisance complaints through to criminal activity.

Just as the nature of ASB is varied, so too are the causes. Indeed, one of the aims of the Safer Swansea Partnership is to improve our collective understanding of ASB to deliver a more informed approach to tackling the underlying drivers of demand.

2.11.2 We know that often someone who displays ASB will have some vulnerabilities (e.g. mental health issues, substance use issues). It is important that we safeguard any vulnerable individuals and ensure they have access to statutory services, whilst addressing their behaviour and its impact on others. We do this via multi-agency PSGs, CMET and the SSP. We are also represented on

corporate groups to identify and support individuals at risk of radicalisation and exploitation.

Information shared at these strategic meetings is fed to officers on the ground. Similarly, intelligence gathered on the ground is fed into these strategic meetings. This flow of information works well.

- 2.11.3 Within the Housing service we are always looking for opportunities to strengthen partnership working and have recently undertaken some meetings with Probation to explore how we can work more closely. In respect of one-on-one complaints of ASB, mediation is an option used to help resolve issues, this is particularly useful in respect of life style clashes. More broadly tenancy support is available to all tenants, with referrals primarily made through the AHO and the Rents Team.
- 2.11.4 As mentioned in 2.4 above, there is a corporate, multi-disciplinary approach to informing and educating students and landlords in the private sector every year. Partnership meetings with the two universities, council officers and South Wales Police are held every two months to review cases, discuss priorities, and a work programme for the coming year.

3. Conclusions/Key Points Summary

- 3.1 As a landlord the Housing and Public Health's approach and response to dealing with reports of ASB will be to take firm, appropriate and proportionate action after considering the circumstances and facts of each case. It will support complainants, ensure they are kept informed and their expectations in respect of probable outcomes are realistic.
- 3.2 The Housing Service will ensure that tenants (or members of their households) who cause ASB receive support to assist them to modify their behaviour. It will take enforcement action against tenants who continue to cause ASB, when there is supporting evidence available.
- 3.3 The Housing Service will work with partners across all sectors to deliver on its aims and objectives to deal effectively with ASB on Council estates where tenants are the cause of ASB.

4. Legal implications

- 4.1 There are no legal implications associated with this report.

5. Finance Implications

- 5.1 There are no financial implications associated with this report.

6. Equality & Engagement Implications

- 6.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

6.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

Glossary of terms:

| Acronym | Expanded version | Acronym | Expanded version |
|----------------|---|----------------|---|
| ASB | Anti-social Behaviour | L&CHS | Landlord & Community Housing Services |
| SSP | Safer Swansea Partnership | AHO | Area Housing Office |
| ASBST | Anti-social Behaviour Support Team | NSU | Neighbourhood Support Unit |
| TSU | Tenancy Support Unit | SWP | South Wales Police |
| MAWWFRS | Mid & West Wales Fire & Rescue Service | UWTSD | University of Wales Trinity St David |
| TCP | Tenant Consultative Panel | OCG | Organised Crime Gang |
| CSE | Child Sexual Exploitation | CCE | Child Criminal Exploitation |
| HMO | Houses in multiple occupation | CLO | Community Liaison Officer |
| PSG | Problem Solving Groups | CMET | Contextual Missing Exploited Trafficked |
| EHO | Environmental Health Officers | EHO | Environmental Health Officers |
| MARAC | Multi-Agency Risk Assessment Conference | | |

Background papers: None

Appendices:

Appendix A – List of what is and what is not ASB

Appendix B – Scrutiny Report from November 2022 on Fly-tipping

What is and what is not Anti-social behaviour

Commonly recognised types of anti-social behaviour include but is not limited to:

- Violence or threats of violence and actual assault
- Intimidation and harassment
- Hate crime and associated actions or any form of harassment against members of identified groups because of perceived differences e.g., race, ethnicity, religion, sexual orientation or disability
- Harassment including persistent verbal or physical abuse
- Drug related offences
- Noise and other neighbour nuisance unacceptable levels of noise including loud parties, music, televisions, shouting, banging (this list is not exhaustive)
- Local environmental quality issues such as fly-tipping, vandalism and graffiti
- Illegal or immoral use of residential premises
- Aggressive and threatening language and behaviour

Anti-social behaviour is not:

Examples of what is NOT classified as anti-social behaviour include but is not limited to:

- Children playing in the street
- General day to day living noise e.g., vacuuming, using a washing machine
- 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
- General disagreements between neighbours based on the dislike of one



Report of the Cabinet Member for Community
Scrutiny Programme Committee – 15th November 2022

Fly Tipping

| | |
|---------------------------------------|--|
| Purpose | To brief/update the Scrutiny Committee on action on Fly Tipping |
| Content | This document is a summary of the current procedures in place to deal with fly tipping. |
| Councillors are being asked to | Consider the information provided and give views |
| Lead Councillor | Councillor Cyril Anderson, Cabinet Member for Community |
| Lead Officer | Chris Howell, Head of Service Waste Management Parks and Cleansing |
| Report Author | Frances Williams, Waste Enforcement Team Leader, Jeremy Davies, Group Leader Parks and Cleansing. Tel: 01792 635600 |
| Legal Officer | Tracey Meredith |
| Finance Officer | Paul Roach |
| Access to Services Officer | Rhian Millar |

1. Background

- 1.1 'Local authorities and Natural Resources Wales both have a responsibility in respect of illegally deposited waste. Local authorities have a duty to clear fly-tipping from public land in their areas and consequently they deal with the vast majority of fly-tipping on public land, investigating these and carrying out a range of enforcement actions. Natural Resources Wales is responsible for dealing with large-scale, serious and organised illegal dumping incidents which pose an immediate threat to human health or the environment'.
<https://gov.wales/local-authority-recorded-fly-tipping-quality-report-html>
- 1.2 In relation to preventing fly tipping, prevention is regarded as better than cure. It offers information and advice to those it regulates and seeks to secure co-operation avoiding bureaucracy and excessive cost. The **3 E's**, Education, Engagement and Enforcement.

- 1.3 The purpose of this protocol and procedure document is to provide information to Councillors and to promote the enforcement message and to secure efficient compliance with legislation whilst minimising the burden to Parks & Cleansing, individuals, organisations and businesses. The information within this document is intended to be applied in a wide range of situations and it explains in general terms the approach adopted by the Enforcement Team when carrying out Swansea Council's enforcement duties in relation to fly tipping.
- 1.4 Swansea Council's waste enforcement team aims to encourage citizens to play their part and recognise their contribution to protecting finite resources.
- 1.5 Swansea Council has worked hard to improve performance reducing fly tipping, including:
- blocking access to areas known to be used by fly tippers with stone boulders and barriers on both public and private land;
 - taking enforcement action where people persistently disregard kerbside collection arrangements;
 - Supporting Keep Recycling Out campaign by taking enforcement action where people persistently disregard collection arrangements
 - undertaking education and engagement activities, including an advice day at local building suppliers;
 - working with the Police to stop vehicles carrying waste in order to ascertain that the businesses are in compliance with their Duty of Care responsibilities and are registered waste carriers.
 - Clearing fly tipping incidents on council land/highway promptly within five working days.
 - Working with private land owners to facilitate removal waste and subsequent enforcement action with a view to conviction and reimbursement of costs to the landowner.
 - Working with landlords of properties to ensure Duty of Care arrangements are in place to reduce opportunistic tradespeople from fly tipping waste.
 - Working with householders to ensure legal disposal of waste to waste carriers.
 - Using surveillance in areas known as fly tipping 'hotspots'

Some examples of the above are detailed in **Appendix A**.

- 1.6 Fly tipping sits in Waste Management, Parks and Cleansing Service Area, with operational clearance and control under the Group Leader of Parks and Cleansing and Waste Enforcement being under the Team Leader Enforcement.
- 1.7 Fly tipping is part of the enforcement officers role, other duties include, but are not limited to, investigating and actioning issues relating to domestic waste, commercial waste, dog fouling, littering, dog ban on beaches,

2. Monitoring, Clearance, Prevention, and Enforcement

- 2.1 Fly tipping and littering costs us, approximately £2.7 million per year to clear. However, due to the amalgamation with street cleansing it is not possible to provide separate tonnages of fly tipped waste and subsequent costs.
- 2.2 Our Housing department carries out its own removal and disposal of fly tipping. Waste enforcement assists when required in relation to investigations being carried out.
- 2.3 Under the Environmental Protection Act 1990 Section 33, fly tipping is a criminal offence. The removal of fly tipped waste from public land is a statutory duty. The investigation and prevention of fly tipping is not currently a statutory duty.
- 2.4 Fly tipping is a criminal offence and is punishable in a court of law. On conviction sentencing can include an unlimited fine and a prison sentence. The introduction of Fixed Penalty Notices (FPNs) provided a useful and proportionate alternative to prosecution in small-scale fly tipping incidents. These FPNs provide a quick, visible and effective way of dealing with certain fly tipping cases, avoids taking “smaller” scale offences to the courts, and reduces demands on officers preparing prosecution files. However, each FPN file has to be of such detail initially that should the defendant fail to pay the FPN the case would be prepared for consideration, for prosecution of the original offence. The level set for FPNs is set at £400 with £250 early repayment option.
- 2.5 Keeping our Streets and Public Open Spaces Clear of Fly Tipping
- 2.5.1 **Reactive cleansing** – Cleansing currently has two dedicated fly tipping teams consisting of two Cleansing Operatives per team. The teams receive daily reports of fly tipping incidents via the Contact Centre. Reports are actioned, the waste searched for evidence and then removed from site. The waste is separated and recycled wherever possible. Any evidence retrieved is photographed and forwarded electronically to the Enforcement Team for further action as they see fit. Other Cleansing Operatives are actively encouraged to remove any fly tipping that they encounter during their routine duties. Fly tipping can be reported directly to the Contact Centre on 01792 635600 or by completing the online Fly Tipping reporting form at <https://www.swansea.gov.uk/reportflytipping> Fly tipping located on private land is often referred to Pollution and Private Sector Housing to consider formal intervention against the owner(s)/occupier(s) depending on the nature and extent of the waste.
- 2.5.2 **Proactive monitoring and clearing of hotspots** – Cleansing has a list of known fly tipping hotspots. This list is a ‘live’ document in which sites are removed and new ones added as may be appropriate depending on what the proactive monitoring determines. Any evidence found is actioned as above. Fly tipping hotspots will normally be visited at least once a week as a minimum depending on the individual circumstances presented at any given time.
- 2.5.3 **Proactively discouraging fly tipping** - Cleansing has worked closely in partnership with Keep Wales Tidy (Caru Cymru Project) over the last couple of

years. Five fly tipping hotspots were identified and physical measures installed to help discourage fly tipping. Physical measures include permanent signage, mesh signage, boulders, vegetation clearance etc. Early indications are positive and further monitoring is required to compare the fly tipping incident rates before and after the works were completed. It is anticipated that further sites will be rolled out over the coming years.

- 2.6 Swansea Council's Waste Management web site provides information on how to dispose of all waste in the proper manner. It also advises residents on their duty of care in regard to employing 'a person in a van'.

We publicise, where appropriate, details of successful prosecutions in the press and on our and Natural Resource Wales websites.

We carry out campaigns and initiatives to inform the public on the problems created by fly tipping, for example: - officers attending schools to talk to pupils, fly tipping being included on agendas at meetings of community groups and regular distribution of leaflets on fly tipping. Officers believe this will assist to bring about a change of culture in the long term.

- 2.7 We continue to support the removal of fly tipped waste from private land that is in sight of a public highway and continue to work with private landowners to discourage fly tipping on their land. This could include initiatives such as the installation of a barrier or fencing. There may be a short term cost implication to both us and the landowners. Costs, may be reclaimed by landowners on conviction of fly tipper.

- 2.8 The use of covert CCTV requires Magistrates' court authorisation with definitive criteria to be met. The use of cameras has proved unsustainable in certain areas as cameras are located and stolen or destroyed. Staff availability to view hours of recorded footage is often prohibitive. However, enforcement officers work with Community Safety and where and when cameras are available and fit for purpose, we aim to deploy using current overt CCTV legislation in place.

- 2.9 Swansea Council has the Public Protection and Waste Enforcement Policy and looks to promote good standards of enforcement, and all officers will consider and follow the Code of Practice for Crown Prosecutors, issued by the Crown Prosecution Service, when taking decisions on whether to prosecute. Environmental enforcement activities are essential to protect the environment from those, despite extensive promotional and educational activities, still cause harm to the environment through fly tipping.

- 2.10 Legislation used for dealing with waste:

Environmental Protection Act 1990 (EPA 1990)

- **Section 33** – Prohibition on unauthorised or harmful deposit, treatment or disposal etc. of waste – Flytipping

FPNs for flytipping up to £400.

- **Section 34** – Duty of Care etc. as respects to waste.

Anyone who collects, keeps, transports waste has to have a duty of care.

FPNs can be issued for no duty of care £300 reduced to £180 for early repayment.

- **Section 59 – Powers to require removal of waste unlawfully deposited.**

Refers back to section 33 – does not have a licence/exemption to accept or store waste

- **Section 46 – Domestic Waste**

Householders have a duty of care to ensure domestic waste is placed, in the right place, at the right time, on the right day, in the right receptacles for collection.

Statutory notice can be served with 21 days appeal time. Only done after initial education letters sent. Dealt with on individual basis.

After 21 days continuous problems can be dealt with by way of a Fixed penalty Notice (FPN) £100 reduction to £60 under section 47ZA/B

- **Section 47 – Receptacles for commercial or industrial waste (Trade Waste)**

Businesses have a duty of care to ensure their waste does not escape or is interfered with until such day of collection.

Statutory notice can be served with 21 days appeal time. Only done after initial education letters sent. Dealt with on individual basis.

After 21 days continuous problems can be dealt with by way of a Fixed penalty Notice (FPN) £180 reduction to £90 under section 47ZA/B

- **Section 87/88 – Fixed penalty notices for dropping litter**

Fixed penalty Notice (FPN) £100 reduced to £75 if paid within 7 days

- **The Unauthorised Deposit of Waste (Fixed Penalties) (Wales) Regulations 2017**

The provision of issuing FPNs for flytipping for commercial and domestic waste. Duty of Care. Householder Duty of Care yet to be forwarded for adoption Commercial DoC already in place. £300 maximum with reduction to £150 for early repayment.

3. Conclusions

- 3.1 In the year from April 2021 and March 2022 there were 1628 reported instances of fly tipping, with the vast majority of these being very small scale in nature, such as 2 or 3 bags or an item of furniture.

3.2 The table below shows the Enforcement actions taken in regard to waste issues over the same period

| | Statutory Notices issued | FPN issued | Paid | Unpaid/withdrawn |
|---------------------------------|--------------------------|------------|------|------------------|
| Flytipping EPA 1990 S33 | N/A | 5 | 5 | 0 |
| Duty of Care EPA 1990 S34 | N/A | 34 | 33 | 1 |
| Domestic EPA 1990 S46 | 154 | 2 | 1 | 1 |
| Commercial EPA 1990 S47 | 65 | 5 | 4 | 1 |
| Littering EPA 1990 S87/88 | N/A | 24 | 19 | 5 |
| Dog Fouling | N/A | 1 | 1 | 0 |
| Dog Ban on Beaches | N/A | 17 | 16 | 1 |

3.2 As much as possible of fly tipped waste is segregated for recycling, with the remainder being disposed as residual waste.

3.3 The Council is working hard to proactively reduce fly tipping through regular checking of hotspots and the introduction of physical measures such as permanent signage, mesh signage, boulders, and vegetation clearance. Early indications of reductions in fly tipping are very positive.

3.4 Expanding the use of current legislation EPA 1990 section 33ZB to deal with fly tipping via Householder Duty of Care would discourage householders from giving waste to a 'person in a van' without carrying out due diligence, which can result in fly tipping.

3.5 We are also seeking to increase presence in areas of Houses of Multiple Occupancy (HMO) to ensure tradespeople and landlords comply with Duty of Care requirements with a view to reducing flytipping in rear lanes and on the highway.

4. Integrated Assessment Implications

4.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.

- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

4.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

4.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

4.2 A copy of the IIA screening confirms that a full IIA is not required and can be found as an **appendix** to this report. Summary of Screening:

- **Summary of impacts identified and mitigation needed (Q2)** – Positive outcomes with no mitigation required
- **Summary of involvement (Q3)** - This report covers business as usual activities, so does not require any engagement/consultation
- **WFG considerations (Q4)** - Covered
- **Any risks identified (Q5)** – None
- **Cumulative impact (Q7)** - This report covers business as usual activities, and generally results in a positive outcome for all.

5. Legal implications

5.1 There are no legal implications associated with this report other than those set out in the body of the report.

6. Finance Implications

6.1 There are no financial implications associated with this report other than those set out in the body of the report.

Background papers: None

Appendices:

Appendix A – Examples of Fly Tipping Prevention/Reduction Initiatives

- a) Banners as a Deterrent
- b) Joint Police and Waste Enforcement Operations
- c) Liaison with Waste Collection Crews and residents
- d) Commercial Waste Enforcement

Appendix B – Integrated Impact Assessment Screening



City and County of Swansea

Minutes of the **Scrutiny Inquiry Panel - Anti-Social Behaviour**

Multi-Location Meeting - Gloucester Room, Guildhall / MS Teams

Thursday, 13 April 2023 at 10.30 am

Present: Councillor T J Hennegan (Chair) Presided

Councillor(s)

S Bennett
A S Lewis
M S Tribe

Councillor(s)

V A Holland
C L Philpott

Councillor(s)

Y V Jardine
B J Rowlands

Other Attendees

Andrea Lewis, Cabinet Member
Jon Tumelty, Pobl Housing Association
Serena Jones, Coastal Housing Association
Sarah Davies, Coastal Housing Association

Officer(s)

Jane Whitmore Strategic Lead Commissioner
Judith Williams Operations Manager and Landlord Services

Apologies for Absence

Councillor(s): A M Day, A J Jeffery, M H Jones and M Jones
Other Attendees: Stuart Middleton, Caredig Housing Group

35 Disclosure of Personal and Prejudicial Interests

None

36 Prohibition of Whipped Votes and Declaration of Party Whips

None

37 Minutes

The minutes were accepted by the Panel.

38 Public Questions

No public questions were received.

39 Roundtable Meeting with Registered Social Landlords / Housing Associations

The Panel thanked Jon Tumelty from Pobl Housing Association and Serena Jones and Sarah Davies from Coastal Housing Association for attending the Panel and discussing the set of questions that had been sent to them in advance of the meeting, these included:

- a) What is the role and key objectives of your organisation in relation to tackling and reducing ASB?
- b) What are the key challenges you are facing and how are you addressing these (what more could be done to help you as an organisation to address them...especially from a council or partnership perspective)?
- c) Do you feedback to the victims/reporters of anti-social behaviour about what is being done to address ASB, either in terms of the specific incident they were involved in or reported, or more generally? Do you use this feedback to improve inform and improve your services?
- d) Does your organisation meet its regulatory obligations in relation to the services represented today? If not, why is that and what can be done to help you to do this from a council or partnership perspective?
- e) How well do you feel the Council and its partners are working together to tackle and reduce anti-social behaviour in Swansea from the perspective of your organisation and in partnership. How could it be improved further?
- f) How is your organisation working with the Council and other partners to address the causes of anti-social behaviour. Strategies, tools, interventions and work happening in communities, an example would be helpful to give context. How could this be improved further?

We are looking at the extent of the issue across Swansea and would greatly appreciate if you could provide us with some data, if that is possible, to help us with this, namely: For each of the years 2019, 2020, 2021, 2022:

- How many reports of ASB have they received from tenants?
- How many cases have they progressed through their processes?
- How many notices of eviction have they issued?
- How many tenants have actually left their properties?

The full notes taken from this discussion will form part of the Inquiry Findings Report. The Findings Report will be brought back to the Panel at the end of the evidence gathering phase of the inquiry. Today's evidence will then be considered alongside all the evidence gathered when the Panel discuss and formulate the inquiries conclusions and recommendations to Cabinet.

40 Inquiry Project Plan / Work Programme

The Project Plan/Work Programme was noted.

The meeting ended at 12.30 pm

Chair

Anti-Social Behaviour Scrutiny Inquiry Panel 13 April 2023

Full notes/transcript of the Panel meeting with Housing Associations

- Role in relation to ASB - reducing and preventing ASB in the communities that we operate in and tackling ASB efficiently in line with our service standards. We really focus on increasing tenancy sustainability, keeping people in their homes where they want to be. I am really focusing on safeguarding issues, trying to identify where safeguarding issues are and also where exploitation may exist and working with communities to try and develop solutions.
- Our aim is to assist coastal residents to live a life free of ASB and nuisance. That is a very ambitious aim in a very complicated external environment. We are committed in our approach to ASB and using a restorative approach to building and maintaining relationships as well as in repairing them.
- In Coastal we undertook a piece of work in 2022 on how we work in relation to ASB which we identified needed improvement. We spoke to residents and asked them what mattered to them regarding ASB. And they told us they wanted to feel safe inside and outside of their home. They wanted to enjoy peace and quiet. They wanted to be kept informed. If they have raised concerns, for staff to be proactive, they wanted respectful neighbours and they wanted to have a healthy quality of life. And so, we have designed how we work around what matters to them.
- I have listened with great interest to some of the some of the recorded previous panels. I took great comfort from seeing actually the challenges are universal then they are not really specific. They are not really that different, although obviously we will face our own internal challenges in terms of resourcing and supporting the work.
- I did get a sense from listening to those sessions that it does feel a bit like coastal residents are not benefiting from the same joined up approaches that perhaps council tenants are able to benefit from in terms of Council services and statutory services. So, I am looking forward to sharing some of those experiences today. At the ground level, staff across agencies work really well together. They work really hard to tackle hotspots of ASB, particularly closely with the police and excellent relationships.
- We do have difficulties too, which we think this might be down to perceptions people have that we have same kinds of power, resources or access to services that colleagues in statutory housing have, what we have are different in some of those areas. So, I am really hoping that as part of this process we can work out what a more consistent approach might be for the citizens of Swansea in terms of tackling ASB as Coastal tenants are contributing to statutory services, but the response from some of those statutory services is often the housing association needs to deal with it. And there are lots with which we do deal with but residents can feel like they are in a tennis match. They are in a tennis match between the police or council saying that is a housing issue and housing saying it is a police/council issue. The residents are the middle of that, when they are trying to deal with very complicated circumstances.

- It is not as joined up as we would like to see for residents across services. We as a social landlord do not have any in house care, health or support provision. Different Housing Associations are different. Caredig are different again. So, I understand it is quite hard to stay on top of how independent associations are structured and organised. I understand that. But there are only three of us in Swansea so it is not like Cardiff, where there are many housing associations. I am hoping we can overcome some of those boundary organisational challenges so we are able to improve the lot for constituents. There has been a lot of evidence given so far about prevention work undertaken by agencies, much of which I have to say I was not aware of. I think the fact that this scrutiny group exists and the amount of information that has come through it has been incredibly beneficial for us to understand how all those agencies are working together.
- I am keen to see a potential space for some kind of a strategic forum across organisational boundaries that will help us tackle those issues that, as you know, frontline staff are working incredibly hard. So I would also like to see us as senior staff in those organisations working equally hard to help them be able to unlock those barriers to improvement.
- In terms of enforcement, we have the power to end tenancies of course, but that is rare and the evidence threshold is high. We do have several injunctions. We have currently got 25 civil injunctions out across our 6000 properties predominantly in Swansea and Neath Port Talbot, a few in Bridgend and Carmarthenshire. We have twenty-five civil orders at the moment, pre COVID we never went above 4. So, there is an indication there of the different landscape in which we are operating in terms of both the issues that residents are experiencing, as well as the issues that we are responding to.
- We have yet to see a community trigger or an ASB case review meet a threshold for action. I know that I heard the police reporting and colleagues in Community safety reporting that Swansea has the lowest take up of Community trigger action. There is definitely a challenge and there is more that we could be doing together on that.
- In terms of safeguarding, as you know, many issues of anti-social behaviour have safeguarding elements. It is very clear that perpetrators are often very vulnerable, as are the victims. But it is a rare day when any of our safeguarding referrals meets the threshold for service or intervention from social services. It is very rare day to the point where we are now tracking all of our safeguarding referrals and tracking the outcomes so we can take as evidence to Dave Howes. So, we can then have a conversation about how we are going to make this better for citizens because some people are living in severely distressing situations and we are struggling to pull in statutory services.
- The biggest issue, just like with everybody, is neighbour complaints into each other's conduct, noise, drug use, visitors, parking, pets. These are the persistent issues. They are often quite low level. They are certainly low level for action. The threshold is not met for action, but they are not low level for the people experiencing them. For the people experiencing them, they are incredibly stressful. Our focus is on assisting those residents to listen to each other in a neutral space. So, they are able to understand the impacts on each other, to

cooperate, compromise and hopefully reach agreements. ASB is very subjective. Each individual is experiencing it in a unique way. Each individual has a different threshold. What I might tolerate might be different from what another will tolerate. So, there is a lot of complexity and what the access to services, as I have already said, in terms of mental health, substance misuse, social care, feels like it is getting harder. It feels like it is getting harder in terms of eligibility thresholds, and it is clear when we talk to our public sector colleagues that those staff are struggling to maintain service levels and we are worried for them. And we know that we are coming to them, asking them to intervene. And they are saying we have got nothing to give. It does also feel like agencies might sometimes not treat the information from housing association staff as evidence or criteria for action or intervention of themselves, which can be frustrating.

