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Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ**



**TO EACH MEMBER OF THE
SOCIAL CARE, HEALTH & HOUSING OVERVIEW & SCRUTINY COMMITTEE**

01 April 2014

Dear Councillor

**SOCIAL CARE, HEALTH & HOUSING OVERVIEW & SCRUTINY COMMITTEE - Monday
7 April 2014**

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the following replacement report which corrects a formatting issue in the document.

14. Tenant Scrutiny Panel Report

To consider a report prepared and presented by Members of the
Tenant Scrutiny Panel.

Should you have any queries regarding the above please contact the Overview and
Scrutiny Team on Tel: 0300 300 4196.

Yours sincerely

Paula Everitt
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Central Bedfordshire Council
Tenant Scrutiny Panel
Final Report
Anti-Social Behaviour

Contact Details: Julie Harnett, TSP Chair,
c/o Brett Douglas Tenant Involvement Manager



Executive Summary

This report was undertaken for the Housing Service at Central Bedfordshire Council (CBC) to examine why the target of resolving Anti-Social Behaviour (ASB) cases within 28 days is not being achieved, and to recommend long term sustainable solutions.

As a result, this report covers all aspects of the ASB service including how to access and report ASB, as well as how CBC responds and then deals with it.

On scrutinising ASB service we found that the way that workload is split between CBC management and staff is good as shown by the division of case load based on officers capacity. However, we found the system does not work when key members of the team are on leave.

There is a positive relationship between CBC and its partners. Partners told us they undertake joint visits and share information when dealing with cases. Partners were complimentary about the skill and ability of CBC staff that deal with ASB.

More systematic communication between staff, partners and victims is needed when responding to ASB, including when contacting ASB victims whether by phone or letter which appears to be inconsistent. In particular some tenants advised that CBC failed to respond to telephone messages.

It was difficult to draw any conclusions about whether the ASB service provides value for money as performance and satisfaction information is not collected and reported in a way that enables it to be analysed against costs.

We have made a number of recommendations. Some of these include that CBC should work with its tenants to review its customer facing information about how to report ASB. Another is that when staff receive reports of ASB cases that more priority should be given to assessing vulnerability and where the vulnerable are identified that these victims are given the correct priority.



1. Introduction

- 1.1 The TSP was set up in March 2013, recruited by Central Bedfordshire Council, following work completed by an independently facilitated Tenant Scrutiny Steering Group made up of involved tenants, staff and elected Members. Our main role is to scrutinise the council to ensure that they run their services and procedures to their own standards. The panel currently consists of four members: Julie (Chair), Mal, Maggie and Ron.
- 1.2 Our first project was to undertake a review of the ASB service. We decided this would be our first project by looking at the Key Performance Indicators (KPIs). By studying the data from the KPIs, we were able to see that the target in relation to resolving all ASB cases within 28 days was not being met.
- 1.3 The first thing we decided to do was to read the ASB procedure to try and find out what their standards are, as well as to check for any flaws in the procedure, therefore allowing us to make recommendations. We had interviews with senior management and we also had focus groups with tenants, staff and partners. We also did some mystery shopping, bench marking and reviewed some current cases. All of these activities enabled us to finish the report and make our final recommendations.



2. Methodology

2.1 The scrutiny project was undertaken using the following methodology:

- Document review, including the ASB Housing Services Procedure Manual
- A series of interviews were held with housing staff responsible for dealing with ASB, and managing relevant staff
- Three focus groups; with frontline staff, with customers that had experienced ASB and with partners of the housing service.
- Telephone calls to customers that had experienced ASB.
- Examining case files.
- Analysing benchmarking information and other data.

3. Findings

3.1 Access to the service

- 3.1.1 There is a lack of information about the ASB service available to customers. We checked in CBC reception, some other places where it would be reasonable to expect to find information and could not find any information such as leaflets. Staff that we met were unclear about the location of information leaflets and could not state with certainty where they could be found. Failing to provide information in a variety of places could mean that people experiencing ASB may not know how to report it.
- 3.1.2 ASB Service Standards are not well-promoted. Tenants that we met who had reported ASB had no knowledge of the ASB Service Standards, and so had no understanding of what service to expect and how to hold CBC to account if it failed to meet the stated level of service. Failing to promote effectively the Service Standards also increases the risk of tenants having unrealistic expectations of what CBC can, and can't, do to resolve ASB.
- 3.1.3 CBC has stated that there are a number of ways to report ASB; in person, by phone, by email and through an online reporting system. However, contact information about how to report ASB is in reality not easy to find. Tenants that we met said that they found it hard to obtain the phone numbers of the relevant staff and had resorted to using e mail. This means that residents without access to email may find it hard to report ASB and will therefore be less likely to do so.
- 3.1.4 It is not easy to report ASB outside of office hours. A mystery shopping exercise was undertaken using the following phone numbers: Police Service Neighbourhood



