

OVERVIEW & SCRUTINY COMMITTEE

Wednesday, 1 March 2017 at 6.00 p.m., MP702, 7th Floor, Town Hall,
Mulberry Place, 5 Clove Crescent, London E14 2BG.

This meeting is open to the public to attend.

Members:

Chair: Councillor John Pierce

Vice Chair: Councillor Abdul Mukit MBE Scrutiny Lead for Resources

Councillor Amina Ali	Scrutiny Lead for Development and Renewal
Councillor Julia Dockerill	Scrutiny Lead for Children's Services
Councillor Clare Harrison	Scrutiny Lead for Adult Health and Wellbeing
Councillor Muhammad Ansar Mustaqim	Scrutiny Lead for Communities and Culture
Councillor Oliur Rahman	
Councillor Helal Uddin	
Councillor Abdul Asad	

Co-opted Members:

Dr Phillip Rice	Church of England Representative
Asad M Jaman	Muslim Faith Community
Fatiha Kassouri	Parent Governors
Shabbir Chowdhury	Parent Governors
Christine Trumper	Parent Governors

Deputies:

Councillor Danny Hassell, Councillor Dave Chesterton, Councillor Ohid Ahmed, Councillor Gulam Kibria Choudhury, Councillor Peter Golds, Councillor Denise Jones, Councillor Md. Maium Miah and Councillor Andrew Wood

[The quorum for this body is 3 voting Members]

Contact for further enquiries:

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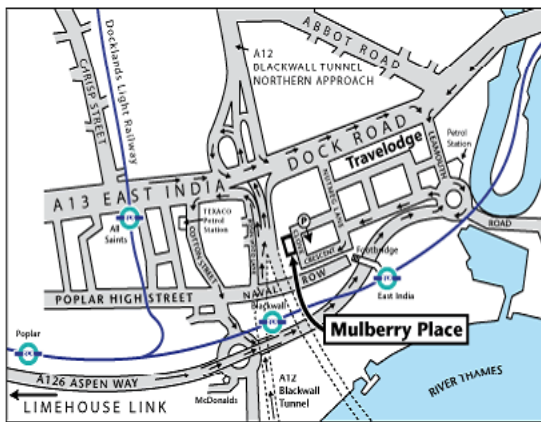
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**1. DECLARATIONS OF DISCLOSABLE
PECUNIARY INTEREST**

1 - 4

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Interim Monitoring Officer.

2. REQUESTS TO SUBMIT PETITIONS

To receive any petitions (to be notified at the meeting).

3. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

SECTION ONE

**PAGE
NUMBER(S)**

4. UNRESTRICTED MINUTES TO FOLLOW

To confirm as a correct record of the proceedings the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 1st February, 2017.

5. UNRESTRICTED REPORTS 'CALLED IN'

No decisions of the Mayor in Cabinet 7th February, 2017 in respect of unrestricted reports on the agenda were 'called in'.

6. FORTHCOMING DECISIONS TO FOLLOW

**7. PRE-DECISION SCRUTINY OF UNRESTRICTED
CABINET PAPERS**

To consider and agree pre-decision scrutiny questions/comments to be presented to Cabinet.

(Time allocated – 30 minutes).

8. UNRESTRICTED REPORTS FOR CONSIDERATION

8.1 Reporting ASB

5 - 30

8.2 RIPA Report

31 - 36

9. ANY OTHER UNRESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

To consider any other unrestricted business that the Chair considers to be urgent.

10. EXCLUSION OF THE PRESS AND PUBLIC

In view of the contents of the remaining items on the agenda the Committee is recommended to adopt the following motion:

“That, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government Act, 1972.”

EXEMPT/CONFIDENTIAL SECTION (Pink Papers)

The exempt committee papers in the agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you do not wish to retain these papers after the meeting, please hand them to the Committee Officer present.

SECTION TWO

11. EXEMPT/ CONFIDENTIAL MINUTES

Nil Items

12. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

No decisions of the Mayor in Cabinet 7th February, 2017 in respect of exempt/ confidential reports on the agenda were 'called in'.

**13. PRE-DECISION SCRUTINY OF EXEMPT/
CONFIDENTIAL) CABINET PAPERS**

To consider and agree pre-decision scrutiny questions/comments to be presented to Cabinet.

(Time allocated 15 minutes).

**14. ANY OTHER EXEMPT/ CONFIDENTIAL
BUSINESS THAT THE CHAIR CONSIDERS
URGENT**

To consider any other exempt/ confidential business that the Chair considers to be urgent.

Next Meeting of the Overview and Scrutiny Committee

Wednesday, 29 March 2017 at 6.00 p.m. to be held in MP702, 7th Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London E14 2BG.

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Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE INTERIM MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Interim Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Interim Monitoring Officer following consideration by the Dispositions Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Interim Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-


Graham White, Acting Corporate Director Law Probity and Governance Tel 020 7364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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Non-Executive Report of the: Overview and Scrutiny Committee 1 March 2017	 TOWER HAMLETS
Report of: Graham White, Acting Corporate Director – Governance Will Tuckley, Chief Executive	Classification: Unrestricted
Scrutiny Review Progress Update – How the council, police and social landlords promote the reporting of incidents of drug dealing, drug taking and related ASB in communal spaces and communicate the outcome of this reporting	

Originating Officer(s)	Shazia Ghani, Head of Community Safety Sharon Godman, Service Head – Corporate Strategy and Equality Shamima Khatun; Strategy, Policy and Performance Officer
Wards affected	All

Summary

This report provides an update on the implementation of recommendations from the scrutiny review into how the council, police and social landlords promote the reporting of incidents of drug dealing, drug taking and related ASB in communal spaces and communicate the outcome of this reporting. The report and recommendations were agreed by the Overview and Scrutiny Committee in May 2015. An action plan was developed to address the recommendations, and the report and accompanying action plan were agreed by Cabinet in November 2015.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Note progress against the recommendations from the scrutiny review.