- Access to services and support often happens at a major crisis point, so eviction point can be one of those points, a lot will coalesce around preventing a homelessness, as is right. But we need to get further up the stream because we knew that that tenancy was looking like it was going to end for several months, if not years beforehand, so be really keen to see how we might be able to case conference some of those at an earlier stage to prevent them getting to that crisis point.
- There can be a challenge is maintaining relationships with people in other organisations. We change our staff, police changed their staff etc, it is difficult. Everything is about relationships and understanding each other so that can be tough.
- We have had some complexity around data sharing agreements within the world of ASB and safeguarding. This is incredibly sensitive data. This is really needs to be held with the highest level of confidentiality and we have struggled in the past in terms of some of our partner relationships to get to a place where we're only seeing the data that we should be seeing, not the data that is related to residents of other housing associations or elsewhere, in particular with police data.
- We are much more rehearsed at our civil injunction work now, but those cases are costly and complicated. But interestingly, those tenancies do sustain. So civil injunctions do appear to work, which is interesting for us because it is relatively new in our toolbox.
- What we do see and what can be difficult is the small cohort of people who are transitioning in and out of supported housing, in and out of general needs, in and out of prison, in and out of mental health institutions or detox or rehab. It does not feel like the right thing has been designed for and/or works for this group of people across services. It is not lots of people. It is quite a small group in the number, but they are costly to services and costly to their lives. They are not getting what they need in terms of a therapeutic intervention. And I think the model for them has yet to be designed.
- Staff dealing with ASB and safeguarding issues, it is difficult for staff who often face quite unrealistic expectations from residents and partner agencies about what we can and cannot do. Some of those cases are also very traumatising. There are many people, living in fear, sadness, isolated, disconnected, many of whom have desperately sad stories and histories and all of that has an impact on

staff. So, maintaining motivation, morale and staff welling being is also a challenge.

- We think that in terms of what more could be done, I think we need to reach a place, and I'm hoping this is a vehicle to get there, where we're really clear about which agency has which powers and we communicate that out to residents so that there isn't that tennis match that's going on for people because it's incredibly frustrating for citizens. If there was some kind of one stop shop for information for all residents regardless of tenure. We could then work more in collaboration with other local partners. We do not have the power to use community protection warnings or community Protection Orders, we cannot issue closure orders. We cannot do some of the stuff that the police and local authority can do and we would like to work with those partners to be able to achieve those where necessary. We do need to work out how we can improve access to those specialists support.
- Pobl said over lockdown, I think issues around mental health has grown, but there is under reporting of issues we have a good information sharing agreement with the police. My understanding is we get regular reports through a data sharing project to our teams. Still, I think what we get reported is just scratching the surface of what people are experiencing and that is something I think we can do more about certainly in terms of identifying where those issues are occurring across the different agencies. So I know the police information sharing project that's in place, works quite well, but it is again only one section of the picture. I've seen working elsewhere where all the agencies involved share their information and there's a central analyst, not necessarily the police analyst, but a partnership analyst who will produce those kind of heat maps and crime and ASB maps and transpose that against other information that's out there. That would be particularly useful for targeting things locally, not just identifying where there are issues in terms of what's being reported but under reporting.
- In Pobl when we are not able to get any substantial help elsewhere, we do have our own kind of care and support for tenants. We have our well-being team with a kind of emotional support. Our team have been trained up in restorative approaches and we have some restorative practitioners actually based in the Swansea team, however, there is a level of tolerance that is required to deal with some of these cases. Not all cases meet the threshold for intervention, and we are kind of left in a little bit of an awkward limbo situation where we can't get the support our tenants need necessarily.
- That kind of anti-social behaviour housing police framework they have in Monmouthshire would be useful because they recognised that a lot of the issues that housing providers are dealing with are not necessarily housing, police or local authority issues. It is kind of deeper than that, starts earlier in the process and is much broader than just the issue that's been complained of. So, anything that could be done by the scrutiny panel to explore that would be I think helpful from our perspective.
- Drug and substance misuse is a is a problem for us, not necessarily the high-level kind of serious cases you would imagine to be, I think, certainly during lockdown we have seen an increase in kind of low level. Cannabis use and we do

have a quite a back and forth with the police often where it is not a landlord issue but police won't investigate, we end up in this position where it's kind of back and forth.

- Pobl said, our relationships with, particularly with pollution control is good. Noise nuisance for us and staff in Pobl Swansea has been singled out as exemplary in Swansea, which is helpful because noise nuisance makes up the vast majority of our ASB.
- Pobl, there is something else the team wants me to mention actually around fly tipping, similar to the relationship we have the local authority around pollution control and environmental health. It is also the marked it up as being particularly good around waste enforcement.
- Our relationships with the police on the ground are very strong and they work well. We do joint visits. We collaborate on hotspots; we have strategies around specific schemes that might be experiencing challenges. I think that's part of resident facing stuff works quite well. It is the supporting elements of holding all of the information, making sure it's getting to the right place, escalating what barriers might be that is where better solutions need to be. Could be for example more action planning and strategy around cases.
- I think that the local relationships we have with police are good, certainly neighbour policing teams, people out on the streets who want to see a practical and pragmatic solution to the problems. I think where we tend to see a bit of back and forth that causes frustration is around reporting to the police in the first instance. They often phone 101 and are told by contact central sorry we do not attend for that kind of issue; you are a housing association contact your landlord. When we can get together with the local officer or PCSO we are able to put fairly good action plans in place. When reporting is not taken seriously or acted upon the trust may be lost, you go down this spiral of underreporting, not trusting the agencies involved and it makes the whole thing more difficult to deal with.
- The threshold for police and other agencies to get involved is quite high and we in Pobl that most of our challenges are in that bit just beneath that threshold, it is not never quite there but causes a massive concern to a wider range of people.
- Panel point mentioned: I think it would be good to have representatives from the housing associations on Safer Swansea Partnership or PSB or similar.
- Why is it not the same if you are housing association tenant with the same problem when contacting and working with the Council, i.e., for noise pollution for example. Access to the out of our service. It feels like there is a triage that happens and the first question is, are you a housing association tenant? If the answer is yes, everything goes to housing association, but we don't have we that and it doesn't feel like there would be much point in resourcing 3, four different help lines and I'd be very interested in talking about how we might contribute resources into that team in order to be able to do that we contribute. We do contribute financially into the Newport Talbot Waste Enforcement team, in order to be able to be able to manage that partnership better. We in Coastal would be very comfortable having a conversation about how we might financially contribute towards environmental health in order to be able to support that activity

- What I would say from Pbol perspective, similar to coastal and many others, we have our own noise monitoring kit. We have a program that we use called the noise app. People can download to their phones. It is pretty common these days. All of those are the triage tools, really evidence gathering tools. As with most housing associations, we don't really have a substantial presence out of hours, so people phoning through to us will get through to an out of hours service that we use and they can be advised about how to access that software and download it that evening or it's not a response in terms of someone would be coming out, which can be very frustrating if something's going on then and there.
- I have had residents saying that they have phoned, they phoned the out of hours number in the council and they have not got the same service. So, there is clearly an internal service issue where residents of different housing associations are getting different experience. So is there differences between the services to private residents, council tenancy residents and social landlord residents.
- Panel Member: I was really pleased. Serena, when you said about acknowledging that what staff have to go through with those clients because you know it is very difficult for them.
- Community trigger and its use is very underused across Wales, but in my experience that is actually a really powerful tool in terms of managing impact and the repeat reporting of something that cannot be dealt with. It could be used more often as an effective way of looking at difficult cases, where the threshold community trigger is actually quite low. The Community Trigger review is quite a valuable tool, a good mechanism for giving people assurance that you know what can be done is being done, and it's been kind of reviewed separately. Also, it is that extra level scrutiny so you know the processes working, are we following through on what our policies and procedures etc. Raising of awareness is also needed for community trigger/review.
- I would love to see a place, a time in Swansea where we have highly trained restorative mediators able to work in that space and working alongside all the partner agencies to be able to tackle those very difficult disputes, because it can be are incredibly powerful, getting sustained outcomes where people resolve long standing disputes and that dispute remain resolved for a long time.
- We do conduct regular satisfaction surveys as part of our process. So, we use that in terms of continuous improvement to drive improvements to the service.
- Individual cases, yes, we will contact residents who reported to us. That is part of our investigation process. So as part of that we will feedback what can and cannot do while trying to manage those expectations.
- We also use a an ASB risk matrix which helps determine vulnerability and risk. This is really key to determining what is the most proportionate response in this situation and to understand the real impact. And it would be interesting to see if there was if there was a way of having a more consistent.
- We are regulated or regulated in multiple ways, but primarily we are regulated by the housing regulator in Welsh Government. It is silent on ASB specifically, but there are regulatory standards RS3 which is high quality services delivered to tenants, RS4 that tenants are empowered and supported to influence the design

and delivery of services and RS9, the organisation provides high quality accommodation.

- I think partners are working well in Swansea. We engage well with the police local authority specifically, but also a number of the third sector organisations that operate in this area.
- I think if I were to propose one thing that would be particularly useful is some kind of partnership, analyst type role or resource or things that we can all contribute to understand better what that data is in Swansea and how we can actually react to it locally. Because I say we get lots of information through from the police, from different partners as well depending on the situation. But in terms of looking at that bigger picture, the longer-term strategy and what we are doing in those areas to actually address those repeat concerns is quite sporadic and short term.
- One of the things for us at Pobl is really about how do we engage. We have local area teams or our business areas actually set up to be area based. We cover a huge area and two officers is not going to cut it. So, one of the things that we are looking at is how we can get back out into those communities and have more localised places of working. And we will not be going back to all district housing offices. But there is a definitely a place for us to be based locally in our communities.
- Coastal, wonder if ahead there is a way of more formalising any of those more strategic relationships. Also, to improve collaboration between us and the LA etc, maybe some workshops where we can look at certain aspects like one stop shop for residents, information sharing and risk matrixes. I do think we need to get in the room and just work through all the different ways in which we are operating and let's see where we working well and let's see where we can improve. And then I do think that that kind of more strategic place for us whether that is the PSB or in the Safer Swansea Partnership or wherever. I feel a responsibility to staff on the ground to mirror that level of work at a strategic level in order to be able to unblock those barriers and progress and positive outcomes.
- Awareness raising campaign about the community triggers (now called the ASB Case review) can be improved. We might use that name change as a vehicle by which to start at, we will need to prepare for that. Because if we are promoting it then there will be more take up of it. But I am really keen to work out how we might work together on that as well.
- Improving our referral routes into service provision is a common theme. And I do think there is something we should look at doing across organisation.
- I do think there is something about how we might develop and build on restorative approaches in partnership.
- We could come together with a shared a shared agenda of how we can get a trained group of restorative practice facilitators in order to get to that sticky group of challenges that is not meeting a threshold for any kind of help So instead of us all doing our own thing, could we look at how we might do that together.
- Many of the causes of anti-social behaviour are much bigger than any social landlord can solve. Indeed, the Council is able to exert influence over poverty, social inequality, childhood trauma, institutionalisation, trauma within systems, you know, prisons, criminal justice, mental health, looked after children. I am

familiar with the with the looked after children's system, you know the, the work that goes on in early years in education, in schools is critical.

- Local Area Co-ordinators an excellent service, helping those people who are experiencing isolation, who are experiencing difficult situations, connect with each other. We are too quick to jump to a service response, and sometimes the better response is for people to be consolidating relationships with other citizens and using those networks to help them. And I am also involved in the Poverty Truth Commission that is happening at the moment. So that is going to be really important in terms of what that surfaces.

Coastal Housing Group

Coastal is a housing association (also known as a registered social landlord or a community landlord) providing almost 6,000 homes in Swansea, Neath Port Talbot, Carmarthenshire, and Bridgend. We were formed in 2008 through the merger of Swansea Housing Association and Dewi Sant Housing Association, so we have been providing homes at low rents to local people in and around the Swansea area since the 1970s.

Most of the homes we provide and manage are let at what is known as a ‘social rent,’ which means they are determined within a prescribed formula and are less than what you would expect to pay a private landlord for a similar property in the local market. A much smaller number of homes are let at what is known as ‘intermediate rents,’ which means the rents are between a social rent and market rent. We don’t have any properties that are let at a market rent. [This video](#) gives more information about rent setting in Coastal.

Coastal does not have shareholders who take dividends from the business. This is often described as ‘not-for profit,’ but a more accurate term is probably ‘profit for purpose’ as we do make surpluses. These are reinvested into the homes we manage and services we provide. We receive a mix of government grants and private finance to build new homes and are required to maintain certain levels of surplus in our accounts as part of the agreements with private lenders.

We are based at offices on Swansea High Street, an area we have been invested in regenerating over many years. We have a long history of developing schemes with a mix of commercial premises and residential accommodation that brings homes, jobs and opportunities and leisure into city and town centres to help them thrive. Our commercial premises include offices, cafes, pubs, arts centres, restaurants, and shops.

In addition to renting homes to people and leasing premises to commercial businesses, we develop properties for sale through our dedicated home sales company Pennant Homes. We always offer affordable homeownership options like Help to Buy Wales when we develop homes for sale.

We are regulated by Welsh Government.

You can find details about our Chief Executive and Executive Directors [here](#) and our Non-Executive Directors [here](#).

You can find information about our performance [here](#).

This document library [here](#) provides information on finances (financial statements, CEO pay and gender pay gap reports), housing (key policies, complaints and welcome pack) and strategies and regulation (regulatory judgements, annual reports and strategies).

You can find information about new regeneration and housing developments [here](#), including video updates [here](#).

Thank you for inviting us to provide evidence to the inquiry, we hope that the information we provide helps deliver improvements for residents of Swansea.

a) What is the role and key objectives of your organisation in relation to tackling and reducing ASB?

We aim to assist Coastal residents to live a life free from ASB and nuisance. We are committed to a restorative approach to building and maintaining relationships between neighbours and communities, and in repairing relationships where necessary.

This purpose was refreshed in 2022 following feedback from residents about what mattered to them. They told us that they want to:

- feel safe inside and outside of my home - both me and my visitors
- enjoy peace and quiet
- be kept informed if I've raised concerns and for staff to be proactive
- have respectful neighbours
- have a healthy quality of life

The principles we follow are to:

- support victims, witnesses and, where appropriate, vulnerable perpetrators
- take a restorative approach to building, maintaining, and repairing relationships
- listen and understand what the issue is
- keep people up to date throughout
- manage expectations by providing realistic information
- support people to take ownership/responsibility of the issue (where possible)
- promote partnerships and work with partner agencies to pull in their expertise
- pull in internal CHG teams (e.g., caretakers) where possible
- be pro-active in engaging communities and be visible in the community
- be aware of safety considerations at all times
- keep up to date with changing legislation

We adopt the definition of ASB as set out in the Anti-Social Behaviour Crime and Policing Act 2014, that is:

- conduct that has caused, or is likely to cause, harassment, alarm or distress to any person
- conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or conduct capable of causing housing-related nuisance or annoyance to any person

Interventions:

- Restorative 'repair' intervention (mediation) and 'build' interventions (new scheme circles)
- Community Interventions (e.g., [mount pleasant hub](#))
- Negotiated voluntary agreement with individuals
- Multi-agency coordinated and targeted approaches
- Referral to third party support agency (we have no in-house health, care or support provision)
- Serving notice and proceedings for suspended/outright possession orders (evictions)
- Injunctions and orders

b) What are the key challenges you are facing and how are you addressing these (what more could be done to help you as an organisation to address them...especially from a council or partnership perspective)?

At the ground level, staff across agencies are working really hard to tackle hotspots of ASB – we work particularly closely with the police and have some excellent relationships and examples of good working with them. But we also have some difficulties, which we think may be down to some perceptions that we have certain powers, resources or access to services that colleagues in statutory social housing have.

Is it a housing issue? police issue? health issue? social care issue? environmental health issue?

Coastal residents pay council tax, contributing to statutory services but the response from many of those statutory services towards Coastal residents is that any issue they experience is a housing one to solve and refer residents back to us. Residents feel like they are in a tennis match as we state, for example, drug use is a criminal matter and to call the police and when residents do that, they are told by the police this is a housing matter. Police officers advise residents to log issues with 101, 101 can then advise no action will be taken or again refer to it as a housing matter. This is disheartening for residents who are trying to find ways out of difficult situations and should be able to rely on services to assist.

We are a social landlord – we do not have any in-house care, health or support provision and rely entirely on statutory and voluntary agencies to provide those services to residents. We appreciate that different housing associations have different in-house services and it can be hard for external agencies to understand those but in Swansea, unlike in other LAs in Wales – there are only three HAs.

There has been lots of evidence given about prevention work undertaken by agencies, although this seems weighted toward young people (for understandable reasons) but we'd like to see more evidence of prevention work with adults and greater strategic collaboration across agencies to surface the barriers those ground level staff experience and work together to tackle them. We would welcome a strategic multi-agency forum for action on ASB.

In terms of enforcement, we only have actions to injunct or to commence proceedings to end tenancies (rare, high evidence threshold). We can't issue community protection warnings or orders or closure orders (police and LA only) and we have yet to see a Community Trigger/ASB case review meet a threshold for action.

In terms of safeguarding – and many ASB issues have safeguarding elements – it is a rare day when any of our safeguarding referrals meet the threshold for action by social services.

Biggest issue – neighbour complaints about each other's conduct (noise, drug use, visitors, parking, pets, etc.) Our focus is on assisting residents to listen to each other, cooperate, compromise and reach agreements about how to live alongside each other in the community.

Key challenges

ASB is subjective – each individual perceives ASB differently and that shapes expectations of agencies such as housing associations

Pets, noise, drugs (esp. cannabis/smell), alcohol, waste, lifestyle, threats/actual violence, prejudice motivated, county lines, exploitation, verbal abuse/intimidation, etc.

Access to services (mental health, substance misuse, social care) is getting harder and harder in terms of eligibility, thresholds, etc. with many public sector staff clearly struggling to maintain service levels

Agencies sometimes not treating information from our staff as evidence/criteria for action or intervention

Access to services and support often happens at major crisis point (eviction) but early intervention is needed to reduce cases coming to crisis

Maintaining relationships with leads in other organisations is often difficult as staff changing roles/employment volatility (and in ours too)

Data sharing agreements – we've had difficulties with some partners regarding protocols confidentiality and sharing data

Civil injunctions appear to work in many cases but are costly and complicated

Supported housing: some people not eligible or able/willing to access supported housing. Where are these people, often with complex trauma, mental health and addiction issues going to live if not in supported/therapeutic housing? Is there a solution that at present doesn't exist for this small cohort?

Staff - Cases can be very frustrating for staff, who often face unrealistic expectations from residents but also from other agencies. Cases are also traumatising – there are too many people living in fear or sadness, isolated and disconnected – many of whom have desperately sad stories which all have an impact on staff. Motivation, morale can be an issue.

What more could be done?

- ✓ Can we collectively create more clarity for all residents/citizens of Swansea, including which agencies have which powers?
- ✓ Can we create a one stop information shop for all residents, regardless of tenure?
- ✓ Can we improve collaboration with LA team and reach agreements on use of additional powers (e.g., community protection warnings)
- ✓ Can we improve collaboration with police and reach agreements on use of additional powers (e.g., closure orders)
- ✓ Can we improve access to specialist support/social care/health (referral routes/thresholds/eligibility)?
- ✓ Can we ensure there are effective protocols for data sharing?
- ✓ Can we improve use of the [Community Trigger](#)?

c) Do you feedback to the victims/reporters of anti-social behaviour about what is being done to address ASB, either in terms of the specific incident they were involved in or reported, or more generally? Do you use this feedback to improve inform and improve your services?

- Yes - on individual cases, but room for improvement identified
- Yes – from all resident survey feedback (last one 2021/22) identified low satisfaction with ASB and consequently we undertook an intervention (review) in 2022, which included:
 - Asking residents what matters about ASB
 - Asking staff (housing officers, customer services, caretakers, maintenance) for feedback on ASB
 - Studying ASB cases and complaints about ASB case handling
 - Studying police reports on ASB
 - Reviewing measures/performance on ASB
 - Listened in to calls on ASB
 - Mapped the system and captured flow

Actions:

- ASB policy reviewed and updated in 2022, including providing more clarity on what is and isn't ASB ([view here](#))
- Policy is on our website, [along with other useful resources and links to more information](#)
- Implemented the ASB module in our housing management IT system which enables us to record, update, track actions, manage, analyse and produce information that assists staff (and therefore residents) with ASB cases. The system also means we can track dissatisfaction with cases and therefore plan future training needs
- Residents told us communication method is important as now store those preferences in our IT system
- Residents can report ASB via telephone, email, Livechat, DM on social media, meeting, etc.
- Trained call handlers to advise residents on whether an issue would be classed as ASB instead of handing off contacts to housing officers. We've provided tools for them to use, such as a [noise assessment tool](#), to go through with residents to determine if the noise meets a threshold for further intervention.
- All housing officers received formal ASB training in Feb and March 2023 from ASB experts to assist in providing a consistent approach
- Residents told us it can be worrying to approach a neighbour about an issue, so we've trained housing officers in helping residents prepare for difficult conversations. We've also produced a video ([view here](#)) and provided guidance for using restorative approaches.
- We updated our [Resident Welcome Pack](#), which details what you can expect from Coastal and what is expected of residents in relation to ASB
- We use an ASB risk matrix which helps determine vulnerability and risk (attached at Appendix 1) which are key to determining the most effective and proportionate response and to understand the real impact of ASB (which is not always the same as the assumed impact).

Future

- We plan to do more to tackle prejudice motivated ASB/nuisance
- We're considering training some staff to the level of RJ facilitators
- Studying data and performance in the ASB module in our new IT system to identify improvements

d) Does your organisation meet its regulatory obligations in relation to the services represented today? If not, why is that and what can be done to help you to do this from a council or partnership perspective?

We are regulated by Welsh Government – [via this framework](#) (published January 22). It is silent on ASB specifically but, regulatory standards include:

- RS3 - High quality services are delivered to tenants
- RS4 - Tenants are empowered and supported to influence the design and delivery of services
- RS9 - The organisation provides high quality accommodation

We're asked to self-evaluate and the only area we identified as needing improvement in the last SE was RS4 in recognition that more could be done to engage residents. Since then, we've completed our ASB review and written a new resident engagement strategy and are putting together a team to lead on this. We've also undergone other resident engagement activities in ASB, rents, sustainability, etc.

e) How well do you feel the Council and its partners are working together to tackle and reduce anti-social behaviour in Swansea from the perspective of your organisation and in partnership. How could it be improved further?

Police / PISP data

- Welcome the opportunity get around the table with statutory partners to review this initiative and identify ways to improve further (some weeks we get info daily, others hardly at all)

Health Board Frequent Attenders

- Frequent attenders at emergency services (police, fire, A&E, ambulance, etc) is useful to identify individuals who may have increased vulnerability, distress (addresses provided)
- Unfortunately, we can't attend meeting due to no data sharing agreement in place to protect confidentiality

MARAC

- Data sharing agreement now in place and MARAC works well

Police Problem Solving Group

- These have worked well, we've been involved with these on tackling ASB issues in city centre and county lines

Further Improvements?

- Clarity for HA residents on which agencies do what to help manage expectations and provide more consistency (multi-agency workshops?)
 - Common practice on risk assessment and assessing noise nuisance?
 - One stop information shop for all Swansea residents? Co-locate staff?
 - Pooling resources?
- Shared awareness raising campaigns e.g., promoting community trigger/ASB case review?
- Collaboration with relevant LA and police at a more strategic level to surface barriers experienced by frontline staff and residents – and a space to hold each other to account (Safer Swansea Partnership? Public Services Board?)
- Tenancies at risk (case conferences) – deal with these with range of partners at earlier stage, not just at point of eviction
- Improved referral routes through to safeguarding, mental health, drug and alcohol services, etc.
- Swansea has been a leader in Restorative Practice (criminal justice, education) – can we pool resources to create a team of trained community RP facilitators to work on neighbour disputes?

f) How is your organisation working with the Council and other partners to address the causes of anti-social behaviour. Strategies, tools, interventions and work happening in communities, an example would be helpful to give context. How could this be improved further?