team – 01234 841212; Community Safety Team – 0300 300 8302 / 8098; Well Being Lifeline – 0800 0740263. Results were disappointing and it was found that most calls made were not answered, and for those that were answered staff were either unable to give effective advice or to make contact with an on duty specialist member of staff. This means that some instances of ASB go un-recorded, some tenants may be unable to obtain appropriate advice and incidents of ASB will be unresolved.

3.2 Response to first reports of ASB

- 3.2.1 While the ASB Procedure Manual is comprehensive, the section ‘receiving a complaint’ does not set out clear instructions to staff about assessing the seriousness of the case, or vulnerability of the person making the complaint. In addition there are no set timescales within which the Tenancy Management Officer (TMO) must respond, although we understand that a response within 48 hours is usual (this contradicts the ASB service standards which state that reports of ASB will be acknowledged within 1 working day). This means that serious cases or cases involving vulnerable people may not be given a high priority.
- 3.2.2 Reports of ASB are not responded to in a consistent manner. Tenants that we met had experienced an inconsistent service when reporting ASB, this included CBC failing to respond to telephone messages left and different approaches to keeping complainants informed.
- 3.2.3 Not all members of staff undertake vulnerability risk assessments when reports of ASB are made. For example, during the out of hours mystery shopping exercise the only member of staff responding to the one call answered did not ask whether the caller had any needs that may have made them vulnerable. Failing to ask relevant questions of people reporting ASB could mean that the situation could become volatile.

3.3 Dealing with ASB

- 3.3.1 There is no real or clear definition in the procedure between ASB and nuisance, for both staff and tenants/residents alike. Staff have told us that CBC tends to deal more with nuisance, but the procedure takes the same approach regardless of the type of complaint. This means that CBC is missing an opportunity to look for different solutions to different types of problems.
- 3.3.2 The procedure does not make it clear how the workload is split between the Estate Management Officers (EMOs) and the Tenancy Enforcement Officer (TEO). The TEO



is responsible for more serious cases but it is not clear at what point cases are referred on. This means that staff may not be clear where their own responsibility lies.

- 3.3.3 The procedure does not place sufficient emphasis on acting quickly when cases are urgent and it is not clear who takes responsibility for identifying whether a case is urgent and what timescales should be kept to. This means that victims may be put at risk.
- 3.3.4 The procedure includes various solutions to resolving ASB, including restorative justice, parenting contracts, written and verbal warnings and abatement notices but it does not include clear instructions and advice for staff on how to use these solutions. As a result it is not clear whether for example, restorative justice or community payback schemes have been regularly used, despite it being made clear in the procedure that these are usually very effective solutions even when ASB is first reported.
- 3.3.5 Victims of ASB are not regularly kept informed of the progress of their case, and although the procedure does require staff to do this, it relies heavily on letters and does not specify that staff must agree acceptable timescales to provide updates with the victim. As a result, victims that we met reported that they had to chase staff for information. This makes victims feel frustrated and extremely isolated.
- 3.3.6 Not all aspects of the procedure are being followed. The procedure includes guidance to staff on the use of diary sheets as way of collecting evidence. Victims that we met reported that although they had completed diary sheets, the sheets were not collected and did not seem to be required; and staff did not provide ongoing support and guidance in relation to the completion of the diary sheets. This means that victims may not feel it is worth completing the diary sheets which may affect the quality of evidence.
- 3.3.7 It does not appear that staff routinely complete the case management file pro forma. The pro forma prompts staff to ask relevant questions and to make a record of the responses, as well as setting out what action has been agreed with the victim. Tenants that we met could not recall having been asked questions from the pro forma and had not seen or signed an action plan. This contributes to some tenants feeling that they didn't know what was happening to resolve their case.
- 3.3.8 The procedure does not encourage staff to provide a responsive service. Tenants that we met felt that CBC was not proactive in resolving cases and as a result the ASB had persisted for unacceptable periods of time. In one instance, CBC had told



the victim that the ASB pre-dated her tenancy and had existed for 12 years. This approach has resulted in victims having to repeatedly contact CBC, and its partners including the local MP, to achieve some level of improvement.