1. DETAILS OF THE REPORT

- 1.1 The aim of the scrutiny review, led by Councillor John Pierce, was to assess existing arrangements for reporting incidents of drug dealing, drug taking and related ASB in communal spaces, and explore ways to improve communications and engagement activity.
- 1.2 Anti-social behaviour is a key issue of public concern. During the period 2013 to 2015, the Metropolitan Police Service recorded 38,030 calls in Tower Hamlets reporting anti-social behaviour.¹ Resident perceptions regarding how successfully the police and other local public services deal with ASB issues in their local area is relatively positive overall. However, selling of drugs, drug misuse and related ASB in communal spaces remains a recurring issue raised by residents at members' surgeries and in their casework.
- 1.3 Some members have expressed concern that advice and promotional information from the various agencies on reporting these issues can be confusing. Furthermore, residents who do report incidents are often unaware of the outcome of their reporting. This lack of communication on outcomes may lead to under-reporting of ASB in the borough. Additionally, it is not always clear to residents what the role of social landlords is in dealing with incidents of drugs related ASB in neighbourhoods.
- 1.4 The scrutiny review focused on how the council, the police and social landlords promote the reporting of drugs incidents and related ASB in communal spaces, and how they communicate the outcome of this reporting. Engagement with social landlords was undertaken including Tower Hamlets Homes, Poplar HARCA and One Housing.
- 1.5 The report (Appendix One) made six recommendations. Progress against each recommendation is recorded in the accompanying action plan (Appendix Two).
- 1.6 There has been a significant delay in progressing the scrutiny review recommendations as a result of key council and Tower Hamlets Homes staff absence, or their having left their respective organisations. As no handover was carried out, actions have only recently been made known to the members of the ASB Strategy Group. However, the Group is committed to now taking these actions forward as soon as possible given the priority for local residents.
- 1.7 It should also be noted that the ASB Strategy Group now incorporates the Tower Hamlets Housing Forum ASB sub-group, the forums having merged to provide a more effective and streamlined approach to ASB partnership.
- 1.8 Further to the six recommendations, CEO Will Tuckley in November 2016, commissioned an ASB review to investigate, not only the areas highlighted in the recommendations but also a number of other areas which constantly impede on partnership working to identify, prioritise and solve ASB across the borough. This five month review has now established six working groups that all have a strategic lead and will identify and develop short and medium term improvements in the following areas:

¹ Disaggregated data on drugs related ASB reported is not available.

- Early intervention
- Community engagement
- Communication
- Tools and Powers
- Resources
- Tasking

The findings of this review will be presented to the Senior Leadership Team and Elected mayor and portfolio lead in March 2017.

2. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 2.1 The report provides an update on the progress against the six recommendations detailed in the action plan agreed by Cabinet in November 2015. The recommendations and the actions will impact on a number of service areas across the Council, it is anticipated at this stage that the recommendations can be delivered through existing funding resources. Should additional funding be required, the costs will need to be quantified and the necessary funding identified before the recommendations can be implemented

3. LEGAL COMMENTS

- 3.1 Under section 19 of the Police and Justice Act 2006 the Council must ensure that it has a Crime and Disorder Committee with power to (a) review or scrutinise decisions made, or other action taken, in connection with the discharge of the authority's crime and disorder functions. The Overview and Scrutiny Committee has power to make reports or recommendations to the local authority in relation to the crime and disorder functions discharged by the Council and the other 'responsible authorities' (probation, police and fire services and the Clinical Commissioning Group). The functions of those bodies are set out in the Crime and Disorder Act 1998 and involve formulating and implementing strategies to reduce crime and disorder, drug and substance misuse and re offending in the area.
- 3.2 Consistent with the requirements of the Police and Justice Act 2006, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee will act as the Council's Crime and Disorder Committee and may consider any matter affecting the area or its inhabitants and may make reports and recommendations to the Full Council or the Executive in connection with the discharge of any functions. It is consistent with the Constitution and the statutory framework for Cabinet to receive the report of the Overview and Scrutiny Committee and agree an action plan in response to its recommendations. The Committee's report should, additionally, be provided to affected partner organisations so that they may respond.
- 3.3 The Council, together with its partners, has various statutory duties and powers in relation to crime and disorder and the misuse of drugs as set out in the Crime and Disorder Act 1998, the Anti-social Behaviour Act 2003 and the Anti-social Behaviour Crime and Policing Act 2014. In particular –
- Under sections 6 and 7 of the Crime and Disorder Act 1998 the Council and its statutory partners have a duty to formulate and implement strategies for the reduction of crime and disorder, the misuse of drugs, alcohol and other

substances and for reducing re offending in the area. The Council has adopted the Community Safety Plan in accordance with this obligation.

- Under section 17 Crime and Disorder Act 1998 it is the duty of the Council to exercise its functions with due regard to the effect on and the need to do all it can reasonably do to prevent crime and disorder, misuse of drugs and other substances, and re offending in its area.
- Section 218A of the Anti-social Behaviour Act 2003 requires housing authorities, housing trusts and Registered Social Landlords to prepare and publish anti- social behaviour policies and procedures for dealing with instances of anti-social behaviour. Landlords are also under a duty to keep their policies and procedures under review. It is understood that the housing-related ASB policy is in the process of being prepared.
- The Anti-social Behaviour Crime and Policing Act 2014 ('2014 Act') introduces new powers for managing anti-social behaviour, including housing related powers, criminal behaviour orders and premises closure notices. The 2014 Act defines anti-social behaviour and this should guide, or be reflected, in any definition set out in any policies, statements or promotions prepared by the Council and other agencies.

3.4 The action plan appears capable of being carried out within the Council's statutory functions. The report indicates that regard has been had to the Community Safety Plan in the preparation of the action plan and that the actions will be consistent with that plan.

3.5 The action plan sets out steps which it is proposed to be taken by officers in relation to youth service grants. These concern the obtaining and sharing of relevant information. However, it must be remembered that until 31 March 2017 the Council's powers in relation to grants reside with Commissioners appointed by the Secretary of State pursuant to directions made under sections 15(5) and 15(6) of the Local Government Act 1999. Officers will need to continue to ensure that grants continue to be made in accordance with the requirements of the Commissioners.

3.6 Under the Equality Act 2010 the Council has a duty, when exercising its functions to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between those who have a protected characteristic and those who do not (the public sector equality duty). There is information set out in section 4 of the report relevant to these considerations.

4. ONE TOWER HAMLETS CONSIDERATIONS

4.1 Issues of anti-social behaviour (ASB) can affect anyone irrespective of gender, sexuality, disability, age, class, religion or ethnicity. Fear of anti-social behaviour and crime is often higher for protected groups and access to ASB services, including reporting, needs to be widely advertised to reach diverse communities, as there is a risk that 'hard to reach groups' or communities may feel isolated, unsure or unaware of the procedure for reporting anti-social behaviour. This report sets out progress against the original scrutiny review's recommendations to improve ASB reporting and communications.

5. BEST VALUE (BV) IMPLICATIONS

5.1 The recommendations in the original report were made as part of the Overview & Scrutiny Committee's role in helping to secure continuous improvement for the council, as required under its Best Value duty. Reviewing progress on these is a key element in achieving them.

6. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

6.1 There are no direct environmental implications arising from the report or recommendations.

7. RISK MANAGEMENT IMPLICATIONS

7.1 There are no direct risk management implications arising from the report or recommendations.

8. CRIME AND DISORDER REDUCTION IMPLICATIONS

8.1 The report makes a number of recommendations to reduce ASB in the borough which will make the borough a safer place for local residents.