The causes of ASB are often issues that as a social landlord we have limited ability to influence. These include:

- Poverty and social inequality
- Early years (knowledge and skills re: attachment), ACEs and childhood trauma
- Education
 - Undiagnosed/insufficiently supported neurodiversity
 - Speech and language difficulties
 - Low literacy and numeracy skills
 - Conflict resolution skills
- Institutionalisation and trauma within systems:
 - Looked After Children
 - Criminal justice
 - Mental health
- Substance misuse and the reasons people take drugs
- Mental health

The areas where we do have greater influence are:

- Tackling homelessness
 - Working closely with LA on current crisis in temporary accommodation and have adapted nominations agreements to increase options – just purchased 27 properties using TACP specifically to accommodate those in temp accommodation
- Financial health and benefits system
 - Undertaken a rents review which has identified ways we can better support residents with debt (financial pressure/stress/can be a contributing factor to ASB)
 - Staff training and expertise, changes to working practices, improved information, etc.
- Access to affordable, safe, quality housing
 - Building as many social housing properties as we can, work closely with the LA on that but there is a tension - the need identified is to build as many one beds properties as possible (number of single people in crisis) but high density one-bedroom schemes are often problematic and wherever possible, mixed size is best for community safety/integration
- Design of housing and estates teams
 - We continue to support neighbourhood model of housing and estates management, designing work around the central principle that relationships and proximity matters
- Regeneration of local economies and communities
 - As an association engaged in regenerating city and town centres, we've been creating spaces for local businesses to operate in for 15+ years increasing economic prosperity – all important to reducing ASB
- Quality/range of employment opportunities
 - We take our responsibilities as an employer seriously, we are a Living Wage employer registered with the Living Wage Foundation (many of our staff live in social housing)

g) We are looking at the extent of the issue across Swansea and would greatly appreciate if you could provide us with some data, if that is possible, to help us with this, namely:

For each of the years 2019, 2020, 2021, 2022:

- **How many reports of ASB have they received from tenants?**
- **How many cases have they progressed through their processes?**
- **How many notices of eviction have they issued?**
- **How many tenants have actually left their properties?**

We cannot provide accurate data regarding ASB cases historically as this was all captured in diary notes format, so we have data on how many notes were recorded related to ASB which tells us how many conversations took place between staff and residents but not how many cases of ASB there were (one case could have 50 notes or 1 note).

Notes audits/reviews

| 30 weeks of data in 2018 (reviewed 2019) | 52 weeks of data in 2021 (reviewed 2022) |
|---|--|
| 11,095 case notes | 28,015 case notes |
| 908 <ul style="list-style-type: none"> • neighbour complaint (683) • ASB (113) • noise (112) | 4,397 <ul style="list-style-type: none"> • noise (1,782) • neighbour complaint (1,615) • ASB (1,000) |
| 312 <ul style="list-style-type: none"> • PISP (215) • police activity (97) | 6,818 <ul style="list-style-type: none"> • PISP (2,435) • Police activity (252) • county lines, (2,268) • drug use at property (1,863) |
| 11% of case notes | 40% of case notes |
| Under reporting - improvements made in data cleansing, record keeping, tagging notes, etc. | Improved reporting and data sharing with police |

June 2021 – workload and wellbeing project with housing staff

- Over a 4-month period in 2021, implemented an ASB tracker (ahead of building ASB module)
- Opening on average **130 new cases** per month, closing **35 cases**
- Neighbour complaints **51%** of cases (noise, drugs, parking, pets, visitors)
 - Largely low level, difficult to evidence and resolve, time consuming to investigate

Injunctions

- We currently have 25 live civil orders for ASB (pre-pandemic –between 2 and 4 at any time)

Eviction data relating to ASB

| 2019 | 2020 | 2021 | 2022 | 2023 |
|-------------|-------------|-------------|-------------|-------------|
| 2 | 0 | 2 | 3 | 0 (to date) |

Eviction is always a last resort but we will use where all other options are exhausted

APPENDIX 1 – Risk Assessment Matrix

| | |
|---------------------|-----------------|
| Name: | Address: |
| Incident No: | |

| | | | |
|---------|---|-----------------------|---|
| History | 1. Other than this occasion - how often do you have problems? | 5 3 2 1 0 | Daily Most days Most weeks Most months Only occasionally |
| | 2. Do you think the current incident is linked to previous incidents? If so why? | 2 0 | Yes No |
| | 3. Do you think that incidents are happening more often and/or are getting worse? | 2 0 | Yes No |
| | 4. Do you know the offender/ s? | 2 1 0 | They know each other well They are 'known' to each other They do not know each other |
| | 5. Does the perpetrator (or their associates) have a history of or reputation for intimidation or harassment? | 6 4 2 0 | Perpetrator or their associates are currently harassing the complainant Perpetrator or their associates have harassed the complainant in the past Perpetrator or their associates have not harassed the complainant, but have a history or reputation for harassment or violent behaviour Perpetrator or their associates have no history or reputation for harassment or intimidation |
| | 6. Have you informed any other agencies about what has happened? If yes, are you happy for us to discuss this problem with them? Details: | 0 1 | Yes No |

| | | | |
|---------------|--|-----------------------|--|
| Vulnerability | 7. Which of the following do you think that this incident deliberately targeted Specify | 4 3 1 0 | You Your family Your community None |
| | 8. Do you feel that this incident is associated with your faith, nationality, ethnicity, sexuality, gender or disability? Details: | 3 0 | Yes No |
| | 9. In addition to what has happened, do you feel that there is anything that is increasing you or your household's personal risk (e.g. because of personal circumstances) Details | 3 0 | Yes No |
| | 10. How affected do you feel by what has happened? Details | 0 1 2 3 5 | Not at all Affected a little Moderately affected Affected a lot Extremely affected |

| | | | |
|---------|--|------------------|---|
| Support | 11. Has yours or anyone's health been affected as a result of this and any previous incidents? Details: | 3 3 | Physical health Mental health |
| | 12. Do you have a social worker, health visitor or any other type of professional support? Can we speak to them about this? Details: | 0 1 | No Yes |
| | 13. Do you have any friends and family to support you? | 3 3 1 0 | Complainant lives alone and is isolated The complainant is isolated from people who can offer support The complainant has a few people to draw on for support The complainant has a close network of people to draw on for support |
| | 14. Apart from any effect on you, do you think anyone else has been affected by what has happened? Details: | 3 2 1 | Your family Local community Other |
| | TOTAL SCORE: | | |

Low 0 4 8 12 16 20 22 24 26 28 30 High

APPENDIX 1 – Risk Assessment Matrix

| | | | | | | | | | | | | |
|---|----|----|----|----|----|----|----|----|---|---|---|--|
| 34 | 32 | 28 | 26 | 24 | 22 | 20 | 18 | 16 | 8 | 4 | 0 | |
| HIGH | | | | | | | | | | | | |
| <p>POLICE Refer to force 'Life at Risk' policy and procedure Crime risk survey to be conducted and install appropriate security devices (alarms, CCTV) Create documented care plan and arrange multi-agency strategy meeting</p> <p>HOUSING TEAM / ASB TEAM Evaluate need for protective intervention (e.g. emergency injunction) and pursue if appropriate Provide/install appropriate security measures (alarms, CCTV, mobile phones and patrols) Refer to Neighbourhood Policing Team/multi agency team and arrange strategy meeting</p> <p>NEIGHBOURHOOD WARDENS</p> <p>VICTIM SUPPORT / VICTIM WITNESS CHAMPION / OTHER SUPPORT SERVICES Referral to victim support</p> | | | | | | | | | | | | |
| MEDIUM | | | | | | | | | | | | |
| <p>POLICE Instigate and record regular neighbourhood policing team visits Refer to partner agencies</p> <p>HOUSING TEAM / ASB TEAM Provide/install appropriate security measures (alarms, CCTV, mobile phones and patrols) Maintain communication and visit in accordance with case management action plan Refer to relevant supportive agencies</p> <p>NEIGHBOURHOOD WARDENS</p> <p>VICTIM SUPPORT / VICTIM WITNESS CHAMPION / OTHER SUPPORT SERVICES Referral to victim support</p> | | | | | | | | | | | | |
| LOW | | | | | | | | | | | | |
| <p>POLICE Follow up CSO visit Referral to victim support</p> <p>HOUSING TEAM / ASB TEAM Maintain communication and visit in accordance with case management action plan Refer to relevant supportive agencies</p> <p>NEIGHBOURHOOD WARDENS</p> <p>VICTIM SUPPORT / VICTIM WITNESS CHAMPION / OTHER SUPPORT SERVICES</p> | | | | | | | | | | | | |

CONSENT TO INFORMATION SHARING

I consent to agencies obtaining and sharing information as part of the multi-agency work to help and secure my safety and that of my family.

If there are child protection concerns, information will be shared regardless of whether this form is signed.

Signature: _____ Date: _____

PRINT NAME: _____

Scoping; Best practice, law and policy

ASB – Best Practice/Themes

The charter for social housing residents: social housing white paper (applied to England – Nov 2020) - seven key commitments that residents should expect from their landlords: To be safe in your home; to know how your landlord is performing; to have your complaints dealt with promptly and fairly; to be treated with respect; to have your voice heard by your landlord; to have a good quality home and neighbourhood to live in; to be supported to take your first step to ownership. A lot of these basic principles can be tied into ASB as with other service areas. It proposed that new social housing tenant satisfaction measures include measures on responsible neighbourhood management, including tackling anti-social behaviour. It also supports clarification of the different responsibilities that police, local authorities and their landlords have in tackling anti-social behaviour, particularly how to activate the community trigger – so tenants know who is responsible for taking action. There's a focus on providing support to perpetrators of ASB particularly around mental health and staff training is recognised as a way to support this. The Safer Street Fund (£25 million) aimed to prevent crime and tackle ASB across England and Wales. Also cites secure by design principles – which sets out how homes and neighbourhoods must be designed with safety and security in mind. Also support for working with partners and being aware of vulnerable tenants to tackle issues such as county lines. Tenant satisfaction measures connected to objective quantitative measures for ASB are also important to support transparency and accountability. Finally the Government wants to social landlords to develop practical solutions to tackle crime and anti-social behaviour in areas.

HQN ASB Toolkit: demonstrate leadership and strategic commitment. Partnership working. Provide an accessible and accountable service. Access and E & D. customer satisfaction. Performance management. Complaints. Publicity. Strategy. Case management. Legal action. Civil injunction; CPNs; PSPOs; Parenting contracts and orders. Take swift action to protect communities. Adopt a supportive approach to working with victims and witnesses. Encourage individual and community responsibility. Community trigger. Have a clear focus on prevention and early intervention. Allocations and lettings. Tenancy management. Estate management. Community activity. Early intervention. Mediation and restorative justice. Early intervention with families. Vulnerability and support. Ensure a VFM approach is embedded into the service.

<https://hqnetwork.co.uk/download.cfm?doc=docm93ijm4n2937.pdf&ver=39532> – guidance notes especially on community trigger.

In assessing vulnerability at the first point of contact, housing providers need to consider including questions that will open up:

- Frequency of the ASB
- Whether it is getting worse
- Level of Intimidation
- Personal risk
- Effect on physical and or mental health
- Effect on the family, neighbourhood and community

Case workers managing ASB have six key priorities for ensuring good case management and resident satisfaction; they are all based on good and consistent communication: 1 The person taking the initial report getting enough information to accurately grade the follow-up response based on the risk of harm as well as the type of ASB. 2 A risk assessment and,

if this is high, leading to immediate harm reduction action through support, security measures and a multi-agency case conference. 3 A re-contact plan agreed with the victims and witnesses. 4 An action plan agreed with the complainant, victim, or witness. 5 Diary sheets only issued as part of the action planning process so they and their use are well understood with an agreed frequency for collection by the case worker; not putting the onus on victims and witnesses to return the forms and not using failure to return the forms as a reason not to re-contact them. 6 Cases only being closed when the victim(s) is in agreement or, if not in agreement, is at least aware of the action to be taken and has had an opportunity to respond.

Old Welsh Gov ASB Standard (2008): had 7 key components - 1. Commitment, leadership, and accountability 2. Empowering and reassuring residents 3. Prevention and early intervention 4. Support to tackle the causes of anti-social behaviour 5. Tailored services for residents and support for victims and witnesses 6. Protecting communities through swift enforcement 7. Encouraging community responsibility. Shows how foundational principles/themes remain pretty standard over time. All still highly relevant.

DA – Best Practice/Themes

Domestic Abuse Housing Alliance Accreditation (DAHA): Under the accreditation a landlord commits to the whole organisation being aware of and an understanding of DAHA; all staff being aware of DA and learn from people who've experienced it and put them at the heart of the work. There's 8 strands to meet for accreditation: Policies and procedures; case management; risk management; inclusivity and accessibility; perpetrator management; partnership working; staff training; publicity and awareness. There is a fast exit "Hide my visit" button on the domestic abuse pages that, when clicked, takes the user to a generic site such as the BBC homepage.

DAHA case studies: negative attitudes/judgements for non-engagement from support services can directly impact behaviour/loss of trust. **Someone who seems uncooperative, difficult or complicit may just be trying to survive.** A positive and respectful and supportive response can move someone experiencing domestic abuse from contemplation to preparation and then action. Creating trust, listening and helping to create space so victims of domestic abuse can act is important. E.g. Domestic Violence Prevention Orders can be used by the police. The action taken must have safety in mind – e.g. Non-molestation orders and occupation orders are likely not a safe option for someone at the early stages of someone trying to change their life and get away from domestic abuse. **A victim who is assessed to be at high risk of serious harm or homicide is unlikely ever to be safely in a position to access civil routes to safety. It's essential to understand the needs of victims of domestic abuse and tailoring support to their needs. It's also important to make support available and visible early on.** Independent specialist domestic abuse support can be invaluable. Multi-agency and collaborative working is essential e.g. safe housing, support with finances, to rebuild her confidence and get support to improve both her physical and mental health. Early identification and intervention – meeting needs sooner and giving choice is important e.g. where someone wants to move to. The value of evidence-based prosecutions ("victimless prosecution") to convict perpetrators without the cooperation of a victim can be underestimated and underused. Holding the perpetrator to account is important – as is support to change their behaviour. Train staff (including GDPR awareness); design services with service users at the heart; increase awareness of DA and the help available and increase the focus on holding the perpetrator to account and managing the risk they pose.

Safelives DASH Risk Checklist – helping to manage risk posed:
https://safelives.org.uk/sites/default/files/resources/Dash%20for%20IDVAs%20FINAL_0.pdf

Safelives/Gentoo Safe At Home Report: Staying vs leaving. Safety planning. Financial consequences. Cite SafeLives recommendations for housing providers: raise awareness of domestic abuse in staff and tenants; Early Identification; Tackling the perpetrator and Engage in a coordinated multi-agency response.

CIH Make a Stand Pledge: <https://www.cih.org/media/ob5oirgo/make-a-stand-the-pledge-document.pdf> Have a DA policy in place; make support info available on website etc.; HR Policy for staff and champion at senior level to own DA support activity. We're signed up to the pledge.

EROSH: Planning a guide to address Domestic Abuse in Sheltered and Retirement Housing (not sure on the date but they've been carrying out a survey on it the last 12 months). 29 Sept 2021:

<https://erosh.co.uk/event/national-network-zoom-event-for-members-domestic-abuse/>

WQN Brief/Wendy Murphy – Housing and DA: Cardiff University have previously developed the **The Priority Perpetrator Identification Tool**. To proactively manage perpetrators to attempt to reduce the number and severity of repeat offences. A 2017 report on the pilot concluded that the toolkit was useful and could be applied in different contexts and situations. **Drive Partnership:** to address a gap in work with high-harm perpetrators of domestic abuse. Drive is a national project, with service providers delivering the intervention in local areas. This work is done in partnership with statutory agencies such as the police, public health, and children's social care. <http://driveproject.org.uk/stakeholders/> - there's one operating in Merthyr Tydfil. Support by specialist agencies; Nominated officer(s) with specialist training in DVA and Collaborative agreements between the landlord and relevant local authorities to provide a quicker and more tailored response – are all important.

Scottish Womens Aid – Domestic abuse: a good practice guide for social landlords – gives a checklist of good practice in responding to DA: DA policy for tenants; A sensitive service which offers privacy and confidentiality and reduces the risk of further harm; Clear training for all staff to identify and respond appropriately; Is culturally competent and responds to different needs; Supports employees who are subject to DVA and intervenes effectively where an employee is perpetrating DVA; Uses the lived experience of DVA survivors to inform policy and practice; Evaluation of the effectiveness and impact of interventions. <https://womensaid.scot/wp-content/uploads/2019/08/Domestic-abuse-guidance-for-social-landlords-FINAL.pdf>

HQN – Tim Horsley Briefing: Crime and ASB – the impact of diminishing resources on housing providers:

Are you a member of Community Trigger review panels in the areas where you work? Do those panels put the needs of the victim ahead of process and procedure? Do the review panels encourage victims to have an advocate and to attend review meetings and do they have independent members who will champion the needs of the victim?

Best Practice Examples – ASB

Stroud council: Repeated incidents of ASB across the district are fed into the Community Safety Partnership to evaluate trends and identify positive actions to resolve ASB.

Stockport Council: Stockport Housing Group (SHG) delivers ASB services in the residential private sector for the council. Provision includes responding to, investigating and taking

appropriate action in reports of ASB in residential communities across the whole of Stockport. SHG's ASB Service is quality assessed by RESOLVE ASB.

SHG: (ASB categories) CAT A – URGENT e.g. race/hate crime/threats or use of violence. CAT B – PERSISTENT NUISANCE e.g. noisy neighbours. CAT C/D – NON URGENT e.g. untidy garden.

Maps and monitor ASB incidents to identify any trends using the ASB Case Management System. Uses that to undertake targeted campaigns using a project based approach to tackle issues, raise and increase confidence within the community etc.

SHG: Performance monitoring: Number of New cases arising; Percentage of cases successfully resolved; Satisfaction with the outcome of the case; Satisfaction that residents were kept up-to-date; The time taken to resolve ASB and The use of legal action to resolve ASB cases.

SHG: Use an ASB strategy – so address ASB in a strategic way in a clear partnership.

Housing plus Group: use a victim vulnerability matrix in order to assess the risk and impact on each customer. Helps to determine priority.

Merseyside Policy THRIVE model: The THRIVE model is a risk assessment model used to assign a priority level to an incident. Threat – Is there any threat to person, property, public safety, Force reputation or Community Cohesion. Harm – If the threat was realised or circumstances deteriorated what harm would be caused. Risk – What is the likelihood that the identified threat will occur? Investigation – Consider Crime in progress/ recently discovered/ Forensic Evidence/ known offender. Vulnerability – Consider Family and personal circumstances/ repeat victim/ health/ disability/ equality and diversity / economic circumstances. Engagement – manage caller expectation by providing realistic outcomes, timescales and intended course of action

Bassetlaw District Council or Sandwell Council: Have a community trigger button to press to access the community trigger on their website.

Peabody: In 2016, Family Mosaic (now merged with Peabody) developed a new approach to ASB that separated the incident from the complainant's level of vulnerability. Boosted resident satisfaction. Directed more resources to high level cases of ASB, cases with repeat complaints (or community triggers) or cases where safeguarding and / or vulnerability were a concern. **At the same time, residents were supported to manage some low-level issues themselves to reduce escalation.** Repeat ASB cases fell by a third and resident satisfaction doubled from the start of the pilot to the end of the year.

Liverpool Mutual Homes – best practice in case management:

<https://hqnetwork.co.uk/download.cfm?doc=docm93ijm4n5176.pdf&ver=10597>

Respect: Work with perpetrators.

<https://www.respect.uk.net/pages/42-work-with-perpetrators>

CIH

<https://www.cih.org/media/km3bacre/dealing-with-asb-and-covid-18jan21.pdf>

Ongo Cuckooing Project and county lines focus. Closely work with the police

<https://www.ongo.co.uk/about-ongo/news-events/news/july-2021/our-cuckooing-project-wins-national-award/>

North Tyneside Council: Incidents of ASB in Wallsend reduced by almost 50 per cent in four months when North Tyneside Council and the neighbourhood policing team set out to engage with young residents more effectively through outreach, early intervention and a

new drop-in centre. North Tyneside Council was among the organisations to receive Police and Crime Commissioner funding in 2019/20, with a grant of £130,000 to steer teenagers away from involvement in ASB and crime. Half of the grant (£65,000) was used to convert unused space in a council customer contact centre in Wallsend into a base for local police, youth workers and community protection officers to work from. The other half of the funding was channelled into projects to reduce youth-related crime and ASB. Using the name 'Project Vita'. **Lessons learned:** Engagement is key. Give ownership and responsibility. Hanging around in larger groups can make younger people feel safe. They may not realise they're intimidating other residents.

Sheffield City Council: Introduced Housing+ in 2016 during a restructure of its Housing and Neighbourhoods service. Sheffield's Housing+ approach has a focus on increasing preventative intervention with tenants and their families, dealing with or signposting people to support for everything from ASB to health and wellbeing, social isolation, mental health, employment, training and volunteering. Dedicated neighbourhood officer who is a named point of contact. **Lessons learned:** Support needs can differ greatly in different parts of the city, so a local response is key. Collaborative working is key to making the offer work. Support needs identified through the annual visit can be complex. Finding unmet need through proactively asking customers about their health, home and finances can impact on other services – such as an increase in repairs requests.

Copeland Council: has been piloting a multi-agency hub approach to address issues around crime and anti-social behaviour. Based on an existing strong working relationship and high-level support and commitment between Copeland Borough Council and Cumbria Police. Copeland Hub's aim is to enable agencies to work effectively together to tackle issues including ASB, low-level crime and criminal damage which would benefit from a multi-agency response. The partners also take targeted preventative action to reduce incidents of ASB and crime, working with schools and the voluntary and community sector on a variety of projects aimed at developing good citizenship. Working with the Brathay Trust to engage 13-16 year olds on the periphery of crime and ASB through activities, including an annual three-night outdoor activity centre visit. 'Future Pathways' – a nine-session programme which develops employability and life skills in secondary school pupils. Working with the Community Alcohol Partnership to tackle underage street drinking and alcohol-related ASB. **Lessons learned:** Strong and honest underpinning relationships between the partners needed. Co-location needed, ideally within one of the main players (council or police). A hub approach allows for informal sharing of information, which creates opportunities to make connections that otherwise may not be seen.

Lincolnshire Council: The partners recognised that ASB data was predominantly based on police information so did not provide a true picture. This made identifying trends through reporting a challenge. To address this, the ASB Practitioner Group identifies emerging issues and trends. This is then fed into the ASB Core Priority Group (a sub-group of the SLP) to consider the response required. A case study template has been developed for practitioners to record and share their response to specific ASB problems (what did/did not work well and any challenges or barriers), to help form a best practice toolkit. There is a push to have all relevant partners across the county using the E-CINS system to record ASB. One-system recording would not only provide an accurate ASB data picture but also further embed the partnership approach. The use of E-CINS in Lincolnshire for ASB also extends to the delivery of ASB risk assessment conferences, which involve multiple agencies. Another focus has been improving the customer journey for victims by providing a consistent

message on how to report incidents. People were not always sure who to contact about different types of ASB, so a generic webpage has been created for all the partner agencies. It takes people through a process of understanding what ASB is, how to report it and how they can help themselves. A task and finish group has led this work. **Lessons learned:** Before exploring a solution to an identified problem, ensure that all the agencies have a clear understanding of each other's issues and concerns – never assume they are the same. Consider what can and can't be done to resolve the problem in order to manage expectations from the offset. Set realistic timescales and extend them if necessary.

Surrey Council: Surrey County Council's community safety team includes a project officer with county-wide responsibility for ASB. The aim is to have a broadly consistent approach across all 11 borough/district councils, only two of which have dedicated ASB officers. In the other nine ASB is the responsibility of community safety managers, supported by local police specialists and other partners via the borough-based multi-agency community harm and risk management meetings (CHaRMMs) and joint action groups. A refresh of Surrey's Community Trigger framework was recently completed, led by Jo Grimshaw and with support from ASB Help. One current focus is helping boroughs to address complaints in the 'grey area' which don't yet meet the threshold but may escalate. They are delivered in partnership between the Office of the Police and Crime Commissioner (OPCC) and Surrey Police, funded primarily by the OPCC but also by the main referrers, including housing associations and most of the local councils. Victims of ASB are often vulnerable people and can be left feeling helpless and frustrated. A team of volunteer and paid coaches provides a listening ear, supports people to develop coping strategies and become more resilient, and signposts them to other help. Clients can explore possibilities to change things for the better and develop skills, confidence and strategies to feel safer and more in control. **Lessons learned:** County-wide communication: newsletters, events and the community safety website help to ensure that local practitioners feel supported, keeps ASB high on the agenda and helps to maintain a consistent approach. ASB strategy: it is important to include all partner agencies when producing the strategy. Everyone then has a common goal and has agreed to a response, which reduces the 'postcode lottery' for victims. Support coaching: referrers must understand what coaching is – this is an ongoing task. If you can inform and engage front-line referrers, such as police community support officers, you are likely to achieve a better success rate.