- 3.3.9 The procedure does not include any reference to working with the community to resolve ASB. Tenants are unaware of any community or diversionary activities that CBC participates in. Neither are they aware of any Good Neighbour Agreements (GNAs) – with one tenant that we met suggesting that such a scheme would be beneficial in agreeing local behaviour standards. This could affect the likelihood of achieving a sustainable solution and such agreements could encourage the community to come forward when experiencing ASB which will assist CBC in understanding issues on its estates.
- 3.3.10 It is not clear what diversionary activities CBC uses to prevent or reduce ASB, as some partners that we met were not able to describe how they had been involved or what activities had taken place.
- 3.3.11 CBC and its partners work together to respond to ASB in hotspot areas that are identified by the police through collecting and analysing data received from residents.
- 3.3.12 Partners that we met had not been involved in the development of CBC's ASB procedure or policy, some of them also stated that they were unaware of the procedure but knew about CBC's methods used to prevent ASB and that an appropriate approach to enforcement is taken.
- 3.3.13 Exchange of some information between CBC and some partners may need to be revisited to ensure that it is wholly appropriate and necessary. Information sharing should be limited to any potential breach of tenancy.
- 3.3.14 There is a positive relationship between CBC and its partners. The partners that we met spoke very highly of CBC and felt linked in, invited and involved. They referred to undertaking joint visits and sharing information and making clear plans through partnership meetings to identify the right partner to support victims. They felt that CBC was willing to work together, come up with ideas, always positive, open and supportive as well as taking in to account the needs of the individual.



3.4 Staff

- 3.4.1 The division of cases between the EMOs is working to support their capacity. ASB cases are dealt with on a patch basis where each EMO is responsible for the same number of properties in a geographical area. Workload is monitored by the manager to understand how many cases each has. If one area becomes overloaded then the workload would be redistributed; this hasn't happened yet.
- 3.4.2 Staff are adequately kept up-to-date with new issues, for example the ASB Bill, new Tools and Powers and the Community Harm Statement. Regulatory updates come from The Social Landlords Crime and Nuisance Group (SLCNG) by email, through attendance at conferences and workshops; with further advice provided by the internal CBC legal team.
- 3.4.3 Staff find that training is easy to access. Staff that we met reported that they had undergone many training courses and were able to confirm that funding is sufficient to allow for this. Courses attended include seminars and conferences, as well as free briefing sessions on the ASB Bill.
- 3.4.4 However, staff training needs are not assessed sufficiently to be sure that their needs are being met. Training is identified through feedback from staff dealing with ASB and ideas from the manager. In addition, training undertaken is not assessed for impact and whether it has improved the service.
- 3.4.5 Staff training is not as effective as it could be in terms of assisting staff when there are long term absences. We came to this conclusion though talking to staff and found that when a key member of the team is on leave for a long time the system does not work as well. We also had a look at some cases which supported our findings. This means that the system is under more pressure when there is long term absence and by giving staff more training there will be more flexibility so members of staff can cover each other when there are staff on leave for a long time.
- 3.4.6 IT systems are not fully supporting staff to carry out their roles. At present the main IT system – QL – acts as a receptacle for all ASB data, which is not ideal as this cannot track costs of action or flag up required actions, for example. Consideration is currently being given to working more closely with the Police and use a shared system to more quickly exchange data and up to date information.



3.4.7 The effectiveness of partnership working has been affected by some of CBC partners finding it difficult to keep up with staff changes at CBC and in particular the long term absence of some staff.

3.5 Tenant involvement

3.5.1 Tenants were involved in agreeing the ASB procedure. The Way Forward Panel was invited to approve it, as well as a small independent group of residents who reviewed it.

3.5.2 Tenant involvement has not continued as a way of monitoring performance of the service and obtaining useful feedback. Tenants are also not included in any of the partnerships. This means that the service may not be as responsive as it could be.

3.6 Satisfaction with the ASB service

3.6.1 CBC has acknowledged that it has not been successful in understanding satisfaction with its ASB service. This is because it has relied on written surveys being returned by victims and it has not taken the opportunity yet to explore other options. Without customer feedback, CBC cannot be sure that it is providing the right service.

3.7 Performance

3.7.1 Although CBC had, prior to this project, already identified that it wished to review the ASB service, it had not taken advantage of the Respect Standard (now replaced by Charter) to carry out a gap analysis. This means that it has missed a valuable opportunity to improve and update the service in line with the Charter and good practice and as a result tenants have not had access to the best service available.