9. SAFEGUARDING IMPLICATIONS

9.1 There are no direct implications of safeguarding as a result of the recommendations in this review.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- **Appendix 1** – Scrutiny Review Report: How the council, police and social landlords promote the reporting of incidents of drug dealing, drug taking and related ASB in communal spaces and communicate the outcome of this reporting
- **Appendix 2** – Action Plan

Background Documents – Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012

- None

Officer contact details for documents:

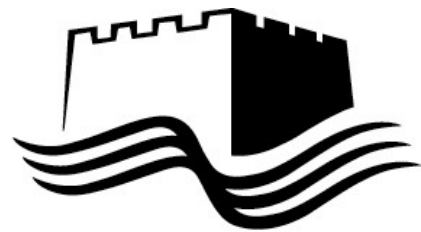
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APPENDIX ONE

How the Council, Police and Social Landlords promote the reporting of incidents of drug dealing, drug taking and related ASB in communal spaces and communicate the outcome of this reporting

Scrutiny Report



TOWER HAMLETS

**London Borough of Tower Hamlets
April 2015**

Chair's Foreword

Month after month, Tower Hamlets appears second in the list of London boroughs with the highest rate of reported anti-social behaviour (ASB). The casework belonging to councillors often reflects this.

The police along with the council and social landlords have a duty to work in partnership to resolve this persistent problem. Feedback from the various agencies involved suggests that the local partnership model is working. However, residents and councillors often report that this multi-agency approach can sometimes lead to confusion. For example, some residents' notice boards in the borough can have three different posters explaining the routes available to report anti-social behaviour.

The reporting of ASB becomes more confusing when this behaviour is caused by drug abuse because of the crossover into criminal activity. Residents are also often unsure which agency is the first port of call.

Even though the scope of this work was to look into the reporting of drug related ASB, the review focused on how ASB overall is reported, including how the outcome of this reporting is then communicated to residents. Since many cite that they have not been updated on the actions taken by agencies, nor have any knowledge of how problems have been resolved.

The review makes six recommendations to improve partnership working in Tower Hamlets with the aim to reduce this confusion.

I would like to thank representatives from the Metropolitan Police Service, council officers, Tower Hamlets Homes, One Housing Group, Poplar HARCA and the residents who participated in the workshop session.

Cllr John Pierce

Summary of Recommendations

Recommendation 1

The council, through the relevant Community Safety Partnership (CSP) sub-group - the ASB Strategy Group, brings together the police, Social Landlords (SLs) and other partners to:

- A) Develop a clear shared statement as to what qualifies as ASB, and how a resident should report ASB which is consistent across the borough and SL areas
- B) Agree a minimum standard in terms of how partnership organisations will report back on the outcomes of ASB reporting (individual incidents, at an area / estate level and borough wide)
- C) Reiterate the commitment that all SLs should encourage residents to report ASB through the 101 line so that there is a more comprehensive borough-wide understanding of ASB reporting across partners.

Recommendation 2

The council, through the CSP ASB Strategy Group, oversees a renewed partnership promotional campaign to encourage ASB reporting. The campaign should:

- A) Include strong police and social landlord involvement
- B) Be informed by the experience of the 101 reporting campaign undertaken in 2013
- C) Include a focus on the reporting of drug-related ASB
- D) Reiterate a clear message on how residents report ASB which is consistent across the borough and SLs.

Recommendation 3

The council, through the relevant CSP sub-group – the Registered Social Landlord (RSL) ASB Forum – brings together housing providers to explore implementation of a consistent approach to ASB surveying which supports robust benchmarking across SLs, including the identification of good practice and areas / SLs requiring improvement.

Recommendation 4

The council, through the RSL ASB forum, investigate a pilot approach to 'Participatory Appraisal Training', in order to support residents to challenge local agencies and shape the approach to tackling anti-social behaviour.

Recommendation 5

The allocation of any youth service grants which primarily aim to reduce ASB activity, should be informed by 101 data on the reporting of ASB incidents.

Recommendation 6

The council, through the CSP ASB Strategy Group, brings together the police and housing partners to consider how best the partnership can provide a good service in the context of reducing resources, including exploring social media and new technology to both promote ASB reporting to 101 and feeding back on ASB reports.

1 Introduction

- 1.1 Anti-social behaviour is a key issue of public concern. In 2010/11, over three million incidents of anti-social behaviour were reported to the police in England and Wales. Many more were reported to other local agencies such as local councils, and housing associations, or not reported at all.¹
- 1.2 During the period 2013 to 2015, the Metropolitan Police Service recorded 38,030 calls in Tower Hamlets reporting anti-social behaviour.² Results from the council's Annual Residents Survey (ARS) in 2014 show that the level of concern over people using or dealing drugs is considered a *very or fairly big problem* by 59 per cent of residents – up 4 points on the previous year.
- 1.3 Resident perceptions regarding how successfully the police and other local public services deal with ASB issues in their local area is relatively positive overall. 51 per cent of the residents surveyed in the ARS in 2014 agreed that the police and local agencies were successful in resolving this issue; 21 per cent disagreed and 28 per cent neither agreed nor disagreed, or did not know. This is a similar picture to previous years.
- 1.4 Tackling ASB, and perceptions of ASB, is a council priority. Activity in this area has been stepped up through additional enforcement services, and targeted work carried out by the council's Youth Service which works with over half of the young population to engage them in positive activities. Tower Hamlets has also increased funding in its CCTV control room to support better handling of ASB reports.
- 1.5 However, selling of drugs, drug misuse and related ASB in communal spaces remains a recurring issue raised by residents at Members' surgeries and in their casework. Some Members have expressed concern that advice and promotional information from the various agencies on reporting these issues can be confusing. Furthermore, residents who do report incidents are often unaware of the outcome of their reporting. This lack of communication on outcomes may also be a contributory factor of underreporting of ASB in the borough. It is not always clear to residents what the role of social landlords is in dealing with incidents of drugs related ASB in neighbourhoods.
- 1.6 The scrutiny review focused on considering how the council, the police and SLs promote the reporting of drugs incidents and related ASB in communal spaces, and how they communicate the outcome of this reporting. For the purpose of this review, Social Landlords were invited to participate, including Tower Hamlets Homes (an arm's length organisation which manages the council's housing stock), Poplar HARCA and One Housing.
- 1.7 The aim of the review was to assess existing arrangements and explore ways to improve communications and engagement activity.
- 1.8 The review was underpinned by three core questions:

¹ Home Office (2012). *Focus on the victim: Summary report on the ASB call handling trials.*

² Disaggregated data on drugs related ASB reported is not available.

- a) What are the current arrangements for residents to report drug dealing, drug taking and related ASB taking place in communal spaces?
- b) How do the various agencies communicate the outcome of reporting drugs incidents and related ASB?
- c) How can we improve residents' confidence in the reporting of drug dealing, drug taking and related ASB?