Richmondshire Council: Introduced a Public Spaces Protection Order (PSPO) to safeguard a riverside area from ASB. A multi-agency task group oversaw the work, which involved extensive consultation with people who live and work in the town. **Lessons learned:** Effective community engagement and consultation is essential to ensure there is sufficient evidence to justify the restrictions being imposed, and that the action won't have a detrimental effect on vulnerable people. Positive engagement and support from local police is key: they have been essential in terms of gathering the required evidence for fixed penalty notices. As this is a specific 'beauty spot' location it is not anticipated that the problem behaviour will be displaced to other locations.

Plymouth Council: Work is underway in the North Stonehouse area of Plymouth to deter crime and anti-social behaviour by strengthening community cohesion and enhancing the local environment, in an initiative supported by the Government's 'Safer Streets' fund. In 2020 the Home Office Safer Streets Fund awarded over £546,000 to Stronger North Stonehouse (SNS), a partnership including Plymouth City Council, Devon and Cornwall Police, the Police and Crime Commissioner and community organisations. Thirty-five places

in England were awarded Safer Streets funding, which was targeted at areas particularly affected by acquisitive crime. a £20,000 'Community Sparks' fund was set up to award small grants for initiatives that would enhance the area, deter crime/ASB and make public spaces safer. It was administered by Nudge Community Builders, a community group set up by Stonehouse residents with a mission to 'nudge' lasting change. Two levels of funding were available: up to £250 for small-scale projects, or up to £3,000 for larger projects which would bring more people together within a neighbourhood and spark a longer legacy of collaboration and positive change. Projects had to be completed by 31 March 2021, a short timeframe of just a few months. **Lessons learned:** Community groups identified the risk of a feeling of 'being done to', so the project had a strong focus on community consultation and involvement. A simple application process was designed, with either a 400-word statement or three-minute video, to ensure that the Community Sparks fund was accessible to all.

Derbyshire's county, city, borough and district councils: have agreed on newly revised Community Trigger guidance which is consistent but flexible to the needs of each area. This county-wide guidance reflects best practice and ensures victims are at the heart of the trigger process.

Colchester Borough Homes: Work closely with Essex Police and other partners, use enforcement powers to put in place community protection warnings, community protection notices, partial closures and injunctions. Full building closures are considered if there is a high risk to the local community. Supported Essex Police to enforce social distancing measures by sharing information received about people breaking the Government's social distancing regulations. Current focus is tackling high-risk activities, such as drug activity and hate crime. We're still asking residents to report all forms of ASB, but prioritising the most serious cases.

Neighbourhood Conflict Resolution <https://resolvewest.org/our-services/mediation-explained/>

Best Practice Examples - DA

Peabody: All frontline employees are trained to spot DA; a specialist community safety team including a number of independent DA advocates is in place to tackle it and offer support to survivors. Peabody has local collaboration agreements in place with relevant local authorities, the police and third sector support organisations. Peabody has clear and comprehensive information for residents on its website, setting out the support they offer and steps that may be open to those facing DA. They also produced specific advice for those facing DA in lockdown.

Gentoo: Gentoo also provide training for all frontline employees and have a specialist team of support workers in place to tackle DA and support survivors. They also offer the Big Project to support perpetrators to recognise and change their behaviour. Gentoo also have Domestic and Sexual Violence Champions who can signpost their own employees to get advice.

Believe Housing: The team of eight employees is accredited by DAHA.

Riverside: Riverside allocates a personal support worker to create a bespoke structured support plan with those experiencing DA. The plan aims to rebuild confidence. There is emphasis on maintaining the accommodation but also being safe. Recognising the importance of tackling perpetrators, Riverside works with the 'Sea Change' behaviour

change programme for perpetrators. Riverside provide clear information and advice on their website, including contact details for other agencies who may be able to help.

Fife Council: introduced basic DA training for all employees and enhanced housing options training for appropriate roles. Employees felt uncomfortable with legal provisions for removing the perpetrator, and have established a small multi-agency group to offer advice and support on individual cases, where this is the preferred outcome. When a tenant/occupant approaches and mentions DA they are passed to a housing access officer (HAO). The HAO checks what interview location would be best; whether they want to speak to an officer of a particular sex; and if they have any additional communication needs. If the HAO is not available to see the individual immediately, a guaranteed appointment is offered within 24 hours of the initial contact. The HAO acts as case manager until the situation is resolved. This means that the tenant/occupant has continuity through the process.

Edinburgh Council: works in partnership with social landlords, Women's Aid and the police to find ways for DA survivors to avoid being made homeless. Options being explored include management transfers and the offer of interim accommodation. A working group considers individual referrals, seeking the right solution both temporary and in the longer term.

Bristol Council: Ministry of Housing, Communities and Local Government gave £350K for a 12-month trial starting July 2021 offering safe accommodation with intensive support to victims of domestic abuse and violence.

Stonewater: manage three dedicated domestic abuse services for people who would traditionally find it difficult to access support and housing, which includes providing supported housing for South Asian women and children, women with complex needs, a community outreach support programme and an LGBTQ+ Safe Space. During the pandemic it used empty homes from its general needs stock to house additional referrals and harnessed technology to provide virtual support during lockdown from its team of Domestic Abuse Coaches. Provided computer tablets to all new and existing customers and their children, so they could access online communication channels, information and educational resources.

Welsh Gov Homeless Strategy – prevent homelessness/deal with it quickly

<https://gov.wales/sites/default/files/publications/2019-10/homelessness-strategy.pdf>

Civil Justice Council Report on Anti-Social Behaviour and the Civil Courts

In July 2020, the Civil Justice Council published a report on Anti-Social Behaviour and the Civil Courts. The report suggested that some practices were unsatisfactory and required an immediate change, which is why we have seen the amendments introduced to CPR 81. It also made a number of recommendations.

Key Law – connected to ASB and DA

Anti- Social Behaviour Crime and Police Act 2014 (s2) – defines ASB. Also legal provisions to address ASB. New ground for possession based on anti-social behaviour.

Statutory Guidance for the 2014 Act (last updated Jan 2021) – provides guidance on how to use/who has the power to use the legal remedies to tackle ASB under the Act.

Renting Homes Act 2016 – demoted tenancies replaced by prohibited standard conduct tenancies. There's also the prohibited conduct term – if breached grounds for possession. The RH Act will replace the possession grounds in the Housing Act 1988. Perpetrators of domestic abuse can be targeted by community landlords and removed from the tenancy, with the tenancy continuing for the remaining tenant (not sure how this will work in practice though).

Anti-social behaviour Act 2003 – demoted tenancies. Certain social landlords have to publish an ASB Policy.

Policing and Crime Act 2009 – can be used to tackle gang related drug dealing activity.

Crime and Disorder Act 1998 – Agencies working in partnership to tackle crime and disorder have a power under section 115 to disclose information to one another for the purposes of preventing and detecting crime and ASB.

Protection from Harassment Act 1997 - criminal offence for any person to pursue a course of conduct which amounts to harassment of another person, and they know or ought to know is harassment. Also criminalises stalking someone where that amounts to harassment.

Mental Capacity Act 2005 – covers mental capacity of individuals.

Human Rights Act 1998 – article 8 and the right to a private and family life.

Equality Act 2010 - protects individuals from being unlawfully discriminated against on the ground of one or more of the protected characteristics.

GDPR and Data Protection Act 2018 – data must be processed and shared within the confines of the law e.g. the Act allows data sharing with the police so they can discharge their statutory law enforcement functions.

Corona Virus Act 2020. Affected notice timeframes and possession orders/timeframes.

Also connected – changes to CPR - procedure rules altered. Evictions suspended. Civil (County) court listing priorities.

The Serious Crime Act 2015 - made coercive and controlling behaviour in an intimate family relationship a crime. Also strengthened the law to address female genital mutilation.

Social Services and Wellbeing Act (Wales) 2014 – covers working together to improve the well-being of people who need care and support from social services.

Children Act 1989; 2004 – advocates the safeguarding of children and protects the welfare of children.

Family Law Act 1996 – a tenancy can be transferred as ordered by the court. Also domestic violence injunctions – non molestation orders and occupation orders.

The Sexual Offences Act 2003 – contains information about sexual offences.

Female Genital Mutilation Act 2003 – enhanced the Prohibition of Female Circumcision Act 1985.

Forced Marriages (Civil Protection) Act 2007 – provides civil remedies for those faced with forced marriage and for victims of forced marriage.

Domestic Violence, Crime and Victims Act 2004 – criminalised some further acts connected to harassment, common assault. Also enabled the recovery of compensation money from offenders of crime and anti-social behaviour.

Violence Against Women, Domestic Abuse and Sexual Violence Act 2015 – strategies to tackle gender-based violence, domestic abuse and sexual violence and the appointment of an advisor. Adds to domestic abuse definition.

Housing (Wales) Act 2014 – homeless duties, which covers a definition of domestic abuse.

Serious Crime Act 2015 - built on the current criminal and civil law – to tackle organised crime.

The Domestic Abuse Act 2021 provides a statutory definition of domestic abuse for the first time <https://www.legislation.gov.uk/ukpga/2021/17/section/1/enacted>. The legal definition now incorporates a range of abuses beyond physical violence, including emotional, coercive or controlling behaviour and economic abuse. The abuse can be behaviour consisting of a single incident or a course of conduct. To fall within the definition, both victim and perpetrator must be “personally connected”. The definition ensures that different types of relationships are captured, including ex-partners and family members.

The definition is gender neutral to ensure that all victims and all types of domestic abuse are sufficiently captured, and no victim is excluded from protection or access to services. The act defines domestic abuse as occurring where the victim and perpetrator are aged over 16. Abusive behaviour directed at a person under 16 would be dealt with as child abuse rather than domestic abuse. However, for the first time, a child who sees or hears, or experiences the effects of, domestic abuse and is related to the person being abused or the perpetrator, is also to be regarded as a victim of domestic abuse in their own right. This should help to ensure that locally-commissioned services consider and address the needs of children affected by domestic abuse.

New offence of non-fatal strangulation; The act extends the offence of coercive and controlling behaviour, no longer making it a requirement for abusers and victims to either still be in a relationship or to still live together; Criminalising the threat to disclose intimate images with the intention to cause distress; Clarifying the law to further deter claims of “rough sex gone wrong”; statutory presumption that victims of domestic abuse are eligible for special measures in the criminal, civil and family courts; Statutory footing for Domestic Violence Disclosure Scheme; New Domestic Abuse Protection Notice and Domestic Abuse Protection Order; Statutory duty on the Secretary of State to publish a domestic abuse perpetrator strategy.

Domestic abuse protection orders (DAPOs) are intended to consolidate the existing array of protection orders relating to domestic abuse, such as domestic violence protection orders and non-molestation orders. DAPOs will bring together the strongest elements of these schemes, which will allow courts to implement both prohibitions and positive requirements on perpetrators, as well as a monitoring requirement to ensure that perpetrators are complying with the terms of their order. Breaching a DAPO, which is a criminal offence, carries a maximum penalty of five years’ imprisonment. The act also puts the domestic violence disclosure scheme, commonly known as ‘Clare’s Law’, on a statutory footing for the first time.

The Home Office will release further guidance Domestic Abuse Protection Notices (DAPNs) and Domestic Abuse Protection Orders (DAPOs).

The Act also creates the role of the Domestic Abuse Commissioner in statute and gives the role specific powers that will help it to improve the response to domestic abuse and hold both government and agencies to account. All statutory agencies and government departments will have a legal duty to co-operate with the commissioner and respond publicly to any recommendations within 56 days. Whilst technically Welsh LA’s have a duty to respond and form governance systems under both legislations, in wales LA duties will remain as they are under the Welsh VAWDASV Act.

Ensures victims’ details are not shared with immigration control, this will remove one of the many barriers migrant women face on disclosing abuse and seeking support.

Ban on cross examination and access to special measures extended across the civil court system. – The Act improves the access to special measures for survivors, particularly in family court settings and a ban on direct cross-examination which offer some increased protections inside the civil and family courts.

Recent case law

Without notice injunction *Tugushev v Orlov 2021*: (without-notice injunction) the duty of an applicant is to make full and accurate disclosure of all material facts. The court must be able to rely on this. Material facts are those which it is material for the judge to know in dealing with the applications as made.

Molloy v BPHA Limited (2021): Housing association tenant lost appeal over a suspended custodial sentence he was given after being caught on CCTV breaching an injunction.

Taylor v Slough Borough Council (2020): A Council landlord's initial failure to have regard to the Public Sector Equality Duty on commencing possession proceedings was remedied by later performance of that duty.

TJ v London & Quadrant Housing Trust 2020: (history of racism from a tenant in area) If a prospective tenant may face racial harassment/abuse via a new letting/mutual exchange the landlord (if aware) should make the person aware beforehand– see Tackling Racial Harassment: code of practice for social landlord. LQHT paid substantial damages and were refused permission to appeal.

Family Court and Domestic Abuse: <https://www.lawgazette.co.uk/news/court-of-appeal-delivers-ruling-on-family-courts-approach-to-domestic-abuse/5107995.article>

Nearly Legal - Relationship Breakdown and FAQs: <https://nearlylegal.co.uk/relationship-breakdown-and-tenancies-faq/>

Older case law

PORTSMOUTH CITY COUNCIL V BRYANT 2000: decided it may be unreasonable to order possession against a tenant based on the behaviour of another.

Tuitt v Greenwhich LBC [2014: decided although the tenant is not the perpetrator of anti-social behaviour and the behaviour is being committed by somebody else within their household (son) they were still ineffective at dealing with it and so accountable.

Cardiff CC v Lee (Flowers) 2016: When the landlord seeks a warrant of possession following the tenant's breach of the terms of a SPO they must obtain the permission of the court, except where the breach of the terms of the suspended order consists in non-payment of money.

Recent Housing Ombudsmen Cases - ASB

Clarion Housing Association Limited (202008798) May 2021/Midland Heart Limited (202008032) May 2021: landlords must follow their policies and procedures.

Paragon Asra Housing Limited (201914106) May 2021: important to collect and consider the evidence.

Camden Council (202004959) April 2021: Talking action/action planning/managing risk important.

Hafod Housing (202100227) June 2021: Early resolution/reasonable action by the landlord should diffuse a complaint with ombudsmen.

United Welsh (202100967) June 2021: Agreeing clear action in a set timeframe should diffuse a complaint with ombudsmen.

Local Gov and Care Ombudsmen Case

London Borough of Harrow (19 000 787) June 2019 serious failings in the way the Council responded to Miss X's housing needs as a vulnerable woman who was homeless because of domestic abuse and harassment.

London Borough of Wandsworth (19 006 011) Nov 2020 - Domestic abuse victim not supported properly by Wandsworth council when she became homeless.

Financial Ombudsmen

Deal with complaints-involving-domestic-economic-abuse.

| FY | MainCategory | Opened | Closed |
|-------|--|--------|--------|
| 22/23 | Criminal Behaviour/ Crime | 4 | 5 |
| 22/23 | Criminal Damage | 5 | 3 |
| 22/23 | Drugs/ Substance Misuse/ Dealing | 17 | 13 |
| 22/23 | Fly-tipping | 1 | 0 |
| 22/23 | Hate Incident | 1 | 1 |
| 22/23 | Noise | 24 | 21 |
| 22/23 | Nuisance from Vehicles | 2 | 1 |
| 22/23 | Pets & Animal Nuisance | 8 | 6 |
| 22/23 | Physical Violence | 4 | 4 |
| 22/23 | Prostitution | 0 | 0 |
| 22/23 | Vandalism | 2 | 1 |
| 22/23 | Verbal Abuse/ Harassment/ Intimidation/ Threats - Tenant | 29 | 21 |
| 22/23 | Verbal Abuse/ Harassment/ Intimidation/ Threats - Staff | 5 | 3 |
| 21/22 | Criminal Behaviour/ Crime | 5 | 8 |
| 21/22 | Criminal Damage | 6 | 8 |
| 21/22 | Drugs/ Substance Misuse/ Dealing | 14 | 14 |
| 21/22 | Fly-tipping | 1 | 2 |
| 21/22 | Hate Incident | 2 | 3 |
| 21/22 | Noise | 25 | 27 |
| 21/22 | Nuisance from Vehicles | 4 | 6 |
| 21/22 | Pets & Animal Nuisance | 3 | 6 |
| 21/22 | Physical Violence | 9 | 12 |
| 21/22 | Prostitution | 0 | 0 |
| 21/22 | Vandalism | 1 | 3 |
| 21/22 | Verbal Abuse/ Harassment/ Intimidation/ Threats - Tenant | 22 | 27 |
| 21/22 | Verbal Abuse/ Harassment/ Intimidation/ Threats - Staff | 2 | 3 |
| 20/21 | Criminal Behaviour/ Crime | 13 | 12 |
| 20/21 | Criminal Damage | 7 | 6 |
| 20/21 | Drugs/ Substance Misuse/ Dealing | 24 | 21 |
| 20/21 | Fly-tipping | 5 | 6 |
| 20/21 | Hate Incident | 2 | 1 |
| 20/21 | Noise | 50 | 54 |
| 20/21 | Nuisance from Vehicles | 6 | 7 |
| 20/21 | Pets & Animal Nuisance | 10 | 12 |
| 20/21 | Physical Violence | 15 | 13 |
| 20/21 | Prostitution | 0 | 0 |
| 20/21 | Vandalism | 1 | 1 |
| 20/21 | Verbal Abuse/ Harassment/ Intimidation/ Threats - Tenant | 44 | 41 |
| 20/21 | Verbal Abuse/ Harassment/ Intimidation/ Threats - Staff | 3 | 4 |

NSP's:

Pontarddulais – NSP dated 19th February 2021 on Grounds 7A, 12 and 14. Court application made, however customer 1 then ended tenancy.

Pontarddulais – NSP dated 07th June 2022 on Grounds 7A, 10, 11, 12 and 14. Customer ended tenancy prior to Court 2 application.

Pontarddulais – NSP dated 21st October 2022 on Grounds 12
3 and 13. Waiting for a date for the eviction.

Injunctions:

- 1 2020– Gorseinon
- 2 October 21 – Blaen y Maes
February 23 – Blaen y Maes - Assault on a child (not
3 granted) as bail conditions in place
- 4 2023 – Gorseinon

| FY | Local Authority | Opened | Closed |
|-------|-----------------|--------|--------|
| 20/21 | Swansea | 341 | 365 |
| 21/22 | Swansea | 176 | 199 |
| 22/23 | Swansea | 184 | 155 |

Literature Review

1. ASB, Crime and Policing Act 2014 – Guidance revised Jan 2021

The guidance mainly reiterates the powers and uses of the Act but includes some lessons learnt since its introduction. Putting the victim first and considering a proportionate response based on the impact of the ASB. Giving victims a say through better use of the Community Trigger and the Community Remedy.

Putting victims first: The 'Community Trigger' is an important safety net for victims of persistent anti-social behaviour. It provides a mechanism to ensure that their case is reviewed in order to secure a satisfactory resolution. The legislation requires the relevant local agencies to determine a local threshold for triggering the Case Review procedures. It is important that these agencies ensure that victims are aware of the procedures, the circumstances in which they can apply for a formal review, and how to do so. Consideration should always be given on how victims can best express the impact that the anti-social behaviour has had on their lives, including attendance at relevant meetings.

“The Community Remedy: this gives victims a say in the out-of-court punishment of perpetrators of anti-social behaviour when a community resolution, conditional caution or youth conditional caution is chosen as the most appropriate response.” This is a Police mechanism.

A focus is on organisations utilising the CT to get all partners around the table to discuss and plan resolution to the issues, and not see it as a negative in placing blame of inaction or missed opportunities. The CT should be widely promoted to all organisations and potential victims of ASB. The guidance also states that legislation dictates that relevant bodies must publish information on the CT; number of applications, number of times the threshold was not met, number of reviews conducted and the number of reviews that resulted in recommendations being made.

The guidance states that prevention and early intervention should be at the heart of all landlords approached to dealing with anti-social behaviour, it highlights more appropriate use of early and informal interventions and discusses use of; verbal or written warnings, mediation, ABCs, parenting contracts, support and counselling. All of which MHA currently utilise.

It also reiterates use of positive requirements and implies this element has not been fully utilised.

“Positive requirements might, for example, include the respondent:

- *attending alcohol awareness classes for alcohol-related problems;*
- *attending dog training classes provided by animal welfare charities where the issue is to do with irresponsible dog ownership; or*
- *Attending mediation sessions with neighbours or victims*

The prohibitions or requirements in the injunction must be reasonable and must not, so far as practicable:

- *interfere with the times, if any, at which the respondent normally works or attends school or any other educational establishment; or*

- *Conflict with the requirements of any other court order or injunction to which the respondent may be subject. “*

Interestingly the guidance states that a breach of an injunction is not a criminal offence but rather a civil contempt of court. Does this mean that Housing Providers do not actually require representation for breaches to be undertaken by solicitors?!

Again the guidance reiterates other powers under the Act that are designated for Local Authorities and the Police; CPW, CPN, CBO, closure orders, public spaces protection orders, community protection notices and dispersal powers.

The guidance finishes on absolute ground for possession however MHA has taken the discussion to not use this and that all possession orders are to the discretion of the court.

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2. Anti-social Behaviour and the Civil Courts – July 2020

This document seems to be part of the driver to the above new guidance on the ASB, Crime and Policing Act 2014, where a working party was formed to look at in detail related subjects and issues of new Act since conception. These were;

a. Whether a protocol is needed to ensure an appropriate prior assessment by the party/body seeking an injunction under the 2014 Act of the individual(s) said to be engaged in anti-social behaviour and (if known) of the underlying cause(s) of the behaviour. Also, how the court could be provided with adequate evidence as to the background of the application and what steps had been taken to address the problems/behaviour short of applying for an order such as a community protection notice.

b. Whether the powers under the 2014 Act are being used consistently and if not, why not? At the April 2018 meeting it was discovered that orders were regularly being sought against those engaged in street begging in Bristol but never sought in respect of the same problem in Sheffield; also, that orders were sought against sex workers in some cities but not others. Further, the forms of order made varied across the country.

c. What are the difficulties in obtaining legal advice and representation (given most injunction orders are made against unrepresented people)?

d. Procedural issues: whether orders should be made in the absence of respondents, the listing of hearings and whether powers of arrest are being properly ordered.

e. Why are positive requirements so rarely included within orders (the injunction may require the respondent to do anything described⁴ such as attend for drug/alcohol/mental health treatment) contrary to the intention behind the Act?

f. Are courts provided with adequate assistance in relation to concerns about a respondent's mental health issues and other vulnerabilities?

g. The need for increased/clear guidance on the imposition of penalties to improve consistency across the judiciary and nationally (including as to the use of positive requirements).

After gathering evidence, the Working Party worked towards recommendations covering four broad stages:

a. Pre-application: devising a protocol for practice and procedure pre-application.

b. Hearings before the court: ensuring adequate information is available, consistency and fairness

c. Making, monitoring and supervising positive requirements.

d. Action in relation to breaches of orders: ensuring judicial consistency including through dedicated guidelines covering the imposition of penalties for contempt.

Addition points to the above in section 1;

The report believed there to be a lack of adequate liaison between local bodies and groups involved in the assessment, control and rehabilitation of those engaged in ASB, both between the groups themselves and also with the courts. The report stated that better use by the Police of the NHS Liaison and Diversion Service which identifies people with mental health, learning disability, substance misuse or other vulnerabilities when they first come into contact with the courts.

They put forward that a national framework is required to ensure local plans are in place to address ASB with all related bodies and partnerships.

There was a lack of professional representation and that persons presenting to the courts to have sufficient training.

The group identified that mental health and capacity issues was a particular concern and that the court lacked facilities, mechanisms and experience surrounding these issues. Lord Bradley made recommendation that *"information on an individual's mental health or learning disability needs should be obtained prior to an Anti-Social Behaviour Order or Penalty Notice for Disorder being issued, or for the pre-sentence report if these penalties are breached."*

The practical advantages that criminal courts have over civil courts when dealing with anti-social behaviour and also the restricted "sentencing options" on breach of an order (see below) provide support for the view that recalcitrant anti-social behaviour which amounts

to criminal conduct may often be better addressed through prosecution before the magistrates' court than an application for an injunction in the county court.