3.7.2 The target of resolving cases in 28 days is not realistic and does not help staff to do their job effectively. The types of ASB cases reported to CBC Housing Department vary from low level neighbourhood nuisance to long standing serious cases involving threats of, and actual, violence. Tenants we met cited cases that had been on-going for months, even years, without satisfactory resolution. Staff that we met also stated that they felt that the 28 day target is not appropriate for all cases, especially multi-agency cases. Giving examples of cases being closed due to the target and subsequently being re-opened as a sustainable solution had not been found. Our review of cases files supported this. Staff interview evidence suggested that the indicator was not based on good practice or guidance and it is unclear why this target was chosen, especially when annual benchmarking results from



HouseMark show that on average, cases nationally are resolved after 75 days. The impact of stating that cases will be resolved in 28 days raises the expectations of the victim when in reality it sometimes cannot be achieved.

- 3.7.3 The procedure sets out clear guidelines for how the performance of staff should be monitored. However, with the long term absence of the TEO it is clear that these guidelines have not been kept to. This means that victims of ASB may not be receiving the service that they require, and that staff may be experiencing lack of support.
- 3.7.4 We already know CBC is not meeting its own performance target of resolving cases within 28 days, but we were unable to draw any other conclusions about other aspects of its performance as these are not reported, including performance against ASB service standards.
- 3.7.5 Not all partnerships are governed by Service Level Agreements (SLAs). This means that there can be misunderstandings and differing expectations around roles, responsibilities and timescales which may impact on performance.
- 3.7.6 There is an over reliance on using complaints and satisfaction data to understand whether the team is performing, and less attention to spot checks on cases undertaken by the manager. This is not effective as insufficient satisfaction data is being received and it is not clear how many complaints have been received about the service.

3.8 Value for money

- 3.8.1 It has been difficult to draw any value for money conclusions as CBC does not routinely collect satisfaction data, although it does have information about costs and performance. Benchmarking information relating to cost that was made available was from 2009/10 and 2010/11 (CBC is currently working to submit more recent data) and so it is not based on current circumstances. However the information showed that staffing costs had decreased over that period, which was not in line with CBC's peer group which showed an increase (and CBC could not explain why this had happened) and it also showed that the number of employees per 1,000 properties was higher than peers.
- 3.8.2 Although staff that we met could not identify any value for money examples, there was a clear emphasis on being encouraged to consider costs when deciding on solutions. However, without staff understanding the concept of VFM, this could



mean that staff always choose what they think is the least expensive option which may not be the most effective.

4. Conclusion

- 4.1 We have been able to undertake an in-depth investigation on CBCs’ behalf. As the newly formed TSP, we hope that you find all our research and information of great importance to CBC, along with providing you with a very useful analysis of the ASB service that you otherwise would have had to undertake yourselves.
- 4.2 We hope that our recommendations will be accepted and implemented within our suggested timescales, as we would like to see CBC excel in the way it delivers this service; using a creative approach and to be innovative, especially given the pressure on resources and changing expectations of customers.
- 4.3 We would like to thank everyone who took part, Brett Douglas for all his organisational skills enabling us to take part in a very steep learning curve, supported by our external mentor Anna O’Halloran. Carol Rooker and Richard Farrow for taking time out of their busy schedule, along with the staff who attended our focus group, the customers willing to take part who had experienced ASB and all the partner agencies that provide invaluable support to the whole of CBCs’ Housing Team.



5. Recommendations

Number	Recommendation	Priority	Timescale
1	CBC should work with its tenants to review its customer facing information about how to report ASB so that it is easy to find and encourages reports of ASB.	High	6 months
2	CBC should work with customers to take steps to ensure that the ASB Service Standards are well promoted using methods that customers use.	Medium	3 months
3	An effective system to report ASB outside of office hours should be made available, with clear guidance for staff operating the service as well as clear information for customers needing to use it, and that is easy to access.	Low	4 months
4	Ensure that serious cases or those involving vulnerable people are given the correct priority through proper assessment of the situation when the complaint is first made. Issue guidance to staff receiving first complaints including timescales, and monitor that these timescales are being kept to. Work with customers to agree target timescales.	High	1 month
5	When reviewing the procedure ensure that it clearly states how urgent cases must be identified and managed, with clear timescales that staff can be held accountable to and that are used to reassure victims.	High	6 months
6	Take steps to more effectively monitor and report staff compliance with the procedure and ASB service standards to ensure that a consistent service is being offered and tenants know what to expect.	High	3 months
7	Work with all staff to raise the importance of undertaking risk assessments each time a report of ASB is made and that the procedure is being complied with.	High	Immediately
8	Ensure that staff are aware of, and use, the variety of solutions available to resolve ASB through providing a comprehensive procedure, effective monitoring and training.	High	12 months
9	Work with customers, using best practice and learning from others to develop appropriate procedures for dealing with nuisance. Take steps to more clearly define the difference between ASB and nuisance, to assist staff and customers understand the different solutions.	Medium	6 months