1.9 The review was chaired by Cllr John Pierce, over the course of two sessions in March and April 2015. A resident workshop³ was held at the Whitechapel Idea Store and a professionals and stakeholders session at Mulberry Place.

1.10 Other members of the Review Group included Nozrul Mustafa, a Parent/Governor Co-opted Member of the Overview & Scrutiny Committee.

1.11 The review was supported by Shamima Khatun, Strategy, Policy and Performance Officer; LBTH.

1.12 The Review Group received evidence from a range of members, officers and experts including;

Cllr Ohid Ahmed	Cabinet Member for Community Safety
Andy Bamber	Service Head, Community Service LBTH
Emily Fieran-Reed	Head of Community Safety Partnership, Domestic Violence & Hate Crime LBTH
Kevin Jones	Interim Director of Neighbourhoods at Tower Hamlets Homes and Chair of the RSL Anti-Social Behaviour Forum
Jamie Lock	Assistant Director of ASB, Poplar HARCA
Kiera Curran	Anti-Social Behaviour Manager, One Housing Group
Mark Long	Chief Inspector and Co-Chair of ASB Operations Group, Metropolitan Police
Paul Dunn	Chair of London ASB Managers Group
Yvette Holmes	ASB Manager, Tower Hamlets Homes
Fokrul Hoque	Chair of the Safer Neighbourhood Board

1.13 The agenda for the professionals and stakeholders session included an introduction to the key issues under review by Cllr John Pierce followed by presentations and discussion on a range of concerns.

³ Please note that this list of review participants is not exhaustive and does not include residents who did not wish to give their details.

2 Background

National profile of ASB reporting model(s)

- 2.1 Across England, '101' – the police non-emergency number - is promoted as the main route to report instances of anti-social behaviour experienced to local police. It is also possible to contact the police in person, by attending the front office of a local police station, or by attending local neighbourhood tasking meetings, which enable members of the community to meet with local officers to discuss issues of concern and influence local policing priorities.

Inner London profile of ASB reporting

- 2.2 Local authorities in inner London have promoted the following reporting routes:
- Police switchboard 101 the non-emergency number which is available 24 hours a day
 - Via local wards policing officer(s) / Safer Neighbourhood Teams (SNTs)
 - Police online reporting system (captured on 101)
 - Through partner agencies, including Social Landlords
 - Directly to local authorities

Good Practice on ASB call handling

- 2.3 The term 'anti-social behaviour' was defined in law in the 1998 Crime and Disorder Act, to describe the everyday nuisance, disorder and crime that mattered to local people but which many police forces and partner agencies were not prioritising. The definition was accompanied by civil powers such as the Anti-Social Behaviour Order (ASBO), which were intended to provide an alternative to criminal prosecution in cases where it was difficult to prove that a crime had been committed, or where victims were afraid to give evidence against their neighbours.
- 2.4 In September 2010, Sir Denis O'Connor, Her Majesty's Chief Inspector of Constabulary (HMIC), published 'Stop the Rot'; his review of the way the 43 police forces in England and Wales respond to anti-social behaviour. He reported that there had been significant improvements, that all forces list anti-social behaviour as a strategic priority, and that neighbourhood policing in particular can make a big difference when done properly. However, anti-social behaviour is still the crime and policing issue that matters most at a local level and remains one of the most common incident types.
- 2.5 The Association of Chief Police Officers (ACPO) published a report in 2012 titled 'Focus on the Victim: Summary Report on the ASB Call Handling Trials' after extensive trials conducted by eight volunteer forces which included the Metropolitan Police Service. This work represented a 'bottom-up' effort to shift practitioners' focus from logging types of anti-social behaviour, to protecting victims and communities from harm.

- 2.6 The work carried out by the eight forces identified five core principles at the heart of a more effective approach to dealing with anti-social behaviour, focused on harm to the victim or community, rather than categorising the behaviour itself. Four of these principles pertain to how practitioners with responsibility for addressing the problem need to have a clear knowledge and understanding of the importance of effective intelligence gathering and analysis of ASB data. They are:
- An effective call handling system for anti-social behaviour incidents, logging information from the first point of contact so that repeat callers and high-risk cases are flagged up;
 - Using simple, 'off-the-shelf' IT to share information between local agencies and enable a more joined-up approach to protecting victims at risk;
 - All agencies dealing with anti-social behaviour in an area having a shared set of case management principles; and
 - A robust community engagement process to identify issues which are causing the most harm to individuals and neighbourhoods, and how the police, other local agencies and the public can work together to address them.
- 2.7 The significance of recording and categorising ASB was expounded upon in 2010, when Her Majesty's Inspectorate of Constabulary (HMIC) undertook a review to determine how well police forces understood and responded to their local ASB problems and published its findings in the report: 'A Step in the Right Direction: The policing of anti-social behaviour'. More than 5,500 members of the public who had recently reported ASB to the police were surveyed (taking a sample from each force area), to find out about their experiences. The report highlighted the importance of increasing effective intelligence gathering and analysis of ASB data as key to the Police Service getting as true a picture as possible of the extent and nature of the problem in localities.

Local partnership working

- 2.8 The Tower Hamlets Community Safety Partnership (CSP) is a multi-agency strategic group set up following the Crime and Disorder Act 1998. The partnership approach is built on the premise that no single agency can deal with, or be responsible for dealing with, complex community safety issues and that these issues can be addressed more effectively and efficiently through working in partnership.
- 2.9 The Community Safety Partnership is one of 4 Community Plan Delivery Groups which are held responsible by the Partnership Executive⁴ for delivering the priorities contained within the Community Plan. The CSP is made up of both statutory agencies and co-operating bodies within the borough. The statutory agencies are:
- Tower Hamlets Police
 - London Borough of Tower Hamlets

⁴ The Tower Hamlets Partnership includes the council, the police, the Clinical Commissioning Group, Barts Health, Job Centre Plus, as well as other public sector organisations, and representatives of the voluntary and community sector and businesses.

- National Probation Service
- Hackney, City of London and Tower Hamlets Community Rehabilitation Company (CRC)
- London Fire Brigade
- NHS Tower Hamlets Clinical Commissioning Group

2.10 The above are supported by other local agencies from both the Public and Voluntary Sectors. Social Landlords have a key role to play in addressing crime and disorder in their housing estates and these are represented by the Chair of the RSL ASB Forum, a sub-group of the Tower Hamlets Housing Forum. Victims and witnesses of crime and disorder are represented on the CSP by Victim Support. The extensive network of voluntary organisations within the borough, are represented by the Chief Executive of Tower Hamlets Council for Voluntary Services. The council's third sector team are also invited.