Over use of 'ex parte' applications and that it was not infrequent that the first time a respondent appears in court was for a committal hearing.

Deferring sentencing between the courts and that further training was required for Judges to ensure consistency.

Lack of knowledge and use of legal aid. The Working Party stated that an urgent review is required of the availability of publicly-funded legal advice and representation in respect of all hearings regarding orders sought or obtained under the 2014 Act. Legal aid to defend an application for an order under the 2014 Act is civil legal aid and, contrary to a commonly-held view amongst many respondents, practitioners and judges, can be obtained if a practitioner can be found with the appropriate contract with the Legal Aid Agency, who is willing to take on the work. The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) was enacted in order to limit the grant of legal aid with a view to making savings in the cost to public funds. To that end a significant number of claims were taken out of scope and only qualified if the criteria set out in sections 10 and 11 were met. As a result, defendants in a range of civil matters face the difficulty of finding a solicitor willing to try to apply for legal aid given the difficulties in obtaining it and the applicable rates.

The Civil Procedure (Amendment No. 3) Rules 2020 set that the revised CPR 81 (in force from 1 October 2020) will require a contempt application to include a statement that

“(i) that the defendant has the right to be legally represented in the contempt proceedings;
(j) that the defendant is entitled to a reasonable opportunity to obtain legal representation and to apply for legal aid which may be available without any means test.”

The report emphasised that when considering an application for an injunction under the 2014 Act, given that there is a duty under section 14 of the Act upon a person applying for an injunction to “inform any other body or individual the applicant thinks appropriate of the application”. The group believed the Home Office should consider issuing guidance in the form of pre-action protocol to ensure local groups and bodies work together to provide assessment of the issues and those engaged in ASB prior any application being made to look at other interventions.

Further protection for witnesses through special measures when giving evidence;

- a. Screening a witness from the accused while giving evidence.
- b. Allowing the witness to give evidence by live link.
- c. Allowing evidence to be given in private.
- d. Requiring the removal of wigs¹⁵⁶ and gowns.
- e. Pre-recorded evidence in chief.

f. Pre-recorded cross-examination or re-examination.

Consideration for parallel criminal proceedings; It is important before, or at, the first hearing, for an applicant to ascertain whether criminal proceedings are going to result from any alleged anti-social behaviour and also whether the respondent has outstanding criminal cases (and any bail conditions) or extant sentences with community or other requirements which may impact on the potential orders the court may make.

Section 1 (5) states:

“(5) Prohibitions and requirements in an injunction under this section must, so far as practicable, be such as to avoid—

(a)...

(b) any conflict with the requirements of any other court order or injunction to which the respondent may be subject.”

Power of Arrest; A power of arrest should not be attached in cases of non-violent anti-social behaviour the nature of which is of a persistent nuisance only (e.g. drunkenness and/or singing/shouting on a residential road) or when it is not proportionate to do so. Many applications will seek a power of arrest when it is inappropriate to do so and the court should be careful to scrutinize whether it is proper to attach one, given the potential serious repercussions of arrest and detention before a hearing. Many practitioners, and the Official Solicitor, were of the view that powers of arrest were being granted when the test was not met or it was not proportionate to impose one. The Working Party, which was shown examples of orders containing powers of arrest which were not justified believes that a. if the applicant seeks a power of arrest to any proposed term, a statement should identify on what basis the statutory test is met, and b. any judge should give the evidence close scrutiny against the statutory test before granting a power of arrest to any term of an order.

Significant harm in the second limb of the test includes psychological harm. However, this test should be applied in a suitably robust manner. Much anti-social behaviour causes differing degrees of distress or anxiety and the barrier for a power of arrest should not be set too low. Powers of arrest should be used in cases where there is the possibility of violence or a real threat of violence or of a significant risk of physical or psychological harm beyond mere distress.

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3. ASB: Living a Nightmare - ASB Help Nottingham Trent University. April 2019

This report looks at the impact of ASB on victims and the response from agencies to tackle it. The author Baroness Newlove states that they find it disrespectful to hear ASB being

referred to as 'low level crime', and that this description illustrates how ASB is often treated as a series of isolated incidents, rather than taking into account the cumulative effect that it has on its victims.

It also uses the term "anti-social abuse" being a sustained and remorseless bullying and harassment. With victims feeling distressed and unsafe in their homes, which should be their place of sanctuary.

This report highlights examples of police and council staff failing to appreciate the cumulative impact of persistent ASB on its victims - with each incident being treated in isolation and the underlying causes being ignored. This culture of diminishing ASB fails to recognise the impact it can have on victims' mental health, their ability to hold down employment or the strain on family relationships.

Police, local authorities and social housing landlords all have responsibility to tackle anti-social behaviour by working together to help victims. Too often, victims are being passed from one to the other and feeling as if no one is listening. The failure of police, councils and housing associations to advertise the Community Trigger and provide a cohesive response is a dereliction of duty to residents.

This report makes the following recommendations:

1. Recognise the needs of victims of persistent anti-social behaviour (ASB) by amending the Victims' Code to afford them the same entitlements as victims of crime when they have reached the threshold required to activate the Community Trigger.
2. Operation of the 101 police phone line should be reviewed to ensure that it is fit for purpose. This should include calls being answered within a reasonable time limit for victims, facilitating an opportunity for effective police response. Consideration should be given to ensure victims of ASB are not disadvantaged in any way by reporting ASB to the 101 phone line compared with victims of crime reporting to 999.
3. A statutory requirement for Local Authorities, Police and Crime Commissioners and Police Force Areas to provide accurate information on the Community Trigger on their websites.
4. Empower victims of ASB by informing them about their entitlement to activate the Community Trigger when responding to the second complaint within a six-month period (i.e. - before they meet the threshold of three complaints).
5. A statutory requirement for Local Authorities to measure and monitor ASB cases and the use and outcomes of the Community Trigger and report them annually on their website.
6. A statutory requirement for agencies to respond to recommended actions from the Community Trigger (including providing full reasons when recommendations cannot be actioned) and monitor progress in ASB resolution.
7. Community Trigger investigations and panel meetings to be chaired by an appropriately trained independent lead. Community Trigger meetings should not be chaired by the agencies responsible for investigating the original ASB complaints.

8. Currently, if a victim does not agree with the outcome of a Community Trigger, PCCs can act as arbitrator but many choose not to. An independent local arbitrator for Community Trigger appeals should be appointed within each local authority area to deal with escalated complaints about the Community Trigger. This should feed into Local Criminal Justice Boards which in turn submit an annual report to the National Criminal Justice Board.

9. Victims of ASB must be given the opportunity to attend and tell the Community Trigger panel in person about their experience of ASB and the effects it has had on them. Similar to the Victim Personal Statement for victims of crime, victims of ASB should also be able to submit a written account of the effects of the ASB and be entitled to read it or have it read on their behalf at the Community Trigger panel meeting. Data protection provisions do not stand in the way of victims being heard in Community Trigger panel meetings and Central Government should provide clear legal advice on the involvement of victims in Community Trigger meetings.

10. Key Performance Indicators on ASB to be developed for all social housing providers.

11. The Home Office to consider reviewing how local performance relating to ASB is measured and monitored, and how that data can be used to provide opportunities for local areas to learn from each other.

12. The Home Office to consider the scope for replicating the statutory powers available to police officers in Scotland in relation to warnings, fines and entering property and seizing noise-making equipment within England and Wales.

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4. Welsh Government & CHC - The Wales Housing Management Standard for Tackling Anti-Social Behaviour: Guidance for implementation – March 2010.

In 2008, the Welsh Assembly Government launched the Wales Housing Management Standard for Tackling Anti-Social Behaviour. The standard supports the priorities set out by the One Wales agenda and demonstrate a continued commitment to the creation of safe and sustainable communities through the reduction of anti-social behaviour (ASB), and its causes. The standard embeds a culture of respect and tolerance, encourage community responsibility and promote a balanced approach to housing management activities. Designed to establish a demanding benchmark within the sector, the standard challenges current service provision and drive forward improvement. For landlords who already meet the expectations of the standard, it provides public recognition of the delivery of good services - for those working to improve ASB services, the standard helps to identify areas of weakness and key areas for improvement.

The Seven Commitments

The Wales Housing Management Standard for Tackling Anti-Social Behaviour are built around seven core commitments and building blocks which together enable landlords to deliver an effective and holistic response to ASB. The standard requires services to be provided either directly or in conjunction with partner agencies to properly address the following core components:

1. Commitment, leadership, and accountability
2. Empowering and reassuring residents
3. Prevention and early intervention
4. Support to tackle the causes of ASB
5. Tailored services for residents and support for victims and witnesses
6. Protecting communities through swift enforcement
7. Encouraging community responsibility

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5. Ministry of Housing, Communities & Local Government – Help for social housing tenants when faced with anti-social behaviour – July 2021.

This document is designed for social housing tenants and is an easy read. It clarifies the roles of the agencies responsible for tackling anti-social behaviour and the help and support available for tenants.

It explains what ASB is and what is not ASB, how to deal with such conduct, advice around self-resolution (if safe to do so), recording and logging, how to report issues, the options of who can assist thus landlords, local authority, police and other support agencies. It also discusses use of the community trigger, hate crime and provides links to number of other website of organisations that can assist.

Its states;

“Landlords should make it easy for tenants to report anti-social behaviour, take complaints seriously and act professionally. They must publish, and provide to you if you ask, documents that set out the types of behaviours they can help to tackle.

Your landlord should make it clear what information they need from you, and what help they can provide, and keep you updated until your case has been closed.

They should also tell you about the help available from other agencies, such as your local authority or the police, and support you to approach them if you need help. This is because other agencies have different powers and responsibilities to help. They should also put you in touch with services such as Victim Support, if needed.

Finally, landlords should also inform you about your right to make an application for an ASB case review (also known as the Community Trigger).”

There is focus on using the community trigger for victims of persistent anti-social behaviour, who don't think they have had a satisfactory response to their reports of ASB.

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6. House of Commons – Briefing Paper Aug 2019 – Tackling anti-social behaviour in social housing – Wendy Wilson

This report focuses on;

1. Are landlords liable for nuisance tenants?
2. Social landlords' policies and procedures
3. Remedies and preventative measures
4. Suspension of certain rights in connection with ASB

Interesting case law surrounding landlords being responsible for the actions of their tenants and whether they are liable for ASB;

As a rule, landlords, including public sector landlords, are not responsible for the actions of their tenants except where they have expressly 'authorised' the anti-social behaviour, or it is certain to result from the purposes for which the property has been let.¹ Despite having the power to seek a court order when tenants exhibit anti-social behaviour, landlords are free to decide whether or not to take action against their tenants. The question of whether a landlord can be held liable for the behaviour of its tenants has been considered in several cases.

Nuisance

A) *Smith v Scott and Others*² concerned a council that housed a large and unruly family (the Scotts) in a property adjoining the Smiths (owner occupiers) in 1971. It was known to the council that the Scotts were likely not to be good tenants. The Smiths sought an injunction against the council to restrain them from allowing any person to be permitted to occupy the adjoining property to create a nuisance. One of the arguments used by the Smiths was that the council, in placing the Scotts next door with the knowledge that they were likely to cause a nuisance, committed the wrongful act of nuisance. The case established that the authority concerned was not liable for the nuisance caused by its tenants because it had neither expressly nor impliedly authorised the nuisance. Pennycuik V.C held:

...the authorisation of nuisance has been rigidly confined to circumstances in which the nuisance has either been expressly authorised or is certain to result from the purposes for which the property is let...The exception is squarely based in the reported cases on express or implied authority. In the present case the corporation [council] let no.25 to the Scotts as

a dwelling house on conditions of tenancy which expressly prohibited the committing of a nuisance and notwithstanding that the corporation [council] know the Scotts were likely to cause a nuisance, I do not think it is legitimate to say that the corporation [council] impliedly authorised the nuisance.

B) The Court of Appeal upheld this judgment in *Hussein and Livingstone v Lancaster City Council*³ but the issue of third party liability arose again in *Lippiatt v South Gloucestershire DC*.⁴ In this case the defendant council owned a strip of land which was occupied for three years by travellers. The council tolerated what it regarded as an “unauthorised encampment” and provided toilets, water and other facilities. Tenant farmers on the adjoining land complained about nuisance behaviour from the travellers on their land and issued proceedings against the council.

The Court of Appeal held that the occupier of the land could be held liable in the tort of nuisance for the activities of licensees even though those activities took place on the plaintiff’s land. Thus, the court was not precluded from holding a defendant occupier liable for nuisance consisting of repeated acts on the plaintiff’s land which, to the defendant’s knowledge, were committed by persons based on his land. The Court of Appeal in *Lippiatt* distinguished *Hussein* on the facts. In *Hussein* the scope of the nuisance had been confined to acts involving the defendant’s use of his own land, the disturbance complained about was a public nuisance for which the individual perpetrators could be held liable and they were identified as individuals who lived in council property. Their conduct, however, was not in any sense linked to, nor did it emanate from, the homes where they lived. The Court of Appeal held that it was arguable that where the travellers were allowed to congregate on the council’s land and used it as a base for their unlawful activities, this could give rise to liability.⁵

C) Clarification of the somewhat inconsistent case-law was provided by *Mowan v Wandsworth LBC* (2001). Mrs Mowan was a long leaseholder of a flat bought from Wandsworth LBC under the Right to Buy. She complained about the upstairs tenant’s behaviour on numerous occasions and issued proceedings against Wandsworth and the tenant. She claimed damages for the council’s failure to abate the nuisance. Her claim was based on the argument that a landlord could authorise a nuisance simply by failing to take action to prevent it. In the county court the case was struck out as disclosing no cause of action following the decision in *Hussain v Lancaster BC*. Mrs Mowan appealed, citing Article 8 of the European Convention on Human Rights (ECHR). Article 8 provides;

Article 8: Right to respect for private and family life

1. Everyone has the right to his private and family life, his home and his correspondence. 2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

The Court of Appeal held that the principle that a landlord is only liable in nuisance if he has authorised the nuisance was well established and could not be altered by reference to the claimant's right to respect for her home under Article 8 of the ECHR.

Negligence;

D) The issue here is whether a landlord owes a duty of care to tenants to protect them from nuisance created by other tenants. In *Mowan v Wandsworth LBC*⁶ Sir Christopher Staughton considered that "the argument of negligence is simply nuisance by another name."⁷

E) A similar claim in negligence was also dismissed in *Smith v Scott and Others* (see section 1.1). *Smith v Scott and Others* is also authority for the proposition that a landowner does not owe a duty of care to his or her neighbours when selecting tenants. This view was upheld by the Court of Appeal in *Hussein and Livingstone v Lancaster City Council*.

F) Another case raised the question of whether a council owes a duty of care to tenants who suffer anti-social behaviour at the hands of other tenants. James Mitchell had been a tenant of Glasgow City Council since 1986. The tenant next door, James Drummond, had been a tenant of the council since May 1985. Mr Drummond had displayed violent and aggressive behaviour towards Mr Mitchell over a period of years – this behaviour had been reported to the council. In July 2001 an assault by Mr Drummond on Mr Mitchell led to his death.

The widow of Mr Mitchell sued Glasgow Council for breach of its duty of care by failing to:

- a. instigate eviction proceedings against Mr Drummond at an earlier stage; and
- b. warn Mr Mitchell about a meeting arranged with Mr Drummond on 31 July 2001 during which the council threatened Mr Drummond with eviction.⁸

The Scottish Court of Session dismissed the original claim on the basis that a duty of care did not extend to these circumstances. This decision was overturned on appeal where the Court ruled that the Council may owe a duty of care to Mr Mitchell and his family and that the case should be referred to a trial court to hear all the evidence and decide whether a duty of care existed in this case. This decision was appealed; judgment was handed down by the House of Lords on 18 February 2009.⁹ The House of Lords was unanimous in deciding that it would not be fair, just or reasonable to impose a duty of care on a social landlord in these circumstances.

G) Furthermore, in the 2008 case of *X and another v Hounslow London Borough Council*¹⁰ the High Court held that a council could be found to have a duty of care to protect vulnerable adults from abuse by third parties. Hounslow Council was given permission to appeal against this decision and on 2 April 2009 the Court of Appeal held that, although departments of a local authority should communicate with one another, the duty to communicate is not a duty of care owed to members of the public.¹¹ Thus an authority does not owe a duty of care to a person to protect him from the criminal acts of others, unless the authority has assumed a specific responsibility for doing so. The Court of Appeal

applied the reasoning in *Mitchell v Glasgow CC* [2009] UKHL 11 and found that Hounslow Council had not assumed such a responsibility in this case.

Breach of contract

It is common for social landlords to include a clause in their tenancy agreements stating that the landlord “will take all reasonable steps to prevent any nuisance.” The courts have been reluctant to hold a landlord in breach of that term.¹² The courts have also not implied a term that the landlord will seek to enforce a nuisance clause in a tenancy of another.¹³ The reason for this is that there is no need to imply such a term when the tenant has a course of action in nuisance against the other tenant without the intervention of the landlord. Policy reasons have also been cited for this approach:

...the effect of such a term in the agreement would be far reaching and would mean, in some cases, the court requiring the council to take possession proceedings against the anti-social tenant. This would lead to an absurd situation where a court would be interfering with the council’s discretion as to whether to take action and the council would have to make submissions regarding reasonableness of the making of a possession order when they do not believe this to be the case.

Breach of statutory duty

H) In *O’Leary v London Borough of Islington*, an attempt was made to argue that the council’s statutory duty in relation to the general management, regulation and control of its stock gave rise to a general duty in tort to take particular care in relation to their tenants. In turn, it was argued that this duty would oblige the council to bring proceedings against a tenant that did not behave properly. The Court of Appeal did not support this argument. The question was revisited in *Hussein v Lancaster BC*.¹⁵ This case referred to an earlier decision of the House of Lords in *X (Minors) v Bedfordshire CC*¹⁶ where Lord Browne-Wilkinson said:

To found a cause of action flowing from the careless exercise of statutory duties the plaintiff has to show that the circumstances are such as to raise a duty of care at common law...The local authority cannot be liable for doing that which Parliament has authorised [unless] the decision complained of is so unreasonable that it falls outside the ambit of such statutory discretion.

As a result, in *Hussein v Lancaster BC* the Court of Appeal said that it would not be fair, just and reasonable to hold the council liable in negligence.

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7. House of Commons – Briefing Paper April 20 – Tackling anti-social behaviour – Jennifer Brown & Georgina Sturge.

This report focuses on;

1. What is anti-social behaviour?
2. Who is responsible for tackling anti-social behaviour?
3. Anti-social behaviour powers
4. Use of anti-social behaviour powers
5. Putting the victim first?

This report mainly centres on the powers available from the Anti-social Behaviour, Crime and Policing Act 2014 including elements putting the victim first thus; community resolutions and the community trigger.

1.1 Legal definition

ASB has two legal definitions depending on where it takes place:

- ASB that occurs within a housing context is defined as behaviour that causes or is likely to cause “nuisance or annoyance”.²
- ASB that occurs in public spaces is defined as behaviour that causes or is likely to cause “harassment, alarm or distress”.³

Both definitions rely heavily on the impact of the behaviour rather than the details of the actual behaviour. A wide variety of behaviour can be defined as ‘anti-social’ if it has a negative impact on others.

Nuisance or annoyance

‘Nuisance’ is an established term in civil law which is closely associated with neighbour disputes. It is used to describe behaviour on private property that negatively impacts neighbours.⁴ For example, playing loud music or growing plants over a property boundary. Those affected by “nuisance” behaviour can bring civil proceedings against their neighbour. These proceedings can result in the awarding of damages.

Harassment, alarm or distress

‘Harassment, alarm or distress’ is a legal phrase that has been associated with ASB since the late 1990s.⁶ The phrase is borrowed from public order legislation. Under section 5 of the Public Order Act 1986 it is a criminal offence to cause “harassment, alarm or distress” by using “threatening or abusive words or behaviour”.⁷

The Coalition Government tried, through the Anti-social Behaviour, Crime and Police Bill 2013, to define all ASB (no matter where it takes place) as behaviour causing “nuisance or annoyance”.⁸ However, following opposition from civil rights groups and some in the House of Lords, the term ‘harassment, alarm or distress’ was retained as a definition of anti-social behaviour in the public space in the eventual Act. Lord Deer (the Peer who tabled the successful amendments to the Bill) argued that ‘nuisance and annoyance’ was “altogether more imprecise” than ‘harassment, alarm and distress’ and that using it to provide a

definition of public anti-social behaviour would “open the door to uncertainty, confusion and legal injustice.”

1.2 Criminality and anti-social behaviour

ASB occupies the space where criminal and civil law overlap. The legal definitions of ASB use concepts from both civil and criminal law. Much of what we consider to be anti-social could be covered by criminal law but there are also civil remedies used to address it.

An array of criminal offences could apply to anti-social behaviour; graffiti could constitute criminal damage under section 1 of the Criminal Damage Act 1971, fly-tipping is an offence under section 33 of the Environmental Protection Act 1990 and being “drunk and disorderly” is an offence under section 91 of the Criminal Justice Act 1967. These offences can be sanctioned with an ‘out of court disposal’.¹⁰ However, it can sometimes be difficult or undesirable to dispose of low level anti-social behaviour through the courts. This is either because the burden of proof cannot be reached, or because it will not be in the public interest to do so. Therefore, civil or informal remedies are often favoured above criminal sanctions.

2.1 National policy making

The Home Office is responsible for making and implementing policies to tackle ASB across England and Wales. It convenes the ‘National Anti-social Behaviour Strategic Board’ which “keeps under review” the legislative framework for tackling ASB in England and Wales.¹⁵ It is also responsible for issuing statutory guidance on powers available to public bodies to tackle ASB.

The Ministry of Housing, Communities & Local Government (MHCLG) does not have direct responsibility for tackling anti-social behaviour but does have responsibility for several policy areas which are closely related. For example, MHCLG is responsible for policies to tackle rough sleeping, the Government’s Troubled Families Programme, Local Government funding and the regulation of social landlords.

Devolution in Wales

In Wales, ASB powers are a reserved issue for the UK Government.¹⁶ This means the UK Government, not the Welsh Government, is responsible for legislating for powers to tackle ASB. However, since the causes of ASB relate to many aspects of public policy which are devolved in Wales, in practice the Welsh Government has developed its own policies preventing and reducing ASB.

Public Services Boards in Wales

In Wales, the Future Generations (Wales) Act 2015 requires local authorities, local health boards, fire and rescue authorities and Natural Resources Wales to work together on local Public Services Boards (PSBs). The Boards are required to invite the local Chief Constable, PCC, probation service and voluntary organisations to participate in their activities. They must also seek advice from “other partners” such as Higher Education providers and cultural institutions where appropriate.

Under the 2015 Act, PSBs are required to:

- Assess the state of economic, social, environmental and cultural well-being of its area; and,
- Set local objectives to improve local well-being and maximise their contribution to the Welsh national 'Well-being Goals'.

PSBs do this by publishing 'Well-being Plans' for their area.

Some PSBs choose to discuss tackling ASB in their plans. For example, Cardiff's Well-being Plan 2018-2023 describes a 'locality working' approach to building a safe community. Cardiff proposes joining up public services, co-locating them and introducing joint systems and cultures to help prevent crime and ASB. Neath Port Talbot, like other PSBs in Wales, have taken an 'asset-based approach' to solving problems in their Well-being Plan 2018-2023. The approach seeks to utilise community 'assets' (organisations, services and spaces) to develop and respond to problems like ASB. South Wales Police is taking a lead role delivering Neath Port Talbot's PSB's objective to create a safe, confident and resilient community.

In 2018, a year after the 2015 Act came into force, the Auditor General for Wales and the Future Generations Commissioner published reports on its implementation. Both were positive about the potential for the Act to change behaviours and cultures in the public sector. However, both acknowledged that more time was needed to allow public bodies to adapt to its provisions.³¹

5.2 Community resolutions

The police can use the Community Resolutions (CRs) to resolve any case where they have evidence that a criminal offence was committed or they believe the legal threshold to apply for an ASB civil injunction has been met.¹³² CRs are part of a range of 'disposals' the police use to resolve cases outside the courts.¹³³

A CR is a contract between perpetrator and the police in which the perpetrator agrees to can carry out an action in order to make amends, be punished or rehabilitate. CRs can only be applied when perpetrators admit they conducted ASB or an offence and agree to the resolution.

Police and Crime Commissioner (PCCs) (or the Mayor's Office in Manchester and London) are responsible for publishing a list of CRs that can be used in their police force area. This is formally known as a 'community remedy document'. 'Community remedy documents' can list any action that would punish, rehabilitate or provide victims/ wider community with reparation.¹³⁴ This provides PCCs and Mayors with considerable discretion about what to include in their 'community remedy document'. Community remedy documents typically include verbal apologies, compensation, restorative justice and community service activities amongst their 'menu of community resolutions'.