10	Involve partners in the development of all new policies and procedures to ensure that all activities are coordinated, reduce the likelihood of duplication and that all targets are reasonable and agreed	Medium	6 months
11	CBC needs to issue clear guidance for staff to ensure that roles within the team are understood – particularly the difference responsibilities held by the EMO and the TEO.	Medium	6 months
12	Improve communication with victims through agreeing frequency and method of contact during the action planning process, ensure that staff compliance with this is recorded on the case file and the CRM and monitored by the manager.	Medium	Immediately
13	Provide staff with training and guidance on the use of diary sheets to ensure that they are only issued in appropriate circumstances and that victims feel supported to complete them. Offer alternative methods of collecting evidence to victims – such as tape recorders and cameras.	Medium	3 months
14	CBC should ensure that it takes all necessary action to ensure that it is creative in achieving long term sustainable solutions to ASB. To help it do this it needs to analyse the different potential solutions available to it and understand what’s most likely to work through learning from others and previous cases, as well it being clear in the procedure about how to escalate cases to either senior or expert staff.	Medium	6 months
15	CBC should revise the procedure with partners to include information about diversionary activities as a potential solution to ASB and it should also consider working with tenants to resolve issues in the local area, for example by signing a Good Neighbour Agreement (GNA). CBC should work with residents to agree the best methods of publicising this.	Low	6 months
16	Work with tenants to develop a way that tenants can regularly be involved in the service to shape, monitor and provide feedback.	High	3 months
17	Training needs of staff should be individually assessed using a training needs analysis (or similar) against the needs of the service to ensure there are no gaps in knowledge. The impact of training should be assessed as well to ensure that the training is of a high quality.	Low	3 months



18	CBC should ensure that the team is able to operate properly at all times, even when there are long term absences, by training staff on all aspects of the role and taking steps to ensure that long term absences are filled, particularly in key posts.	High	6 months
19	Using best practice and learning from other organisations generally, take steps to set up a successful method of achieving satisfaction data.	High	4 months
20	Set a clear deadline for finalising the work with the Police to explore the likely effectiveness of Safety Net, or another system, and implement within a clear timeframe.	Medium	6 months
21	CBC should review its ASB performance indicators; including consulting with a diverse group of residents, learning from best practice and from high performing peers. Challenging and achievable targets will assist victims of ASB to understand what to expect, as well as leading to service improvements and support a victim centred approach.	High	6 months
22	CBC should put in to place more effective ways to monitor service delivery. The procedure sets out the current system – but it is clear that this is not being kept to. CBC should learn from best practice how high performing organisations monitor casework.	High	1 month
23	CBC should work with regular partners to review the success of those partnerships and decide whether implementing SLAs would improve accountability and performance.	Medium	12 months
24	Take steps to record, understand and analyse the true cost of the ASB service, including the costs of particular solutions (for example the cost of home visits, letters, warnings, legal action, partner interactions etc.) and use this information, along with satisfaction and performance data to be sure that VFM solutions are being used to their full potential.	High	12 months
25	CBC should regularly assess its ASB service, including the procedure and policy against the Respect Charter, and good practice widely available, to ensure that its tenants are provided with an excellent service.	High	12 months
26	Increase staff awareness of VFM through regular training and awareness-raising sessions, for example at team meetings and 121s.	High	1 month



27	Continue to provide current data to HouseMark to ensure that any decisions made relating to VFM are based on recent information. Take steps to analyse satisfaction and performance against costs to draw VFM conclusions about the service and use the conclusions to inform service development.	High	12 months
28	Keep partners up to date with staff changes to ensure that they are aware of who does what and to ensure that handovers happen where ever possible when staff leave.	High	Immediately

6. Appendices

6.1 Partners that attended the focus group:

- Bromford Support
- Luton Mediation Service
- Domestic Abuse Coordinator
- Bedfordshire Police

6.2 Staff interviews:

- Carol Rooker
- Richard Farrow

6.3 Staff Focus Group:

(Housing Management plus Community Safety)

6.4 Documents examined:

- Housing Services Scorecard @ December 2012
- HouseMark benchmarking data
- ASB Procedure Manual
- ASB Information Pack
- Information leaflets
- Staff job descriptions