ASB reporting arrangements in Tower Hamlets

2.11 A key step in the Home Office and national partners' commitment to cut crime and empower citizens to keep their neighbourhoods safe, is to make it easier to contact the police and report crime and disorder. In January 2012, the national roll-out of the '101' non-emergency number was completed, marking a significant step forward in the Government's ambition to reconnect the police and public. The introduction of the '101' number gives the public across England and Wales one easy and memorable number to contact their local police force for crimes and concerns that do not require an emergency response.

Following the national guidance highlighted above, the council made a decision that the responsibility to tackle ASB in the borough would be primarily through a single reporting channel – the police non-emergency 101 reporting line - and discontinued the promotion of other reporting routes previously in operation. This approach involved a shift from multiple reporting routes that covered a range of ASB areas and services including noise nuisance, hate crime, graffiti removal and numerous SL/SNT contact numbers – not all of which were formally recorded - to a central reporting line. To this end, the council launched a promotional campaign in 2013 advocating this service through a number of communication channels which included issuing '101' calling cards, '101' success case study leaflets and publicising in the borough's community newspaper 'East End Life' and through advertisements in BME press.

2.12 While most ASB calls are dealt with by police officers responding to reports logged by the '101' service, there remain alternative methods through which residents may in fact report ASB, including through the relevant SL. These reports will not necessarily be recorded on the 101 database. For this reason, the RSL ASB Forum agreed that SLs would ask residents to also report ASB, highlighted to them, through the 101 service. In addition to this, responsibility for dealing with complaints of ASB crosses local organisations including the police, council and SLs.

2.13 Social landlords play a critical role in tackling anti-social behaviour and addressing its underlying causes in the areas where they own and manage

homes. They also have a range of tools and powers available for them to deploy in resolving complaints of ASB. The Anti-Social Behaviour, Crime and Policing Act 2014 replaced Anti-Social Behaviour Orders and Anti-Social Behaviour Injunctions with new tools to support 'putting victims first' and to give flexibility to deal with situations where any of the broad range of behaviours described as anti-social behaviour are present.

2.14 Social landlords and private registered providers have a role to play under the 2014 Act through joint working with other agencies and sharing information to ensure the best results for victims. Social landlords can now employ some of the new powers provided by the 2014 Act to enable more choice in the way that reports of ASB are responded to; the focus now squarely on the impact on the victim(s) instead of the behaviour itself. Studies show that early informal intervention is an effective method of resolving ASB.⁵ These may range from verbal or written warnings, community resolution, mediation, acceptable behaviour contracts, parenting contracts to support and counselling.

2.15 The following are relevant to social landlords:

Civil Injunctions

SLs may apply for non-housing related or housing related injunctions. Housing related injunctions are not limited to perpetrators who are their own tenants.

Community Protection Notices (CPN)

SLs designated by the council may issue a CPN in relation to behaviour that has a detrimental effect on the quality of life of those in the locality where it is persistent or continuing and unreasonable. SLs may issue a fixed penalty notice of up to £100 if appropriate for a breach of the CPN.

Possession Proceedings

SLs have power to seek to possess the home of its tenant who has been found guilty of anti-social behaviour or criminality. A new ground for possession provides a shorter route to possession by taking away the courts discretion and making a possession order a mandatory requirement if the relevant grounds are proved.

2.16 Social landlords in Tower Hamlets offer and promote a range of methods to report ASB. This includes sign-posting residents to '101', as well as by contacting the SL directly, including by telephone, email, online, Twitter, Facebook, in person and, in some cases, to a dedicated SL ASB team. The methods and channels offered are not necessarily consistent across all SLs, reflecting a diversity of local approaches.

2.17 Measures by the council to address incidents of ASB by non-SL tenants lie with the council's ASB Operations Team such as case investigators, who liaise with the police and enforcement team to find solutions to the problem, take action, and when appropriate, use the powers set out by the Anti-Social Behaviour Crime and Policing Act of 2014. ASB logged by the council is also passed onto the relevant neighbourhood policing team and recorded on FLARE, the council's database for recording ASB case management. On

⁵ 2013 HouseMark survey shows that 80% of anti-social behaviour cases dealt with by social landlords were successfully resolved by early intervention.

the council website, residents are encouraged to contact the police or housing provider in the first instance to resolve the ASB issue.

- 2.18 Reporting can also take place at 'Action Day' events, which bring together ward councillors, police officers and professionals to explore local crime and ASB issues and how best to address them. In addition, since October 2012, the Lead Member for Community Safety, the Community Safety Partnership and Neighbourhood Policing Teams (NPT) have implemented two rounds of community safety ward walkabouts (October 2012 to May 2013 and October 2013 to April 2014) across all wards in the borough. The ward walkabouts are an 'on the ground' ASB focused project to deal with local issues based on '101' reports. Community safety partners are able to visit each individual ward together and experience first-hand the issues affecting residents and gather valuable community intelligence at the scene. Actions for relevant partners are agreed at each walkabout and partners are asked to respond swiftly to ensure the crime and ASB concerns of residents are dealt with quickly. The police promotes the '101' contact service in all its mainstream communications. SNTs also deploy their Twitter accounts.

Informing communities about action and outcomes from complaints

- 2.19 All agencies involved in tackling ASB indicated that they aimed to report back to residents who have reported ASB directly to them. The police acknowledged that there was limited resources for them to lead broader communications work, such as at an estate or borough-wide level.
- 2.20 The council explained some of its broader communications work, including signage, public notices and posters that are promoted in communal areas which detail the consequences of individual cases where offenders have been successfully convicted for committing violations. 'Action Taken' leaflets are produced by the council after each community safety surgery and ward walkabout which are fortnightly events, and information uploaded on the internet.
- 2.21 In addition, successes around drugs-related ASB – both the work of the council and partners, including the Metropolitan Police - are promoted by the council's communications team in press releases in East End Life, circulated to a wide range of local, regional and BME media and the council's website and social media. The council has recently observed a growth in public interaction using the latter option. The council's communications lead also meets fortnightly with the Metropolitan Police and encourages them to inform the council of any ASB and crime successes so, even without specific council involvement, these can be publicised. Reference to the '101' service is included in all community safety press releases and promotional materials.
- 2.22 The council also notifies outcomes of reporting to elected Members, local groups, including residents associations, Neighbourhood Watch and Ward Panels, and Partnership Operations. Residents and elected Members can request a Community Trigger if they feel that action has not been taken in relation to ASB. The council and police additionally jointly undertake targeted work with the youth population and families in Tower Hamlets through a series of ongoing events programmes such as Summer Light

Night events, to build a sense of community and increase citizens' confidence to work with partners to address ASB concerns.

- 2.23 In addition to the work highlighted above, SLs use a range of methods to report back at an estate or area level. This includes through neighbourhood planning and Tenants and Residents Association meetings, newsletters and social media. As with ASB reporting the methods and channels used by SLs are not necessarily consistent across all providers, reflecting a diversity of local approaches.