CRs are designed to give victims a say in how their perpetrator is punished. The police are legally obliged to consult victims wherever possible on whether and how to use CRs.¹³⁵ When victims are involved, the police are obligated to ask the perpetrator to undertake their chosen resolution, provided it is appropriate.¹³⁶

CRs are controversial with some in the legal community. The Magistrates Association argue that they will result in inconsistent outcomes for perpetrators and victims and that these inconsistencies may undermine the fairness of the justice system. The Magistrates Association are also concerned that victims may be put at increased risk of repeat victimisation under the scheme.¹³⁷

CRs have become a favoured 'out of court disposal' of the police. The National Police Chiefs Council have endorsed their use and advised forces either CRs or a conditional caution every time they want to dispose a case outside of court.¹³⁸ Community resolutions accounted for 51% of all out of court disposals between August 2018 and September 2019.

¹³⁹ For more information on community resolutions and out of court disposals see section 4 of the Library's research briefing Introduction to police powers.

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8. The Police Foundation - The Strategic Review of Policing In England And Wales - Taking Prevention Seriously: The case for a crime and harm prevention system - Rick Muir – May 21.

“Launched by the Police Foundation in September 2019, the Strategic Review of Policing in England and Wales sets out to examine how crime, fear of crime and other threats to public safety are changing and assess the ability of the police to meet these challenges, as part of a wider strategic response. This far-reaching independent review, the first of its kind in many years, is being chaired by Sir Michael Barber and guided by an Advisory Board of former senior police officers, politicians and leading academics.

The overall aim of the Review is to set the long-term strategic vision for English and Welsh policing. It will conclude in autumn 2021 with a final report presenting substantial recommendations for a modern service capable of meeting the challenges of the 21st century.

More specifically, the Review will consider:

- *What the police mission should be, looking in particular at the public's expectations of the police.*
- *The capabilities and resources the police service needs to achieve this mission.*
- *The future police workforce, including the roles, responsibilities, skills and knowledge of police officers and staff.*

• *How the police service should be structured and held to account, locally, regionally and nationally.*

• *How the police service should work with other sectors to deal with complex social problems.*

• *How much funding the police service requires and how this should be allocated.”*

“The purpose of this paper is to make the case for much greater investment and coordination in the prevention of crime and wider harms.”

“The case for prevention makes intuitive sense. It is better to stop a bad thing from happening in the first place than to deal with the deleterious effects afterwards. Not only does this make intuitive sense, there is also a strong evidence base showing that preventative measures can reduce harm at the individual and population levels in a way that is superior to later interventions and achieves wider economic and social benefits.”

..

The report discusses prevention in the form of early intervention in the areas of; Children and young people, Public health and Crime.

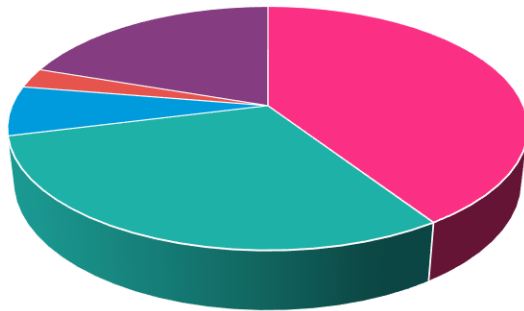
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Anti-social Behaviour – Results for Swansea

2019 (76 customers from Swansea surveyed between November and December)

No of Responses

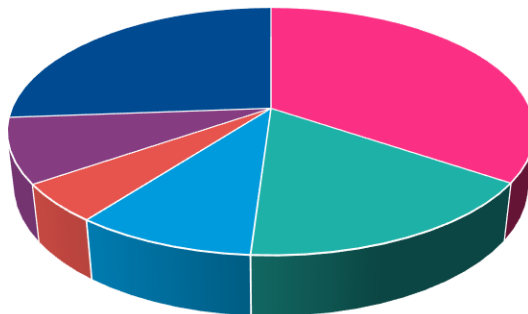


- Very Satisfied
- Fairly Satisfied
- Very Dissatisfied
- Fairly Dissatisfied
- Neither Satisfied nor Dissatisfied

Very Satisfied – 31 (40.8%)
 Fairly Satisfied – 23 (30.3%)
 Very Dissatisfied – 5 (6.6%)
 Fairly Dissatisfied – 2 (2.6%)
 Neither Satisfied nor Dissatisfied – 15 (19.7%)

2020 (1703 customers from Swansea surveyed)

No of Responses

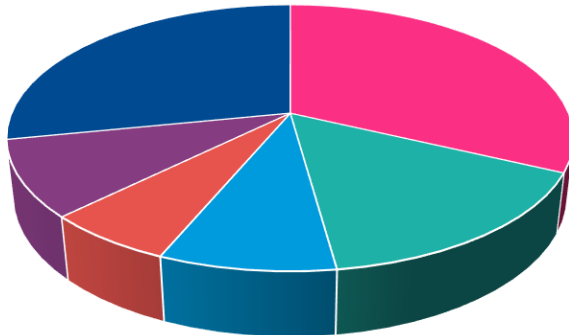


- Very Satisfied
- Fairly Satisfied
- Very Dissatisfied
- Fairly Dissatisfied
- Neither Satisfied nor Dissatisfied
- Unable to answer

Very Satisfied – 587 (34.5%)
 Fairly Satisfied – 282 (16.5%)
 Very Dissatisfied – 159 (9.3%)
 Fairly Dissatisfied – 85 (4.9%)
 Neither Satisfied nor Dissatisfied – 144 (8.5%)
 Unable to answer – 446 (26.2%)

2021 (412 customers from Swansea were surveyed)

No of Responses

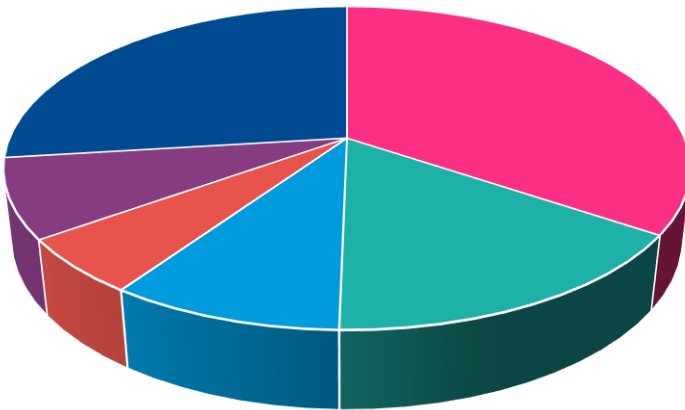


Very Satisfied – 587 (34.5%)
Fairly Satisfied – 282 (16.5%)
Very Dissatisfied – 159 (9.3%)
Fairly Dissatisfied – 85 (4.9%)
Neither Satisfied nor Dissatisfied – 144 (8.5%)
Unable to answer – 446 (26.2%)

- Very Satisfied
- Fairly Satisfied
- Very Dissatisfied
- Fairly Dissatisfied
- Neither Satisfied nor Dissatisfied
- Unable to answer

2022 (668 customers from Swansea were surveyed)

No of Responses



Very Satisfied – 230 (34.4%)
Fairly Satisfied – 106 (15.9%)
Very Dissatisfied – 62 (9.3%)
Fairly Dissatisfied – 37 (5.5%)
Neither Satisfied nor Dissatisfied – 53 (7.9%)
Unable to answer – 180 (27%)

- Very Satisfied
- Fairly Satisfied
- Very Dissatisfied
- Fairly Dissatisfied
- Neither Satisfied nor Dissatisfied
- Unable to answer



City and County of Swansea

Minutes of the **Scrutiny Inquiry Panel - Anti-Social Behaviour – Informal**

East Early Help Hub, 495 Llangyfelach Rd, Brynhyfryd,
Swansea SA5 9EA

Tuesday, 9 May 2023 at 6.00 pm

Present: Councillor T J Hennegan (Chair) Presided

Councillor(s)

S Bennett
A J Jeffery

Councillor(s)

A Davis
C L Philpott

Councillor(s)

Other Attendees

Alyson Pugh
H J Gwilliam

Officer(s)

Paul Thomas
Gareth Pritchard
Jane Whitmore
Paul Worsfold
Curtis Cuna

Community Integration Partnership Manager
ASB Co-ordinator
Strategic Lead Commissioner
Evolve Team Leader
Youth Work Co-ordinator

Apologies for Absence

Councillor(s): A M Day, R Fogarty, V A Holland, M H Jones, M Jones, B J Rowlands and M S Tribe

42 **Hearing the Voices of Children and Young People**

The Panel met with children and young people and youth workers at the Brynhyfryd Early Help Centre, to get their views on Anti-Social Behaviour. They asked the young people to consider three points:

1. How young people feel about Anti-Social Behaviour?
2. Do they think it is dealt with effectively? and
3. What ideas they have that could improve the way we do things for young people (and for adults)?

The young people completed flip charts with their views and these will be included in the evidence pack for the inquiry.

The Panel thanked Paul Worsfold and Curtis Cuna and youth workers for running the session and all the young people who gave up their time to give their views to the Panel.

The meeting ended at 7.40 pm.

Anti-Social Behaviour Scrutiny Inquiry Panel meeting with Young People 9 May 2023

Notes from Flip Charts completed by Young People

Group 1

- Littering – hate it – see it a lot in the community.
- Graffiti
- Do not feel safe in the city centre – alcohol substance misuse there. Seen people off their face in the city centre. Quadrant no security, need more because of crowds of boys.
- Do not feel safe on bus into town on weekends. Don't like buses because don't know who is on them. Do not like catching buses at night. Buses big problem do not like going on them alone. Bus conductors would make us feel safe.
- Feel safe in Townhill if together.
- Feel safer in own community.
- Less safe because girls – women get slightly more targeted.
- Would like to be able to walk around and go to the city centre and feel safe.
- Do feel there is enough to do in city centre, cinema etc but locally do not feel there is enough to do. They do not do anything in community centres for young people.
- Enjoy going to the youth club because feel safe.
- Would like to know how to report feeling unsafe and ASB, would tell parents. Wouldn't tell police, they don't do anything. Would go to a youth worker.
- Local parks are not bad, have been vandalised but has stopped now but not been fixed. Once new equipment in people do it again.
- People do not care because they know nothing is going to be done about it.
- Phone charging points broken, none in local communities.
- Know who PCSO are in Townhill but they have no powers.
- Depends on issue as to whether to go to PCSO, have concerns speaking to police, they don't take kids seriously.
- Youth clubs only open once a week, would be good to open more often.

Group 2

- Police provide a reason for stopping us.
- Gym, get fit and stay healthy.
- Track suits – assume you are selling drugs.
- More evenings for youth clubs.
- Lights in parks.
- Rugby, tennis, football, boxing.
- Make leisure activities cheaper for young people.

- Educating community about young people, YP get labelled as a gang. Actually, being in a social group is not anti-social. Gorseinon gang wars when it is not.
- A few ruin it for everyone.
- Substances play a part in ASB.
- What is the consequence for wrong doing.
- Too much negative language about young people, especially on social media.
- Winter more likely to be ASB, YP Bored. Summer more fun.
- Want somethings to look forward to and to be sociable.
- Engaging young people and having vote on activities.
- More events.
- More safe spaces for YP.
- We use buses when they are free but often finished early.
- Often its adults who behaviour inappropriately not YP.
- When things do happen, find YP guilty by association.

Group 3

- No relationship between PCSOs and youth, they do not take action because of us being kids.
- ASB make us angry and scared.
- More education for adults on CYP and ASB.
- Treat us with respect.
- More places to go for ASB to stop.
- Better use of the facilities already there.
- There needs to be more opportunities around for young be to go.
- More activities for boys than girls.
- Want to know what an ASBO is, when does it take place, what levels of behaviour lead to it.

Final Discussion

- Need more places to go for young people that are safe. Youth clubs open more, leisure centres etc.
- Need to educate PCSOs to understand what it is like to be a young person.
- More help for mental health.
- All young people labelled the same, as problem, its only a small number that cause the problems.
- Need to better educate adults in community, PCSO and others so the deal with young people fairly, so they can feel safe and respected.
- Tell young people more about what they can as well as cannot do i.e., educate us on things that affect us like scooters.
- To reach young people put things out on the right social media like snapchat, Instagram and tic toc. More could go out on the youth clubs media accounts.

- People always look at the bad stuff about young people but what about all the good stuff.
- ASB often adults with young people experiencing it.
- No enforcement at the quadrant bus station so YP feel intimidated, can the city centre rangers, PCSO's do more there.
- YP feel safer in their communities, do not feel safe in city centre and on buses.
- Littering a real problem in Swansea.



City and County of Swansea

Minutes of the **Scrutiny Inquiry Panel - Anti-Social Behaviour**

Multi-Location Meeting - Gloucester Room, Guildhall / MS Teams

Tuesday, 16 May 2023 at 10.00 am

Present: Councillor T J Hennegan (Chair) Presided

Councillor(s)

V A Holland
M H Jones

Councillor(s)

M Day
M Jones

Councillor(s)

A J Jeffery
Y V Jardine

Other Attendees

Roxane Dacey – Swansea Council for Voluntary Service (SCVS)
Lisa Wells – City Centre Manager
Steven Gallagher – Business Crime Reduction
Ben Reynolds, Urban Foundry Ltd
Paul Whitaker, Mumbles Traders
Russell Greenslade, Swansea Business Improvement District
Alyson Pugh, Cabinet Member

Officers

Michelle Roberts, Scrutiny Officer
Paul Thomas, Resilience Manager
Gareth Pritchard, Anti-Social Behaviour Co-ordinator

Apologies for Absence

Councillor(s): M S Tribe

43 Disclosure of Personal and Prejudicial Interests

None

44 Prohibition of Whipped Votes and Declaration of Party Whips

None

45 Minutes

The minutes for the informal meeting on the 9 May 2023 were noted.

46 Public Questions

No public questions were received.

47 Roundtable Meeting with Local Business Community and Swansea Council for Voluntary Service

The Panel invited representatives from Swansea Council for Voluntary Service and local business representatives to the meeting to discuss the following questions:

1. How do you feel about Anti-Social Behaviour in Swansea? (your perceptions)
2. Do you believe it is dealt with appropriately and effectively in Swansea?
3. Do you think that the council and its partners work together effectively to both prevent and tackle ASB?
4. How would you like to see Swansea Council and its partners improve how it prevents and tackles ASB in Swansea?

The Panel thanked those people who attended the meeting and also those who took time to send in a written submission.

The evidence from this meeting will form part of the inquiry findings report, which will be discussed by the Panel on the 29 June 2023.

48 Inquiry Project Plan / Work Programme

The up-to-date project plan was noted.

The meeting ended at 11.55 am

Chair

Anti-Social Behaviour Scrutiny Inquiry Panel – 16 May 2023

Detailed Notes/Transcript of the meeting with Swansea Council for Voluntary Service and representatives from Business Community

The first question we wanted to find out your perceptions of anti social behaviour in Swansea, so we asked how do you feel about anti-social behaviour in Swansea?

- I'm the chair of the traders association down in Mumbles, from the perspective of Mumbles. The children have not a lot of places to go to as one thing with us, but we seem to have a massive problem with quad bikes and off-road bikes, who now don't go off road anymore, these sort of drive up and down the pier on the prom, through the Bowling Green. I mean, you're probably guess that in town as well as a thought. In town I think a major problem is that because the footfalls is not as big as it was say 15 years ago, the people who were hanging around drinking, fighting and stuff and more prominent instead of staying in the darkened recesses, they seem to be wandering through town. I'm sure the rangers are telling them what they can and can't do, but I don't know and we never see any police anywhere anymore. I mean the police have told us in Mumbles that of the people drive a high speed through the town centre, we need to get the registration number well. You hear them come in and then you see them pass, and that's about as good as it gets. No chance to get your camera out your pocket. So, I think really we just need a bit of joined up thinking and rather than just letting people rampage around the place.
- I am Russell Greenslade from Business Improvement District with represent over 800 businesses in Swansea. I think anti-social behaviour certainly picked up since COVID as well, not that it wasn't there before, but the stark reality is businesses closed in city and town centres because they become unprofitable because of a multitude of reasons. One is thought flow of course, but also anti-social behaviour and crime. We are aware of that and that's what our businesses are telling us. It's got a lot worse as well. There is currently heavy investment in the city and County Swansea, city centre managed by Lisa Wells and the ranger team as well. Who do their best to combat it.
- We at BID put money into additional resources for police and we've had some fantastic results with that work. Also working with Steven Gallagher at Swansea Against Business Crime. We also have a system called 'centrist' and that system helps businesses report what's going on, like Paul was saying in Mumbles and if that happened, then businesses or stakeholders can upload that information on the central system, which is an intelligence gathering tool which can be shared.
- I've been doing this job for roughly 13 years, so it's certainly got a lot worse over the period of time. Despite best efforts we do definitely need more resources. We need more teeth in order to tackle it as well, because with all the fantastic stuff we've got going on in the city centre. Basically, we have got to make sure that the safety of investors, residents and businesses is top of our minds.
- I am Lisa Wells, City Centre Manager. I think I would mirror really what Russell has said from what we're seeing and hearing and feeling in the city centre over the last couple of years. And I think that is really reflected in some of the actions that have been recently taken and measures to tackle what is a really complex, challenging and difficult issue. The city centre Rangers were mentioned earlier and the Rangers have been a team that have been around for probably in in various different ways, shapes and forms about 20 years or so and they were originally incepted as ambassadors of the city centre, very much in a kind of visitor customer service capacity. Over the years, the role has understandably developed as things have changed in the city centre and over the last

couple of years, the Rangers have become more and more involved in dealing with issues around anti-social behaviour, to the point where we have implemented a PSPO public space protection order which was implemented back in December 2021, on an educational basis, initially followed by an enforcement phase and subsequently in the April. I think that is really indicative of the societal changes and the changes that we have seen in the city centre, which has meant that the Rangers have had to evolve in response to escalating increasing issues of anti-social behaviour.

- I think if we look at what are the issues of the day in the city centre then it is categorically anti-social behaviour is absolutely at the top of the list and it is the thing that people have the strongest views on. When I'm talking to family and friends and visitors who come into the city centre and it does have a direct impact on return visits, when people come into the city centre and they witness certain behaviours and it is very off putting and they don't return and then you've got that cycle and spiralling effect.
- So absolutely anti-social behaviour is a critical issue and there are lots of partners working very closely together and there is a huge understanding of the issue, but it is a difficult and it is a complex issue and it's indicative of society in many ways.
- I am Ben Reynolds from Urban Foundry. I'd echo what Russell and Lisa and Paul have said about that, it is a an issue that certainly has come to the fore since COVID quite possibly because for a brief period of time they were the only ones who were actually in the city centre for brief period and actually as everybody came back it sort of shifted that dynamic. I think we do need to put it in perspective I was in Cardiff the other weekend, it was as bad if not worse, so I don't think this is a unique issue to us, which doesn't mean we don't do something about it. But it is also important to put it in context. I think the main thing for me is that we've got to be really careful in what we are doing that we don't do that kind of middle-class thing of brush it under the carpet. But some of these people who've had really difficult lives. I speak as somebody who runs a business in the town centre and they suffer from the negative consequences of this. So, I absolutely sympathise with that. But equally so I think a sort of a policing, we need the kind of security policing element of it. There's no question about that. But we also need to be matching that by putting resources significantly greater into that into preventative action. And I think that's the area where we really need to be doing perhaps a lot more work. There are clearly a lot of people with very serious substance misuse issues and very complicated needs. We've got a lot of homeless and you know, some of whom are perfectly well behaved. They haven't got anywhere to, to live or to sleep. On the one hand, we do need to deal with it because it's about the toughest experience I've ever experienced in my entire working life. Economically, at the moment, trying to run a kind of a business, there's no question we're in a perfect storm of the cupboards are bare. After COVID, when a cost of living crisis, there's a lot of businesses that were literally just working to pay their electricity bills. At the moment they're not making a penny for themselves. The small independents and just about hanging on by their fingernails. So, I absolutely sympathise and think we need to do something about that. I just want to put in a plea to make sure that we're also we don't forget the human element. You slip into the policing side of it without thinking about how we tackle the root cause. So, I would love to say I've got the answer of how we do that, but I'm more than happy to try and be part of the solution to it.
- I am Roxane Dacey from Swansea Council for Voluntary Service. We hear quite a lot in the community about sort of issues with younger people, maybe using community facilities. Also, you don't want to necessarily take the approach of involving the police which is not always the best options when it can be solved by the community. So, things like some investment in places and community. There has been funding to do things

within the community and one of them was to put an amazing playground in place and there's been issues with younger people using it may be older. I just think there's been a big culture shift and I think when I was a child, it wasn't uncommon to be told off by somebody else in your community where I think maybe that doesn't happen so much now or if it does, they end up maybe getting a bit of abuse. But just whether that there's something we could look at with the Community response rather than again, as Ben said, thinking of police as a potential option for everything.

- I am Steven Gallagher from Swansea Against Business Crime. If I could bring you back to the actual question that we're looking at, which is the effectiveness of strategies, policies. It's clear that there are lots of policies and procedures in place. Whether or not these are working is another question and I think ones that I have policies I've been involved in is that there's no effective scrutiny. And if there is scrutiny, there's no actions and outcomes key to the issues of this is identify it and I think Ben has raised it identify in an issue., put a plan in place, but not just talking about a plan. Actually, doing something. It is not just a police issue. And I think what we've got to understand there are those within and like talk about the city centre, which should probably replicate it around the city as a whole. There are those in the city centre who actually need assistance and help. However, there are those in the city centre who are committing anti-social behaviour and including shoplifting and theft; and they're actually doing this to feed a habit. Now the problem that you get then is those who are on the other side and need help but very often get lead astray by those who just want to create issues. Yes, there is homelessness. We all are aware of that. And there are those who can. We can help and assist that's the difference. Now businesses will see what's going on. And business owners, are savvy enough to understand that we need to deal with those creating the problems and creating the most problems. And this is a small minority.
- Are the Council meeting is regulatory options and obligations? In my honest opinion, probably not, but it is not just Council. It's not just one organisation, but what we can't keep doing is ignoring what's going on. It needs to be dealt with. There is no easy answer, but the starting point is dealing with the anti-social behaviour by those who are causing the most problems.
- The problem that you've got nowadays is there is a total lack of reporting of incidents due to the feeling, and I think you've said it nothing. What's the point? Nothing's going to happen. Nothing's going to be done. Now if you look at the national perspective, there's probably a 300% and the recording of both anti-social behaviour and shoplifting. I know of stores that I speak to and they say there is no point. I have a great relationship with the police and they will also tell you that they are not getting the reports coming in. It's not just pointing the finger at anyone organisation, particularly the police. Yes, if the information is there, they got the evidence so it should be dealt with. And I know Russell's mentioned our central system, which is a system which virtually mirrors the police recording system. Now we look at in businesses put in the information on to our system because they get the feeling is that I will take up the challenge on their behalf and we have had some great successes.
- Now we can't just throw money at something, but what we do need to do is have resources in the right place, resources that they're able to deal with the correct issue, have the backing of the agencies, and deal with those that need dealing with. And you're right, because if you get youngsters who are going shoplifting. They get caught and they start on that slippery slope and that is what we need to start and try and prevent. It is a complex issue, but it is one that we can dealt with.
- Councillor. I think everyone's face here reflects how we all feel about anti-social behaviour. That we're all exhausted by it, on the weekend I was on Facebook and there

was the video of the teenage boy on the bus with the bus driver where he was like kicking the bus door and I just thought and this lady was with her child and I felt in her and I'm thinking I don't know what I would have done. Because part of you wants to get involved and say, listen clearly this is not the way you behave, but also we're afraid because I'm afraid of what's going to happen to me. You know, we've gone past reporting it now.

- I feel the frustration of reporting things because by the time you've rang 111 and you've waited for a really, really long time. Imagine if you're a business owner, you you're probably just not going to do it. You're not going to spend that time. I think we all feel a little bit defeated because I think and not just children, people feel they can behave and say what they want at the minute and I think that comes from adults as well. Everybody's walking around thinking they can behave other ones and it's quite scary.
- Cabinet Member. And a lot of it is from COVID. There was anti-social behaviour before, but I'm a governor in two schools and we've noticed it with the behaviour of the young people in the schools and it's not their fault because for over a year they probably didn't socialise only by social media. So, the norms of people face to face and things and behaviour, we lost it and it's been very difficult to try and get it back. So, we've got to be careful we're not demonising the young people because I think.
- Councillor. Steve made the comment about the Council not actually doing what they should. Recently on 2 occasions actually have had occasion to walk down High Street and on one side, they leave out their refuse and, on a weekend, and it's obviously not collected till the Monday. Now it may not be the Council collecting it, but of course coming down High Street from the station, you've got a lot of young people going either way. Well, it's knocked all over the place. You can't walk in some places because it's all being thrown all over the place. So we've got to get business to work with whoever they have refuse collected by to work with them. I was there Saturday night on S Helens Road again you were jumping over cardboard boxes and goodness knows what.
- I know bid have done well trying to put things on boarded up shops which I think looks you know quite attractive other people think it's a waste of time. But I think you are trying really hard to make Swansea clean and tidy. But then again, as people have said, there's one, I think from a shop owner who's saying about the people hanging around near the Grand Theatre and go into the quadrant that way and yes, it is very off putting going past there. But whose responsibility is it to move them on? And I actually I think I agree with them move the benches would probably be the easiest job to you know to stop people like stopping there. But you know it's not all the Council's fault all bid or anybody else. We are a partnership and we must make sure we are all working as partners.
- You know, conversations we've had previously that the bus area used in that area as well and we've have evidence again through our central system windows being put through a businesses as well-being really abusive. The families coming up with the ground as we can't have that, it's time for it to stop and we need to work together best we can. I think we don't all know what the solutions are, but we as businesses are already investing heavily and obviously working with Lisa and Russell and the Rangers, additional police officers, the radio system, we just upgraded. Intelligence platforms, night Marshalls, vulnerability Marshalls, cleansing teams. You know, I think we need a wider concerted effort and a proper focus. And ASB before it's too late.
- We already working with the police and other bids in Manchester and Cardiff where they have them to stop the calls for the BT link systems which goes back to what you were saying chair about by McDonald's, by the castle area because those are being used for what they shouldn't be used for. So, we are trying but I think it just needs an absolute focus on what Steve's paper saying is a focus of attention of how we can do this working

from the ground up because it said those that need help, we can give help too. We do brilliant scheme called Billy Chip. We just need a real focus of attention. I said before investors, which includes our 800 odd investors which we come and you have on growing, look at it in a different way because safety is staff is absolutely critical for them.

Do you believe it's dealt with effectively and appropriately? And how are partners working together and how well you think that is actually happening?

- We shouldn't just restrict this role to statutory partners. We've got third party organisations which are not named within a list under the Act. And I refer to one of these as Swansea against business crime business, crime reduction partnerships. We are a crime reduction partnership. But not restricted to crime. Nationally, partnerships, these partnerships are seen as vital to.
- It's not just restricted Swansea. It's restricted to every city, every town. I've got them, but it's the volume that seems to be increasing and the lethargy in report in which is a problem.
- No one single agency can deal with this. It is partnership of police, external agencies, housing, etcetera, etcetera, etcetera. It can go on and on. You raised one key issue though, chair is that.
- It has to be dealt with, so if something is said in a meeting and we have an action. Then action it do not wait until we come to another meeting and we talk about it. Hold on a second. We've already spoken about that. What is the action? What's the outcome?
- Roxane Dacey. I'm just going to come back to reporting again. I think I'm not sure whether the community are sort of aware of what is sort of happening in the background to tackle some of these things. I know if they did they did used to utilise their PCSO drop in sessions and whether that is kind of a good link to kind of promote that, that's a good link with the community and working with partners. I think the thing we see a lot is that the Community do take to Facebook which is not always helpful.
- Lisa Wells. I'm very close to this issue, this is a daily. Issue for me and my team and I am directly involved in in some of the intervention work that goes on and as has been covered it's a really complex issue. I think what I'm seeing here is that perhaps there is a lack of visibility or possibly a lack of understanding of the measures that are being proactively taken to address. Some of the more prolific individuals and the difficulty that the partnership of got is that we cannot publicize and promote that work because so we then get criticised from other sectors in terms of the action being perceived in a different way. I'm just looking at some data now and you know, I can see from the data. Things right and that there is an escalation strategy in place where you know people go through a process and then it's done and it's done appropriately and effectively. But what perhaps we don't do very well is kind of feeding back then in terms of those actions that have been taken. I mean, I know from the work that I do and some of the kind of external accreditation that goes on and Russell will certainly back me up here with the work that he does at a national level. Swansea is very well thought of in terms of the proactive action that it does take on a wide range of issues and the strength of its partnership work in the purple flag for the evening and night time economy, which very much covers the well-being in the Community safety agenda. External people who are experienced. And in in in city centre, town centre, management themselves in areas such as Manchester, Liverpool, Birmingham are saying, Wow, what you've got in place is a really, really strong partnership who are committed and will and are dedicated to making, you know to address these issues. So, I think we can't lose sight here of some of the real positives and but I don't think there is a I think perhaps we do ourselves a disservice in not actively promoting the good work that goes on.

- What did you think resources could be an answer to some of this in the city centre. Yes, I think we need more resources across partnership resources. We use the word a lot. It's as Steve has mentioned and you know when we put additional money into the police officers and very focused operations which are intelligence lead activities and it works, it really does work and we need to join up that into the evening night time economy the best we can. Resources but we need more teeth basically.
- For business its about perceptions like with the bus station. There's a lot of people go in there who are there and because of where it is and its all warm and its dry.
- A Councillor mentioned removal of the benches outside the bus station and Wilkos. I don't think it's the answer. You remove those benches because I go down the early in the morning sometimes because I'm visiting the shops and you could elderly people even at an early stage sitting down and having a break in the afternoon. However, unfortunately there is a small number who tend to visit various premises early in the morning and then they sit in there with it, alcohol getting abusive, and they're the ones that need to be dealt with and moved on. Not punishing the whole. When the benches were removed, I think just before Christmas, the issue just moved around the corner behind a certain premises so it doesn't solve the problem.
- Resources, yes but they have to be targeted. They have to be informed and it has to be intelligence lead, need to deal with hotspots.
- Lisa Wells. In terms of the point about resources, I think that that that there is an issue of resources. Absolutely. I think one of the things that I've noticed with my role in the city centre and I've been around a little while, is that there is an issue with continuity, a massive issue with continuity, and this is not something that is new to South Wales Police. It's something that has been vocalised on a number of different levels in a number of different forums whereby you get a really good Inspector, Chief Inspector who is very keen to make changes. And ring the changes and then they might be with us for eight months and they will move on to somewhere else. And that is to share the learning within the force. And I understand that. But then what happens is we as a wider partnership are picking up the pieces and then starting to develop a report and a relationship with another officer who may have a very different approach to the issue or a view of the issue. So, you do find yourself kind of in a in a bit of a predicament. I think the other thing with resources, have a team of five Rangers at the moment. They cover a significant area which they cover seven days a week, every day from 9 till 5:30. They also cover key evenings in the evening and night time economy. So our resources are really split and pressurised. As with the team this week and it within the course of half an hour on the radio, they had 12 calls and there was two staff, so they are being pulled in all sorts of directions. And yes, we've got an awful lot of intelligence that we share as the partnership with South Wales Police and our resources have to be prioritized and targeted. In line with what is coming out of that intelligence, but resources is definitely an issue, but it's not a straightforward issue, and I think the key thing is that any action in relation to anti-social behaviour has to be holistic. It has to be a cocktail of different measures that are taken in respect of that. And it's not just about enforcement, but resources is a critical part of that.
- Councillor. I think the point that Lisa made is incredibly important. That is the holistic approach. And I was very taken with what Ben Reynolds said earlier on about trying to deal with the number of these issues. That a lot of the discussion has been taken up with enforcement. And I think it's a question also of, I'm sure we'll come back to this of looking at ways in which we can provide good opportunities for not just young people, but all of those through seem to be the subject of our discussions. I've had the privilege as Lord Mayor of being able to go around and see so many wonderful volunteer groups and organisations that provide constructive, useful activities for young people and older people. And I think it's important that we recognize the contribution that they make. I

think also you know we need to also not demonise some of those organizations like Matthews House and Zacsplace. It's a difficult one, isn't it? Because those in need do congregate in those areas. And if I think with the lack of constructive activities for a number of these people to get engaged in, but we do need to consider ways in which we can perhaps deal with those as well. So, I hope that, you know in our discussions going forward, we'll be able to pick up the idea of being able to look at the solutions and deal with the root problem as much as we're looking at some of the enforcement issues as well.

- Councillor. I'm councillor for the uplands ward and we've got somewhere near sort of 2000 students there and they are often demonised as being troublemakers in terms of our anti-social behaviour, rowdiness, noise and so forth. But then we have several of the students who help and do some shopping for the elderly and they help with litter picking. They do some gardening. I mean they do a lot of sterling work as well. I think that needs to be needs to be reported.

How would you like to see Swansea Council and its partners improve how it prevents and tackles ASB

- Russell Greenslade. I think in the end from our perspective is getting the basics right first, safe and clean. We need to get the basics right first and the city centre and the rest will come when I mean that the investment of new coming in and current businesses employing more people, that will then give the opportunity for more jobs in a in our fantastic city in our growing city centre as well for future generations to come. But we have to get the basics right, safe and clean.
- But safe and clean, you could put more cleansing. We already do some cleansing above and beyond the local authority, but perhaps we could do even more cleansing in order. It's the broken window scenario. If you don't fix that window, then other another window will be broken. That's the norm. So we got to do something about it now. But we are very big on creating the right environment for investors and businesses, and they can then create jobs and secure jobs as well for those children coming out of education and for the user, which we talked about as well.
- Councillor. The Rangers, I think it was, Lisa said the Rangers finish early evening. We'll put it that way but the Council had parking enforcement officers that work much later. Is there any correlation between the two that they report into you if they've seen anything or you know things like that? Because we have got lots of staff in different roles around and about not just finishing it. The end of office hours and I was just wondering how we link all these people together that could, you know, report something you're saying the broken window or the rubbish that's not being collected, you know, perhaps being a little proactive, I'm not criticizing anybody. I'm asking the question.
- Tackling severe underreporting.
- Lisa Wells. I just wanted to make some comments really in terms of the kind of the communication and the reporting systems, they're that they're in place for city centre but there is an awful lot of existing intelligence sharing that goes on above and beyond the direct reporting through 101. And I think one of the other things I just wanted to mention is that there is businesses have the ability or anybody residents. Anybody has the ability to to contact the police, not just through one or one. There's a huge amount of queue issues. We know that with 101 when it's really busy and you know people do lose the will to live. And I understand that. But you can report things online through an e-mail, a dedicated e-mail or you can go through a website portal as well. And we've been kind of pushing information out to people to say this is your other way, a means of reporting these issues through. The we also share our database with SW Polcie on a regular

basis, and SW police sit down with us and actually interrogate that day to base. And that actually feeds into the enforcement action that's been taken against a number of more prolific individuals who are a minority or causing the majority of issues. So, there's an awful lot of kind of that intelligence sharing that that is going on already, which is good. I think we know what's going on. We know who the individuals are. We know who the hotspots are. There is action being taken against them, but perhaps that's not being communicated back and I think there was a comment in the chat. I think it was from Roxanne is their feedback as a result of reporting. No, you don't get feedback. So you don't know what action is being done. You don't know if that complaint has fallen on somebody's desk. Is it being actioned and you might walk away thinking, well, it's pointless. So definitely there's a communication issue there. And I think there is mileage in the century system that Steve mentioned. But I also think we have to recognise that that system is very much in its infancy at the moment. I think it was set up back in April 2022. At the moment there are only 21 businesses who actually registered with Sentry, so there's an awful lot more work to be done in terms of getting businesses on board. And you know, there are issues that the police will have to contend with and part statutory partners will need to contend with in terms of issues around data protection and making sure if people right people are being identified and there are certain criteria in place to make sure that that's happening in the right way, so that that intelligence can indeed be actioned. But what I would say is, you know, there is a central system of collecting all information on ASB and it is through South Wales Police there is 101, there is e-mail, there is online. I think we need to be making sure that we don't, that we we're not encouraging the businesses to use sentry at the detriment or not actually reporting it to the police. So, I think there's just some caveats there that we need to be mindful of.

- Roxane Dacey. I think the big thing that we would just say is that encouraging the engagement of the Community and it sounds like the engagement with young people was really successful. And so continuation of that feedback to the community and then resource to those community groups and organisations that are supporting people involved in antisocial behaviour and know that resource for them is always a struggle. So, I would definitely encourage resource to go in and maybe some new initiatives. So put one in the chat something I'm aware of that works really well in Watford and so just whether there is, if there is a resource there, is there an opportunity to maybe pull some partners together and do something new to look at tackling antisocial behaviour across Swansea.
- Councillor. Yes, as part of a of a solution, I was involved with the with the drop-in centre, the Brunswick Church and that worked very well because on a on a Wednesday, Friday and the Saturday night, we would have at least 40 and up to 70 would attend. We should we sort of categorized as being homeless, but it was a place for them to go on whilst they were there and some of them were and hard drug takers. But at least when they were there, there was something for them to do. I mean, we played drafts, cards, we sit down and talked, but there doesn't seem to be anything like that within the city centre. I mean, and that that could help. And I'm wondering whether that could be a means of prevention and tackling anti-social behaviour.
- Roxane Dacey. It's funding to the community groups, but it is also things like we would support people in the Community to set up new initiatives and setting up clubs, this is really challenging because it's very difficult for people to find a venue that will be willing to have a youth clubs there and whether it's sort of perceptions of what that's going to look like whether there's something where we could look at the resource in the community and whether there is scope to support people that might want to set up some of those things for people. And, you know, young people in particular is quite difficult.

**Report of the Convener of the
Anti-Social Behaviour Scrutiny Panel
16 May 2023**

Consultation with SCVS and Local Business

| | |
|---------------------------------------|--|
| Purpose | To gain the views of SCVS and Local Business in Swansea in relation to Anti-Social Behaviour |
| Content | Key questions sent to SCVS and Local Business leaders in advance of a Q&A at the meeting |
| Councillors are being asked to | To consider and discuss the issue as part of the scrutiny inquiry into Anti-Social Behaviour |
| Lead Councillor(s) | Terry Hennegan, Convener of the Anti-Social Behaviour Scrutiny Inquiry Panel |
| Lead Officer(s) | Michelle Roberts, Scrutiny Officer Michelle.roberts@swansea.gov.uk |

1. Context

The Panel agreed, as part of their inquiry into anti-social behaviour in Swansea, to speak to voluntary sector, equality forum and business community.

2. Key Issues and Questions

The following questions/issues were sent to the representatives in advance, in preparation for the scrutiny meeting:

1. How do you feel about Anti-Social Behaviour in Swansea? (your perceptions)
2. Do you believe it is dealt with appropriately and effectively in Swansea?
3. Do you think that the council and its partners work together effectively to both prevent and tackle ASB?
4. How would you like to see Swansea Council and its partners improve how it prevents and tackles ASB in Swansea?

3. People attending

An email was sent to a wide number of business networks and individuals in Swansea. A small selection of people/organisations have responded to our invitation to attend the meeting while others have submitted a written submission (see attached).

Written Submission 1

I answer this as a member of Swansea Against Business Crime and refer to the City Centre and indeed the area covered by Swansea BID.

Regards

Steve Gallagher | Business Crime Reduction



1. **Effectiveness of strategies, policies and procedures in tackling anti-social behaviour and is the council meeting its regulatory obligations in this area.**

It appears there is a lack of effective policies/ procedures etc in place – experience is showing that the Council obligations in this area may not be followed – I do not refer to ASB and Housing. For any policy/strategy to work there has to be effective scrutiny and clear actions as a result of complaints.

2. **The Council's role in tackling and reducing anti-social behaviour.**

The Council has a clear regulatory role in this area (Crime and Disorder Act etc) – however there are other stakeholders in this process. Having said that there also has to be ownership of issues and response in any meetings attended. Some I have attended just appear to be talking shops.

3. **Partner roles in tackling and reducing anti-social behaviour.**

Partners in this process should not be restricted to Statutory Partners. The legislation does allow for third party organisations (should they add value) such as Swansea Against Business Crime (SABC) who represent businesses in Swansea.

4. **How well are the Council and its partners working together to tackle and reduce anti-social behaviour in Swansea.**

From experience it does not work. There are numerous meetings that deal with the same named persons with no one organisation actually taking ownership. I must say that the first PSG (Problem Solving Group) which is chaired by the police was an absolute waste of time. There was no clear and succinct information available. Since this first attended meeting the City Centre NPT Inspector has changed the structure of the meeting (for the better) and it does call for accurate and updated information. However, then there must be scrutiny of this group and clear lines of responsibility. Which do not appear to be in place or if they are then not shared.

5. **Tools available to use to help the Council and its partners tackle ASB.**

Talk and take cognisance of those affected by ASB – I refer this comment to the City Centre Swansea BID area.

6. **How good is the information provided to, and communication with, the public.**

Difficult to comment on this, however as a member of the Public albeit also the Manager of SABC communication is very poor.

7. Monitoring and managing performance.

I refer to number 4 above

8. How are the Council and our partners addressing the causes of anti-social behaviour.

Very slow and which often is to the detriment of those affected by ASB – I can give examples but this is the wrong forum. There are processes in place e.g. PSPO – which in my view are not working and not adding value.

Documentation to prove breach is patchy and the numbers of FPN are very few. There may be several reasons for this which need to be managed. The process can prove invaluable when moving into areas of CPN/CBO.

There is an increase in ASB in the City Centre from youths, drink/drug users and beggars. It is accepted there are those begging that need diversion routes and strategies to help as against those who do so to feed their drink/drug habits.

CCTV in the City Centre does not help in the cause as either it appears it is not working correctly or indeed issues are not being witnessed and reported upon.

Reliance is being put on the PSPO – but in simple terms this does not work. SABC have in place a system called SentrySIS which allows for our business users to report issues. One may say this is a duplicate and reports should be made direct to the police, however if you talk to business owners, they will say what is the point as issues are not acted upon. I have taken this up with the police as one agency and measures are being put in place to address the issue.

I am sure that our businesses and users of the City Centre want to feel safe and secure and able to go about their business feeling safe. We do need to take a more proactive stance to deal with ASB /Drug/Alcohol abuse.

Written Submission 2

Bridal Shop

- Ban on alcohol on the streets and smoking weed.
- Take benches away from by wilkinsons.
- Ensure rangers remove the persons or get the police too not just walk past and ignore them.
- More police presence in target areas like wilko, bus depot, quadrant car park, gardens.
- Sick of the fowl language and stink of weed entering my premises makes me want to leave the city which I will be when the right premises come up out of town, and so are a lot of other traders I've spoken to thinking the same.

Written Submission 3

ASB Scrutiny Inquiry – Victim Support Response

How do you feel about Anti-Social Behaviour in Swansea?

It is my belief that there is definitely an issue with ASB. I support many service users within the Swansea area and have heard their personal experiences and how they have been affected. I am often told by service users that there is often little or no support or they are unaware of any help that they may be entitled to. My service users have expressed their frustration at this and often feel that they have nowhere to turn. The anxiety and drip effect can be torture for the person living with it and the victim often adapts their day to accommodate the perpetrator.

The issues are prevalent with neighbours, as well as within the town centre. I feel as though ASB has increased over the last few months, consequently leaving service users feeling intimidated and vulnerable when entering the city centre. Some service users have informed us that they will avoid particular areas of the town centre and have changed their routines to only enter the city at certain times. (This is more so the older and more vulnerable service users)

It is often not seen as a 'priority' amongst the list of crimes that SWP are having to respond to in Swansea. ASB is often very difficult to evidence and can be perceived as an 'invisible' crime as perpetrators are often not caught in the act, nor leave behind a trail of evidence. Although we experience high levels of referrals of ASB for the Swansea area I do feel that there is an equally high proportion of ASB in the city going unreported.

Do you believe it is dealt with appropriately and effectively in Swansea?

Through experience of supporting service users, I can see that there have at times been support that has often been given to people, this has usually come from the police. Service users have expressed at times that the police have been 'helpful' but everything seems to take so long. I believe that many service users who are in council/social housing accommodation are unaware of their rights and if the council/housing can provide additional advice/ support. I feel that perpetrators are not dealt with a heavy enough deterrent in the first instance leading to ongoing ASB or progressively more violent behaviour.

Having attended various meetings, I was surprised at both the lack of rehabilitation and resources available for those behaving in an "anti-social" manner and the amount of victim blaming that occurs within these meetings. I don't believe the root cause is being addressed and I feel victims' needs are being neglected. Having said that, I have worked with some committed ASB workers who are doing everything they can to tackle the problems.

I think that in the main SWP and the LA are doing their best to combat ASB reports in the City. Our service-users regularly report that these agencies are doing 'nothing' to resolve their issues but looking at the facts it would be very difficult for them to make arrests or bring other resolutions when there is very little or no evidence. I do feel that they do not treat the victims of ASB in an efficient way in

terms of often not keeping them updated on cases or being far too slow to respond to complaints.

The majority of my cases in Swansea involve housing associations so I don't have much experience of working with Swansea Council's ASB team so I don't know how well I can answer this question. I would say that I do think it is very useful that Swansea Council has Local Area Coordinators as I can signpost victims who have become isolated as a result of ASB and the Coordinators have a good local knowledge to help our clients recover.

Do you think that the council and its partners work together effectively to both prevent and tackle ASB?

From my current experience I can see that there are steps in place to help prevent/tackle ASB but I do believe there could be greater help for people who are victims of ASB. I believe that more support groups maybe beneficial and more information to help guide people who have been victims of ASB. I believe that working together is crucial to preventing ASB and can be a great way of sharing knowledge through organisations.

I have worked with various council staff and partners over the years and I feel they are doing everything possible in an attempt to tackle the issue. However, they are under-resourced and not able to make enough of an impact. In my experience, the council and partners have a better attitude towards ASB.

However, feedback from service users is that messages are often conflicting between partners, i.e. stating that the ASB is a police matter/ police stating it's a local authority matter. This at times becomes frustrating for the service users who then stops reporting.

My experience of PSG meetings is that the LA and its partners have strong appetite to reduce instances of ASB but may be hindered by a lack of resources to actually put plans into action.

I know in other areas of South Wales the police and local authority regularly attend Problem Solving Group meetings, I find these are useful to tack ASB and ensure that victims are receiving the appropriate support (I'm not sure if these meetings are in Swansea already but if not they would be helpful I believe).

How would you like to see Swansea Council and its partners improve how it prevents and tackles ASB in Swansea?

I would like to see more support for victims as well as advice/drop in centres for people who are suffering with the effects of ASB. I would also like to see more training groups/courses available to help with the awareness and understanding of ASB which could be run via the local community. I believe that educating people at a younger age may also be of benefit (courses in schools). I believe that the council have a duty to impose stricter rules for tenants who are ASB perpetrators.

I think there needs to be a review of all services supporting ASB across South Wales. For an issue that is so prevalent, there is a definite lack of support

available. From a SWVF perspective, we are one of few agencies that offer support to victims of ASB.

It would be good to see a more proactive approach to ASB rather than reactive and to give a consistent message to those reporting and being impacted by ASB. Feedback from service users has also highlighted that more CCTV maybe required around the outskirts of the city centre. Some service users have advised they have reported incidents whereby they thought there was a camera but have been told that the CCTV camera is no actually in use.

An improved communication process with victims: One of the big issues reported to us by victims is that they have not been contacted to discuss the issues or that there is no ongoing dialogue.

I (Hate Crime Team) haven't received any referral's from Swansea Council so I would like this to be addressed so that more victims are able to access our service. I think to be able to prevent and tackle ASB in Swansea we all need to improve our partnership working within the area.

If the behaviour doesn't meet the criminal threshold in individual incidents, such as staring to intimidate, taking images of a person's daily life, comments or behaviour that are made to provoke a reaction, relentless commenting, noise making or tampering with property without damage, using animal faeces in letterboxes, on door steps etc. or purposely blocking in cars to create an opportunity for interaction in which to use to be abusive. For these incidents it would be good if there could be more severe first warnings or injunction style reprimands issued to the perpetrator by the council. In my experience the victims of ASB just want to be left alone and to be able to use their gardens freely. I also think that the council should use the tenancy agreement more often to remind people that they may be compromising their accommodation if they continue to attack neighbours.

Cardiff Local Authority fund a specific ASB Champion that works alongside Victim Support and Cardiff Council ASB team to provide tailored support to victims of ASB for Cardiff Council housing tenants. If this could be mirrored in other Local Authorities then it would help with the efforts to support victims of ASB across South Wales.

14 March 2023



City and County of Swansea

Minutes of the **Scrutiny Inquiry Panel - Anti-Social Behaviour**

Multi-Location Meeting - Gloucester Room, Guildhall / MS Teams

Tuesday, 23 May 2023 at 10.00 am

Present: Councillor T J Hennegan (Chair) Presided

Councillor(s)

A M Day
A J Jeffery

Councillor(s)

M Jones
M H Jones

Councillor(s)

Y V Jardine

Cabinet Members

H J Gwilliam
L Gibbard
A Pugh

Officer(s)

Gareth Pritchard
Michelle Roberts

Anti-Social Behaviour Co-ordinator
Scrutiny Officer

Apologies for Absence

Councillor(s): C L Philpott and B J Rowlands

49 Disclosure of Personal and Prejudicial Interests

None

50 Prohibition of Whipped Votes and Declaration of Party Whips

None

51 Minutes

The minutes of the last meeting were accepted by the Panel.