3 Key Findings and Recommendations

Confusion over the term ASB

- 3.1 Public understanding of what constitutes anti-social behaviour is determined by a series of factors including context, location, community tolerance and quality of life expectations.⁶ As a result, what may be considered anti-social behaviour to one person can be seen as acceptable behaviour to another. The subjective nature of the concept makes it difficult to identify a single definition. There was a general consensus amongst residents and stakeholders who participated in the review that a clear definition of ASB which reflects national guidance would be helpful.

Developing a clear reporting and response approach

- 3.2 In acknowledgement of the Metropolitan Police's role as the principal lead for tackling ASB in the borough, agreement exists within the CSP that the '101' number should operate as the primary reporting line for residents to report drug related ASB. Immediately following the council's adoption of 101 as the primary reporting route for ASB, the borough recorded the highest level of ASB reported in London. However, by reviewing the number of calls to the police (101 or 999) for ASB over three control periods i.e. October 2011 to September 2012 (17784 calls recorded), October 2012 to September 2013 (17452 calls recorded) and October 2013 to September 2014 (16052 calls recorded), we can see a decrease of 10 per cent overall. It is clear that whilst there is variation from month to month, the overall trend is downward. The use of a primary reporting route, and cross-Partnership tasking system, makes it easier for the police and CSP to effectively support the mapping of anti-social behaviour hotspots and the analysis of trends to help target the allocation of resources.
- 3.3 Despite this reduction, numbers of reports of ASB to police are still high when compared to other boroughs in London. This may be partly attributed to the CSP's significant promotion of the '101' system for the reporting of ASB, instead of dispersing ASB reporting across agencies which is a common practice in other London boroughs.
- 3.4 In 2013, Tower Hamlets had the highest level of ASB reported to the police in London; it is now second highest after Westminster following a plateau in calls and is now experiencing a downward trend. The CSP predicts that this trend will continue to show a decrease but the level of calls received for ASB is difficult to forecast, and can be influenced significantly by partnership activity, including the encouragement of reporting.
- 3.5 The Interim Director of Neighbourhoods at Tower Hamlets Homes and Chair of the RSL Anti-Social Behaviour Forum reiterated that using '101' has given the CSP clear insight into ASB in the borough through the production of consistent datasets.

⁶ Nixon, J., Blandy, S., Hunter, C., Jones, A. and Reeve, K. (2003). *Developing Good Practice in Tackling Anti-Social behaviour in Mixed Tenure Areas*. Sheffield: Sheffield Hallam University.

- 3.6 The Review Group noted that despite the promotion of the '101' number as the primary ASB reporting route, there are a multitude of other methods that can be used to report ASB including SLs' own channels. For example, the Chair of the London ASB Managers Group and a representative of Poplar HARCA impressed on the Review Group the merit in encouraging residents to report ASB incidents firstly to '101' and then to the relevant social landlord that manages the estate, because housing providers are able to offer medium to long term solutions whilst the police provide a rapid response. Whilst the Group did not feel these alternatives, and in some cases additional, reporting routes should necessarily be withdrawn or closed-down, Members felt that a shared statement should be developed which sets out how a resident should report ASB which is consistent across the borough and SL areas.
- 3.7 During the resident workshop it was clear to the Review Group that uncertainty appeared to exist amongst local people on which agency to report incidents of ASB to, and the role and responsibilities of various bodies including the council and social landlords.
- 3.8 The Review Group also considered the variety of methods used by local partners to report back on the outcomes of ASB reporting. Whilst the police, council and SLs set out their commitment to respond directly to those reporting an ASB incident, the communications approach was not necessarily consistent at an estate or area level. The Panel heard from residents about the importance of strong communications back to all residents in order to encourage reporting. With this in mind, the Review Group felt that the council should bring together the police and SLs to develop an agreed minimum standard in terms of how partnership organisations will report back on the outcomes of ASB reporting covering individual incidents, at an area / estate level and borough wide.
- 3.9 The Review Group noted the progress in developing a cross-Partnership data set of ASB incidents, which has been supported by the focus on the 101 line and the council and Social Landlords referring incidents to this central line for recording. Nevertheless, it was noted that this 101 data set is not completely comprehensive. The Group felt that all SLs should reiterate the commitment that residents should be encouraged to report ASB through the 101 line so that there is a more comprehensive borough-wide understanding of ASB reporting across partners.

Recommendation 1

The council, through the relevant Community Safety Partnership (CSP) sub-group - the ASB Strategy Group, brings together the police, Social Landlords (SLs) and other partners to:

- A) Develop a clear shared statement as to what qualifies as ASB, and how a resident should report ASB which is consistent across the borough and SL areas**
- B) Agree a minimum standard in terms of how partnership organisations will report back on the outcomes of ASB reporting (individual incidents, at an area / estate level and borough wide)**
- C) Reiterate the commitment that all SLs should encourage residents to report ASB through the 101 line so that there is a more comprehensive borough-wide understanding of ASB reporting across partners.**

- 3.10 Encouraging ASB reporting is essential to both thoroughly understanding and tackling the problem. Local practitioners need clear, collective protocols for communicating ASB messages to the public, to make clear to residents the ways to report ASB, and to reassure them of the benefits of doing so, through promoting action taken in response to ASB complaints.
- 3.11 The Chair of the London ASB Managers Group confirmed that across London, communications is often suffering due to cutbacks in organisational capacity. This gap in communications may also be impacted upon by legal issues which can restrict what information can be fed back to the public on ASB cases. The Chair of the Safer Neighbourhood Board urged partners to concentrate on communicating action taken following residents reporting ASB even if outcomes have not been successful, in order to ensure that a two-way dialogue is maintained. The Review Group acknowledged the importance of making information available to the public which allows them to form their own opinion and keep them informed on 'what' services are doing and not just 'how well'. The need for clarity on who ASB leads are within agencies was also discussed including contact details to make the process of following up reports easier for residents, with the proviso that these leads should encourage reporting through the 101 service, in addition to taking action.
- 3.12 Workshop participants felt that awareness on reporting ASB amongst residents needs to be strengthened especially in neighbourhoods which have a high population turnover. The Group felt that this was particularly important given the existence of multiple reporting channels and the primacy of the 101 service. While anti-social behaviour can occur in any neighbourhood, it is frequently experienced in high density, low income areas where multiple forms of deprivation are prevalent. A British Crime Survey indicated that social housing tenants are almost twice as likely as those in owner occupied or private rented property to perceive anti-social behaviour as a problem in their area. The Review Group felt that a renewed campaign to inform and remind residents on how to report ASB should be undertaken which should be cross-Partnership and informed by the experience of the 101 communications campaign undertaken in 2013.

Recommendation 2

The council, through the CSP ASB Strategy Group, oversees a renewed partnership promotional campaign to encourage ASB reporting. The campaign should:

- A) Include strong police and social landlord involvement**
- B) Be informed by the experience of the 101 reporting campaign undertaken in 2013**
- C) Include a focus on the reporting of drug-related ASB**
- D) Reiterate a clear message on how residents report ASB which is consistent across the borough and SLs.**

- 3.13 The Review Group was advised of surveys undertaken by housing providers which seek residents' views in relation to how ASB reporting is handled, e.g. satisfaction with the outcome of an ASB complaint. The Group felt that these surveys would be more valuable if they are comparable across housing providers i.e. using the same methodology and questions. Such an approach would allow providers – and potentially others – to compare

performance in a clear and consistent way, and would support the identification of good practice and areas / SLs requiring improvement.

Recommendation 3

The council, through the relevant CSP sub-group – the Registered Social Landlord (RSL) ASB Forum – brings together housing providers to explore implementation of a consistent approach to ASB surveying which supports robust benchmarking across SLs, including the identification of good practice and areas / SLs requiring improvement.

Ways to improve resident engagement in tackling ASB

- 3.14 In discussing how to boost residents' confidence in reporting ASB, SLs participating in the review agreed that the onus of encouraging reporting lies with the agencies involved in combatting it instead of residents. Hence, One Housing prioritises outreach work as opposed to expecting residents to initiate contact. Poplar HARCA also echoed this by involving residents from estates in arranging and participating in 'Days of Action'. Nevertheless, the Chair of the London ASB Managers Group emphasised the importance of active community involvement as an essential tool to tackle ASB through empowering residents to be actively involved, and getting them to understand the resources available to tackle it. Similarly, the Assistant Director of ASB at Poplar HARCA highlighted the benefit of training the community to get information from residents and feed back to local people, since not only are they an important source of knowledge but reliable witnesses who are crucial in achieving successful enforcement action.
- 3.15 The Review Group sought to explore additional practical ways residents can be supported to identify ASB and assist local organisations to tackle it, particularly in an environment of reducing resources. Suggested proposals included pairing up interested community members with middle management officers dealing with ASB in partner agencies. In addition, 'Participatory Appraisal Training' was suggested by the Chair of the London ASB Managers Group as an appropriate methodology that has been effectively used elsewhere, to encourage residents to discuss ASB. 'Participatory Appraisal' is a broad empowerment approach that seeks to build community knowledge and encourages grassroots action. It employs visual methods, making it especially useful for participants who find other methods of participation intimidating or complicated, to gather qualitative and quantitative results. Participatory Appraisal can be used to develop initiatives, and train residents and community champions to challenge local agencies and shape the approach to tackling anti-social behaviour. The Group felt the RSL ASB Forum should consider further a Participatory Appraisal approach.

Recommendation 4

The council, through the RSL ASB forum, investigate a pilot approach to 'Participatory Appraisal Training', in order to support residents to challenge local agencies and shape the approach to tackling anti-social behaviour.

Wider causal factors relating to ASB in the borough

- 3.16 The Scrutiny Review was focused on issues of reporting ASB and communicating the outcomes of such reporting. As such, the complex issue of what contributes to high levels of ASB was out of scope of the Review Group's work.
- 3.17 Nevertheless the Group noted the significant role of the Youth Service, and specifically related grants which aim to reduce and prevent ASB. The Group felt that the allocation of such funding should be informed by the best available information on the reporting of ASB incidents i.e. the 101 data. This will allow activity to be focused on the areas of greatest need, including ASB hotspots. In addition, this approach will help encourage SLs to advise residents to ensure that all ASB is recorded via the 101 service.

Recommendation 5

The allocation of any youth service grants which primarily aim to reduce ASB activity, should be informed by 101 data on the reporting of ASB incidents.

Sustainability of tackling local ASB in an environment of public sector austerity

- 3.18 Representatives of all agencies highlighted funding pressures and a likely reduction in resources available to support and tackle ASB. The Review Group felt that it would be worthwhile for the council and partners to work together now to explore how local agencies might operate in a future environment of significantly reduced resources. One suggestion, which builds upon the work highlighted by SLs, was the potential role of new technology and social media to support relatively inexpensive ways to both promote reporting of ASB to 101 and receive feedback about how incidents have been addressed.

Recommendation 6


The council, through the CSP ASB Strategy Group, brings together the police and housing partners to consider how best the partnership can provide a good service in the context of reducing resources, including exploring social media and new technology to both promote ASB reporting to 101 and feeding back on ASB reports.

Comment	Action	Responsibility	Date	Progress Update – March 2017
<p>R1. The council, through the relevant Community Safety Partnership (CSP) sub-group - the ASB Strategy Group, brings together the police, Social Landlords (SLs) and other partners to:</p> <p>A) Develop a clear shared statement as to what qualifies as ASB, and how a resident should report ASB which is consistent across the borough and SL areas B) Agree a minimum standard in terms of how partnership organisations will report back on the outcomes of ASB reporting (individual incidents, at an area / estate level and borough wide) C) Reiterate the commitment that all SLs should encourage residents to report ASB through the 101 line so that there is a more comprehensive borough-wide understanding of ASB reporting across partners.</p>				
	<p>1. ASB Strategy group to liaise with all partners and ensure that there is one definition of ASB; once developed this will be publicised and include clear instructions on how residents should contact authorities, including using 101.</p> <p>2. Develop a communication strategy for the partnership to publicise on a 'you said we did' basis. This should incorporate all types of media options.</p>	<p>ASB Strategy Group</p> <p>ASB Strategy Group</p>	<p>1. Dec 2015</p> <p>2. Dec 2015</p>	<p>For the purposes of housing-related ASB, the ASB Strategy group has agreed to adopt the definition in the Anti-social Behaviour, Crime and Policing Act 2014: 'Anti-social behaviour is conduct that has caused, or is likely to cause, harassment, alarm or distress to any person'.</p> <p>There has been agreement with Communications to have an enhanced Gold Campaign in regard to ASB tying in the work around consultation and the Strategy which will include supporting communities in understanding ASB, types, responsibilities and reporting routes.</p> <p>In November 2016, the Council commissioned an ASB review to investigate, not only the areas highlighted in the recommendations but also a number of other areas which constantly impede on partnership working to identify, prioritise and solve ASB across the borough. This review will result in the development of an action plan by the partnership of short, medium and long term solutions.</p> <p>The five month review has now established six working groups that all have a strategic lead, and will identify and develop short and medium term improvements in the following areas:</p> <ul style="list-style-type: none"> • Early intervention • Community engagement • Communication • Tools and Powers • Resources • Tasking <p>The findings of this review will be presented to the Senior Leadership Team and elected mayor and portfolio lead in March 2017.</p>
<p>R2. The council, through the CSP ASB Strategy Group, oversees a renewed partnership promotional campaign to encourage ASB reporting. The campaign should:</p> <p>A) Include strong police and social landlord involvement B) Be informed by the experience of the 101 reporting campaign undertaken in 2013 C) Include a focus on the reporting of drug-related ASB D) Reiterate a clear message on how residents report ASB which is consistent across the borough and SLs.</p>				