52 Public Questions

No public questions were received.

53 Roundtable Meeting with Equality Forums/Groups in Swansea

The Panel invited representatives from equalities forums to the meeting to discuss the following questions:

1. How do you feel about Anti-Social Behaviour in Swansea? (perceptions)
2. Do you believe it is dealt with appropriately and effectively in Swansea?
3. Do you think that the council and its partners work together effectively to both prevent and tackle ASB?
4. How would you like to see Swansea Council and its partners improve how it prevents and tackles ASB in Swansea?

The Panel thanked those people who attended the meeting and also those who took time to send in a written submission.

The evidence from this meeting will form part of the inquiry findings report which will be discussed by the Panel on the 29 June 2023.

54 Inquiry Project Plan / Work Programme

The project plan was noted by the Panel.

The meeting ended at 11.10 am

Chair

Anti-Social Behaviour Scrutiny Inquiry meeting with Equalities Forums/Groups on 23 May 2023

People in attendance:

Carlie Torlop, YMCA
Kelly Powell, YMCA
Pauline Anderson, Ageing Well Group
Rhys Ananicz, Bridging Generations Involvement Officer
Mohsen El-Beltagi, Swansea University
Gareth Pritchard, Anti-Social Behaviour Coordinator
Myles Lewis, Action for Elders
Rhys Thomas, Ageing Well Partnership & Involvement Co-ordinator
Lara Rowlands, Regional Community Cohesion Officer Western Bay
Shirley Au-Yeung, Chinese in West Association
Terri Harrison, Mid and West Wales Fire Brigade
Elli Masterton, Community Liaison Assistant Swansea University
Jon Franklin, Local Area Co-ordination Manager
Fun Wong, Swan Gardens 50+ Project
Moomal Shah, Community Engagement Officer, Race Council Cymru

Questions considered:

1. How do you feel about Anti-Social Behaviour in Swansea? (your perceptions)
2. Do you believe it is dealt with appropriately and effectively in Swansea?
3. Do you think that the council and its partners work together effectively to both prevent and tackle ASB?
4. How would you like to see Swansea Council and its partners improve how it prevents and tackles ASB in Swansea?

Details Notes / Transcript of the meeting

Rhys Thomas I am the ageing well coordinator.

- There's a few about partners on the meeting via teams and wanted to join in. Michelle contacted us to ask us in terms of our ageing well work, if we could maybe do a snapshot of from some of the individuals attending our weekly sessions in terms of the four questions that were asked. So just a bit of a summary. There are also notes/submission from us or the agenda.
- So generally, what is coming across, how we are how we are engaging and how we engage offline so as in physical leaflets and information booklets and that a type of thing.

I'm Pauline Anderson, from Ageing Well Group in Swansea

We've just formed a little constituted group to help raise funds for the over 50s and I would just like to say that, to be perfectly honest, a lot of older people feel very, very vulnerable, especially in the evenings and walking around in the Swansea and in the local areas, because we just feel that there's no one around and we don't know where to go to if we need help. For the older people, I do think that this issue really needs to be looked at.

Councillor

Can I just ask, I understand about being vulnerable, feeling vulnerable when you're out.

Is it that you encounter a lot of youngsters? Has there been a problem?

Pauline Anderson

Not only we've had a spate of not burglaries but young people climbing over fences and making us feel very vulnerable in our own homes some people are afraid of going out. And they're definitely afraid of going out on their own. And this is why this group aging well group in Swansea has been very helpful, but we are trying, you know, trying to link in people to have friends so that they don't feel isolated and they don't feel vulnerable.

Councillor

Would it terms of them climbing over your fence and invading your space or do you ever call the police or complain and do you get satisfaction when you do?

That's one thing.

The other thing is, would some sort of a buddy system because the lots of young people that have volunteering, perhaps events that involve younger people because they're going to be old one day.

Pauline Anderson

And of course, sometimes the police have got other issues. They have got a lot of other things going on and they they probably won't come on to the scene, say for 45 minutes. And I mean that is just, you know, not good enough, because we are older people, we are feeling vulnerable. But I am quite fortunate during COVID. One of my neighbours who is very community minded set up a little WhatsApp group. The thing is, a lot of people out there, especially the ones I know, they don't have access to the Internet, they and they have no idea who to go to, they don't know who their local PCSO is, and we very rarely see anybody walking on the streets anymore, the police are either in police cars or just aren't enough of them. They used to have special police.

Gareth Pritchard

- The neighbourhood support unit only respond to council tenants issues. So those living in private residents. Obviously don't have that service available to them. So, I'm just guessing that listening to
- Do you link in at all or are you aware of what is out there I'm getting the feeling from this session and the previous session that there's a lot of work for us to do with regards to providing more public reassurance and providing the facility to tell people what we do and how to report it offline. And that seems to be a very strong message.
- Although we promote well through online stuff there is a large element of reaching them offline outside of our normal engagement days I think maybe there's a bit of work for us to do their definitely. But I'm also thinking about the local area coordinators also have a really large role to play throughout the whole of Swansea and maybe if we need to look at that as well with regards to utilising them more.

Councillor

Last weekend we had the city centre business people here and they were talking about pop up police stations around the city. That would be something that would probably put in for recommendations when we take the cabinet.

Councillor Pugh (Cabinet Member)

- I think Gareth just hit the nail on the head that was coming through from scrutiny is that there's lots of information that we put out there and the police and they all partners. But a lot of it is online and even when we met with young people, they don't access while we put out there, they access online things in in different formats. They don't look on Swansea Councils website or anything like that. They use Tic Toc or Instagram or things like that. So we do need to change our messaging and for many people out there, older

people and many people, you know we are missing a trick really and getting that public information out in other ways.

- When speak to young people, they say actually a lot of the things that they witness and actually adults, but it's they who get blamed because there's a large number of them and they tend to hang around in groups.

Rhys Thomas

- I do think sometimes we can focus heavily on children and young people when actually it's much broader than that and going back with Gareth said earlier on, definitely from our sort of ageing well work and the work we're doing in terms of LGBTQ.
- There's definitely feedback coming in in terms of the information being in physical format or having an information zone, something which we are currently working on is launching a new engagement office for the local authority, which will be in the National Waterfront Museum. So, we could maybe link to see what we could do around promotion like social behaviour and promoting and linking it in with our LGBT, disability liaison, ageing well and the children and young people's work, etcetera.
- The other thing that came up as well is again in terms of literature and how we ensure that we are engaging, for example, with the Chinese community. Have some of the literature is in the right languages for certain communities.

Carlie Torlop

- I'm Carly and I'm the youth and community manager from the YMCA and we work with children from age 5 and young people up to 25. Now we provide a lot of different services across all of the areas across Swansea and I think in relation to a few of your comments, I think one of the things that maybe we need to realise is that the environment for young people is changing and that there are many risks for young people in Swansea. Young people are very vulnerable to exploitation and grooming, and a lot of the time young people are looking for safe spaces.
- Perception has been mentioned and on the most part, young people are not wanting to cause fear or anti-social behaviour. It is just because they're hanging around in large groups because that's how they feel safe. But what I would say is that as a solution, there's lots of things that maybe we could do that maybe are not being done at the moment. I think that's the kind of breakdown, this perception between older people and young people. I think older people need to be understood by younger people, and also young people need to be understood by older people. And I think once that comes together, that'll break down a lot of the barriers and we could look at some intergenerational projects and some forums that are combined with older people and younger people. I think that both need to understand the fears and the risks and the barriers that each of those communities are facing and I know this is something that the YMCA would be glad to help with.
- My concern would be when talking about the pop up, police departments or stations that we would be at risk of criminalizing young people. I think on the most part, young people need to be understood and they also need to have, safe spaces where, they are not vulnerable to exploitation and that where they can build relationships with the older community so that the old community can also be understood. Because what we need to understand is, is that older people have been younger, but the younger generation haven't been older. So, it's up to us to be able to teach young people what it feels like to be part of the older community because they haven't got that understanding and they haven't got those experiences.

Gareth Pritchard

- Really interesting to hear her thoughts on on that intergenerational work. It's something that actually been started and is planned intergenerational include both evolve workers

and part of the CMET team and involved part of the local community and local councillors.

- On the pop-up police kind of station, I understand what Carl's reticence is with that, I think to reassure you, when we're suggesting pop up police stations they're more pop up engagement offices for people to be able to go to rather than trapes across different areas to get to a police station. So, it's more of a partnership office idea where partners like myself and my colleagues in Community safety can attend on certain days of the week where we can provide that information and everything.
- When I mentioned local area coordinators well as a local area coordinator my expectation of what they do because they attend our problem solving groups and they can be a voice of the community, especially our vulnerable community or people that feel vulnerable that they can bring that information into the problem solving group that wouldn't necessarily be reported either online through 101 because we know we're all hold our hands up with regards to 101.
- Local Area Coordinators can be used to get the message out if people are not online so they can't use the email, they can't use the online reporting tool. They can't use our online reporting tool through the Council. A recommendation might be that we can look to utilise local area coordinators from a community safety perspective as well of linking in with them more proactively outside of those monthly meetings.

Jon Franklin, Local Area Co-ordination

- Our main the main focus of the team is working with individuals and working on some of the really positive things and the good things and the strengths that are in our communities rather than dealing with some of the some of the issues. But they are most definitely connected in their communities and they embedded in their communities and get to know people. So, we are definitely a team that are able to not only help it get information out into the community, but also they have significant relationships with people in the community and vulnerable people who are able to take some of those views and bring them back into the into meetings and the and the appropriate forums
- I think a couple of people have mentioned th, balance between perception and reality and I think that's a really important point because I think there's a lot of the way that things are talked about and reported are often very negative and the perception can sometimes be worse than worse than the reality.

Elli Masterton

I'm Community liaison assistant at Swansea University, so we are obviously working with students and we've received quite a lot of noise complaints along Bryn Rd. Recently, I've been posting letters through doors along Bryn Rd as a just to inform and as a warning really that about three stage system. So, if the noise continues, we will be visiting the houses responsible.

Councillor

- In the main the students are pretty well behaved but the there are occasions, where they can make a bit of a noise in terms of loud music and late nights on the elements of domestic waste might create issues within the within the uplands ward.
- It was mentioned in the Aging well document that there is the concern about the unmanaged properties where a lot of the vulnerable and many of our addicts in terms of alcohol on the other substances tend to congregate. If I can go back, I think I might have mentioned this before.
- There was a drop-in centre on the in the Brunswick Church on Saint Helens Rd. Not only young people, but sort of teenagers is up to in the 30s and 40s. They could come on and be and be cared for certain nights of the week. I don't think there's anything like that in in in the city, and I think that's to try and address the problem of the anti-social behaviour, I feel that we should work together to try and establish those kinds of

rehabilitation centres because we need to bring them away from drugs because returning back to the some of the centres that we have, they I can only echo what a young man who died a fortnight ago from an overdose or an overdose of drugs.

- He tried very hard to move, to come away from drugs, but when he was returning to his night time accommodation, I mean, he was the influence of drug taking was what was there. And of course, the temptation for him to take drugs was never taken away from him. So I do think that we need to have some kinds of rehabilitation centres where they for these people can be monitored and encouraged to well to be rehabilitated.

Fun Wong

I work in the Swan Gardens project in St Helens Road and the Swan Gardens for 50 plus Chinese residents. St Helens Rd has got this fair share of drugs and alcohol problems and back a few months ago we had every evening we had the large group of young people coming into our car park.

our CCTV system actually filmed them injecting themselves and quite rowdy. There were a Group them of drinking every night and urinating in a car park. Our local PCSO did a really good job after we expressed our concerns. But they haven't returned back to someone gardens, and now the tenants can feel safe going out and coming back in the evenings.

Hayley Gwilliam (Cabinet Member)

I wanted to understand what are the barriers to report in incidents, if there are any barriers, is it around reporting mechanisms? Do you know who you should be reporting to? Is it because they don't want to be the person to report because they're afraid of repercussions or I'm being identified.

So, I'm just wondering what the public feel around that really.

Carlie Torlop

My response was to Fun and the questions in relation to the issues that we face along St Helens Road and the Kingsway. Obviously, the YMCA is smack bang in the middle of St Helens Road and the Kingsway and the issues that we face the majority of them are adults young adults. I'd say using substances urinating drinking swearing fighting and you know staff at the YMCA are having to ring the police on a daily basis and what we will say is that police. Police is response is really good and they do always come out and however we do not see an improvement really and we just want solutions to this other than having to bring the police. These people are extremely vulnerable.

They need support, it's a not a safe environment for young people to be coming in and out of our building and observing this type of behaviour.

Fun Wong

Sorry just want to say it about you know earlier as uh about the issue of reporting the problems one. There is a language barriers and because in most don't speak English. So, they have to wait for me to come in the morning to report to me that what the incidents and the night before and I when I phone. The next day but I just wanted to report to the incident not. I don't particularly want the police to come up, but I just want them to know about their problems, but the core handlers are really not helpful saying I should have reported the straight away.

Carlie Torlop

I would like to say that I'd like to give thanks to the CMET team in Swansea. I think this has been very successful project. For those of you that don't know the CMET is relatively new in Swansea as part of social services comes under the new Contextual safeguarding department, which looks at making safer spaces for young people and reducing the risk of exploitation for young people in Swansea is made up of a multi professional team of youth workers and social workers. And that all have specialisms in different areas and YMCA Swansea work in partnership with the CMET team and we look at responding to areas of

risk. If there's, you know, derelict buildings where young people are hanging around, you know, we'll go to those areas of Swansea looking to engage with those young people and promoting services and support that they can engage in. And I already know that as a result, lots of young people have stopped engaging in risky behaviours. So a provision is completely inclusive. Everybody and anyone is welcome as long as they're between the ages of 11 to 25.

Lara Rowlands

- I'm the regional community cohesion and coordinator for Western Bay. I wanted to linking with what was mentioned around younger people not engaging with the Council social media and how we can perhaps work with the university, particularly with the international students on perhaps creating an introduction pack or welcome pack on and different elements of Community safety, including things like ASB and hate crime and what how to sort of define those issues and how to report safely and also maybe sign poster things like language line because yeah, particularly for our younger sort of international students and how we can perhaps replicate that with new arrivals in the community working with partners such as yourself.
- Fun I know you mentioned one of the barriers to reporting was language, so perhaps if there are new arrivals within the Community, we can maybe work with partners in sharing things like starter packs, introduction packs and how to report issues in your own language. If these packs are given to new arrivals when they sort of newly arrive, issues can be reported straight away rather than, rather than, the next day.
- When you use terminology like ASB, not everyone's going to know what that is.

Shirley Au-Yeung

My name is Shirley Au-Yeung and the founder of Chinese in West Association. I think all the anti-social behaviour issue that you're talking about and kind of related with our neighbourhood actually everything my Chinese community and Fun already mentioned. Quite a lot of issues in Swan Gardens and the neighbours already paid a fence to to avoid the young youngster coming over to look around his garden. Our community has fear, maybe it's not just anti-social behaviour. There is a fear of burglaries, targeted Chinese older people and Chinese take away owners. And then these are more serious. Anti racist or anti-social behaviour and it's all about health and safety for the resident here.

Councillor

I was particularly interested in the comments in relation to actions that can be taken to prevent anti-social behaviour. We've talked a lot about issues and mechanisms for dealing with it when it happens, and I think just as a scrutiny group, we would be looking to any other suggestions that people might have for ways in which you anti social behavior could be prevented in the 1st place through kind of constructive mechanisms.

Hayley Gwilliam (Cabinet Member)

Just to just to answer, councillor Alan Jeffries, really there is Matthews house on High Street and there's also an app called hoping Swansea. I think Allison may be able to correct me if I'm if I'm wrong, but there are organisations that are open on a daily basis and you know there are very inclusive and offer free meals and support to many of our most vulnerable residents. And I believe there's a new hub opening at the top of High Street.

Alyson Pugh (Cabinet Member)

We are hoping to be open now in the summer we'd had a problem with water coming through from the flats above. But yes, hopefully it we've got so many third sector organisations wanting the partners, they hadn't come in and help those vulnerable people. They'll be a cafe there as well. And you'll also be used for training and people who want to get experience and that.

So yes, we want to offer all the wrap around support for all ages there and they certainly will be used involvement and everything and lots of officers very keen to get started.

Councillor

There is Zac's Place as well, which I was pleased to be able to support his Lord Mayor is one of my two charities this year and I think I think again might be worthwhile just reviewing and refreshing the sources of help and assistance. But I think all this needs to be publicised a bit more perhaps.

Report of the Convener of the Anti-Social Behaviour Scrutiny Panel

23 May 2023

Consultation with Equality Forums/Groups

| | |
|---------------------------------------|--|
| Purpose | To gain the views of the public in Swansea in relation to Anti-Social Behaviour |
| Content | Key questions sent to equality forums and groups in advance of a Q&A at the meeting |
| Councillors are being asked to | To consider and discuss the issue as part of the scrutiny inquiry into Anti-Social Behaviour |
| Lead Councillor(s) | Terry Hennegan, Convener of the Anti-Social Behaviour Scrutiny Inquiry Panel |
| Lead Officer(s) | Michelle Roberts, Scrutiny Officer Michelle.roberts@swansea.gov.uk |

1. Context

The Panel agreed, as part of their inquiry into anti-social behaviour in Swansea, to speak to voluntary sector, equality forum and business community. The Panel have therefore invited members of equality forums in Swansea to the meeting today (and/or asked for written submission, see *attached those received*) including from

- Over 50s
- LGBTQ+ Forum
- Disability Forum.
- Black Minority Ethnic Communities Forum

2. Key Issues and Questions

The following questions/issues were sent to the representatives in advance, in preparation for the scrutiny meeting:

1. How do you feel about Anti-Social Behaviour in Swansea? (your perceptions)
2. Do you believe it is dealt with appropriately and effectively in Swansea?
3. Do you think that the council and its partners work together effectively to both prevent and tackle ASB?
4. How would you like to see Swansea Council and its partners improve how it prevents and tackles ASB in Swansea?

Comments received from Ageing Well participants

| ID | How do you feel about Anti-Social Behaviour in Swansea? | Do you believe it is dealt with appropriately and effectively in Swansea? | Do you think that the council and its partners work together effectively to both prevent and tackle ASB? | How would you like to see Swansea Council and its partners improve how it prevents and tackles ASB in Swansea? |
|----|--|--|---|--|
| 1 | <p>I feel the cleanliness and street furniture around the city centre needs to be improved, having a number of closed down shops with shop windows not looking good impacts on people's perceptions of the area ... particular areas like castle gardens and Oxford Street attract large groups of people drinking and using substances it would be nice to have some form of pop up glass booths in the area with services visible to the public.</p> | <p>I don't know what is done to tackle anti social behaviour in Swansea.. I am not online therefore if things are done they don't filter through to people who don't use online services..</p> | <p>No I do not feel they do, it would be nice to see more visibility of staggs or anti social behaviour teams made up of various organisations staff working together..</p> | <p>More visibility of staff, more information sharing and looking at how areas could be improved , cleaned and preventative things put in place in particular areas especially busy areas of the city centre..</p> |
| 2 | <p>I think all cities get pockets of anti social behaviour and areas have hot spots, but it's about how that is dealt with....</p> <p>having outreach and regular patrols from organisations and being in the heart of those areas working is key..</p> <p>I have noticed several areas within swansea where people gather at central points and it can be uncomfortable for older people definitely certain locations could be improved..</p> | <p>Its hard to tell I don't know what proposes are in place to deal with it..</p> | <p>I do not know finding information on things is difficult I wouldn't know what is done to tackle it.</p> | <p>More awareness of projects and programmes that are taking place, a blend of promotion and projects to tackle and break down barriers</p> |

Comments received from Ageing Well participants

| | | | | |
|---|---|--|---|--|
| 3 | You see it every time you enter the city centre when shopping... | I don't see police or others that much in the city and more visible presence would improve what people think.. | No | Being seen more |
| 4 | Disgusting, people are supposed to look out for fellow citizens and they don't it's a culture thing.. It scares people, It makes people not want to attend the city centre in particular locations.. | I don't think public serve visibility is enough in main towns and cities... more services present and visible in prime locations it's more than just covering wind street in the night.. | I cant comment as I am not aware of what is being done to tackle it....how is it communicated what is done? Is it just social media that it gets promoted on? | More visible literature, campaigns around positive promotion and also promoting what being done and how people can report issues if needed....physical permanent fixtures.... |
| 5 | I see asb as I walk everyday around swansea city centre and surrounding wards such as uplands sketty and Castle wards.. I see groups of people in particular locations drinking swearing, St Mary's Church I have noticed an increase in issued over recent months.. | I think services are too soft on offenders with incidents I have witnessed since the start of January 2023 in the city centre... | I don't know what's being done to work on Anti social behaviour, I am also not online so if things are promoted and their online then there is a number of people who don't use these platforms...promotion needs a blended approach. | I think a more visible presence in the city centre of services is vital, not just police patrolling but a comvined group of services.... a help bus during the day or a visible glass office space...information more easily accessible and promoted.. |
| 6 | I think there is a number of areas where its particularly bad...I reside in the marina area and in the summer it's extremely bad the police do increase patrols however due to the location a more permanent presence or physical space is needed due to the beach and dunes. | No I don't, the reason being is the police are working hard in summer months but it needs a blended permanent presence all year around from all organisations things need to be changed... | No I don't think they do if I am honest, because I witness incidents first hand regularly. I live in a area that suffers with ASB and I wouldn't know what is a actually done to tackle issue as I have never had any information through the door to promote how asb is tackled. | Make it safer by increased presence of all organisations and setting up a visible working space for organisations along the beach somewhere...canvassing areas with literature to promote reporting mechanisms and what is being done to improve things. |

Comments received from Ageing Well participants

| | | | | |
|---|--|---|--|---|
| 7 | <p>Its terrible, I run a local establishment and we have had problems with people going to the toilet many times on the premises during early hours of the morning it's unpleasant having to clean up human waste.</p> | <p>Not at all...for a number of reasons.</p> | <p>No they don't I couldn't tell you what is done as I don't see promotion and police are busy but I don't understand why there isn't organisation working together responding to asb</p> | <p>Answering calls, visible presence and better promotion</p> |
| 8 | <p>I think the anti social behaviour is heavily linked to drink and drugs especially on the sea front which has increased dramatically by housing vulnerable people in the same place without a managed complex..</p> <p>Ultimately these places are b&b's not supported living complexes like it appears they are being treated as asb then spills out from these location to the surrounding area.</p> | <p>No because their is not enough resources in place to deal with it and pcsos aren't gifted their full amount of powers to deal with asb..</p> | <p>I think more could be done especially in summer month, I am not aware of how asb is dealt with in Swansea and see no promotion of how it is dealt with.</p> | <p>A more cohesive visible approach across areas especially in busy periods, more awareness and a better Partnership in terms of housing.</p> |
| 9 | <p>I don't think its tackled appropriately and I see alot of it when I travel around the county.</p> | <p>Not as well as it could be, the pcso needs more powers to disperse people..</p> <p>There needs to be a more visible presence from police and council and deal with it...</p> | <p>I think there needs to be a better connection between partners to tackle it, looking at outreach and prevention methods.. in terms of awareness then I think alot more could be done to raise how to report buy also to raise what is being done.</p> | <p>Awareness raising, promotion and being seen by community members..</p> <p>An outreach van or a base in the community for partners to work from..</p> |

Submission from Volunteer at Congolese Development Project

1. How do you feel about Anti-Social Behaviour in Swansea?

Antisocial behaviour is behaviour that disturb the peace of people or cause harm to them. In Swansea such behaviour includes illegal drawing of graffiti, being loud in public places, dumping among many others. Most of this behaviour is influenced by drugs and alcohol.

2. Do you believe it is dealt with appropriately and effectively in Swansea?

ASB is dealt properly in Swansea. There is heavy police presence and cameras everywhere. The police as always present at Wind Street, and this may deter people from engaging in any antisocial behaviour. Similarly, there have been designated graffiti sites where people draw. However, there are still areas which illegal graffiti around the city. There are several dustbins around the city preventing people from dumping.

3. Do you think that the council and its partners work together effectively to both prevent and tackle ASB?

Yes.

4. How would you like to see Swansea Council and its partners improve how it prevents and tackles ASB in Swansea?

By clearly designating areas for drawing graffiti and adding dustbins to areas where there are none.