Comment	Action	Responsibility	Date	Progress Update – March 2017
Currently there are zero funds set aside for the publicity of 101. The council has previously advertised the 101 number on bus stops, leaflets and has run a number of articles in East End Life.	<ol style="list-style-type: none"> 1. Agree ASB campaign with partnership allocating financial or staff resources to cover reporting and results/case studies, including the elements mentioned in the recommendation. 2. Deliver an ASB campaign incorporating the recommendations. 	ASB Strategy Group	1. Dec 2015	A sub-group is now working with the Council's Communications Team, although we still await confirmation for what budget is available for the campaign.
<p>R3. The council, through the relevant CSP sub-group – the Registered Social Landlord (RSL) ASB Forum – brings together housing providers to explore implementation of a consistent approach to ASB surveying which supports robust benchmarking across SLs, including the identification of good practice and areas / SLs requiring improvement.</p>				
The Registered Social Landlord (RSL) ASB Forum undertook a benchmarking exercise in 2014/15. The group will work to take away any learning and propose to improve consistency in service delivery by implementing recommendations.	<ol style="list-style-type: none"> 1. Review 2014/15 benchmarking exercise and extract good practice to add value to ASB service delivery. 2. Review 2014/15 benchmarking survey and make recommendations to improve the survey to implement a survey method that is consistent in benchmarking results between RSLs. 3. Consult the London ASB Forum on benchmarking and consolidate findings. 4. Present the final report to the RSL Forum with findings, benchmarking results and practical quick win recommendations for consistency in benchmarking results between RSLs. 	Registered Social Landlord ASB Forum	<ol style="list-style-type: none"> 1. Sep 2015 2. Sep 2015 3. Sep 2016 4. Jan 2016 	A survey methodology has been agreed with 5 core questions to be included when the case is closed. This will be implemented from April 2017 with ongoing monitoring against the initial survey results.
<p>R4. The council, through the RSL ASB forum, investigate a pilot approach to 'Participatory Appraisal Training', in order to support residents to challenge local agencies and shape the approach to tackling anti-social behaviour.</p>				
There is a concern amongst RSLs that they might be repeating this exercise as most RSLs have engaged on various levels with residents. Noting the concern, RSLs will try to better understand 'Participatory Appraisal Training' by liaising with other boroughs and London wide housing providers.	<ol style="list-style-type: none"> 1. Collate current RSL work on initiatives engaging residents to improve service delivery. 2. Invite London ASB Forum Chair and other boroughs piloting 'Participatory Appraisal Training' to present at the RSL ASB Forum. 3. Report the findings on 'Participatory Appraisal Training' and cascade recommendations for implementation to ASB service providers. 	Registered Social Landlord ASB Forum	<ol style="list-style-type: none"> 1. Sep 2015 2. Dec 2015 3. Feb 2016 	Registered Provider (RP) members have a vast array of involvement opportunities for residents across a variety of service areas and it is not possible to standardise these.
<p>R5. The allocation of any youth service grants which primarily aim to reduce ASB activity, should be informed by 101 data on the reporting of ASB incidents.</p>				
Until recently the Youth Services Rapid Response Team were tasked to ASB hotspots using the Police 101 ASB data and local intelligence. A new GIS officer has been appointed and is waiting for security clearance to access the 101 police data.	<ol style="list-style-type: none"> 1. Get security clearance for GIS officer to access Police 101 data. 2. Produce fortnightly ASB 101 hotspot maps and present at the ASB operations meeting. 3. Incorporate 101 data in annual strategic assessment and share with Youth Service PAYP grants to allocate resources and programmes to reduce ASB incidents. 	Youth Service PAYP grants and ASB operations Meeting	<ol style="list-style-type: none"> 1. Sep 2015 2. Oct 2015 3. Mar 2016 	The ASB operations group is supported by an analyst who has access to Police data and the 101 calls. This is used to identify hotspot areas and tasking and used at each fortnightly meeting. The Youth Service is represented through both Children's and Youth Offending Team (YOT) at the Community Safety Partnership Board where the strategic assessment and performance in relation to ASB is discussed. The details of annual recording and indicators

Comment	Action	Responsibility	Date	Progress Update – March 2017
				from the sub-groups including ASB, Drug Alcohol and Action Team (DAAT), Reducing Reoffending are shared and agreed in order to support services and target service areas moving forward through annual action plans.
<p>R6. The council, through the CSP ASB Strategy Group, brings together the police and housing partners to consider how best the partnership can provide a good service in the context of reducing resources, including exploring social media and new technology to both promote ASB reporting to 101 and feeding back on ASB reports.</p>				
<p>Nationally Police 101 reports can only be taken over the phone, 101 does not have the functionality to report via social media, this will be actioned by sharing our findings with the 101 call handling service.</p>	<ol style="list-style-type: none"> 1. Develop a communication strategy for the partnership to publicise on a 'you said we did' basis. This should incorporate all types of media options. 2. Review current reporting content on partner's websites and social media platforms. 3. Refresh reporting content on partner's websites and social media platforms with guidance/posts on reporting ASB to 101. 	<p>ASB Strategy Group</p>	<ol style="list-style-type: none"> 1. Dec 2015 2. Sep 2015 3. Dec 2015 	<p>The Council is commissioning an independent review with a remit to:</p> <ul style="list-style-type: none"> • Analyse the current approach to tackling ASB • Build on the current mapping of ASB in the borough and look at trends to mitigate future ASB issues • Identify the current shortcomings • Establishing a revised set of shared outcomes • Redesign services around achieving these goals • Establish fresh consensus and direction • Consider options for maximising the use and impact of partnership resources • Agree an action plan with milestones to support the delivery and performance management of services in order to tackle ASB effectively and efficiently • The production of a shared ASB Strategy. <p>Once completed, this piece of work will inform how best to achieve this recommendation. The lead officer is now in place to progress this work.</p>

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<p>Non-Executive Report of the:</p> <p style="text-align: center;">Overview & Scrutiny Committee</p> <p style="text-align: center;">1 March 2017</p>	
<p>Report of: Graham White Acting Corporate Director – Governance and Interim Monitoring Officer</p>	<p>Classification: Unrestricted</p>
<p>Report of Investigations under the Regulation of Investigatory Powers Act (RIPA)</p>	

Originating Officer(s)	Graham White – Acting Corporate Director Governance and Interim Monitoring Officer
Wards affected	All wards

Summary

The codes of practice issued by the Home Office in relation to Part 2 of the Regulation of Investigatory Powers Act 2000 (“RIPA”) recommend that elected members have oversight of the Council’s use of these provisions. This report summarises the Council’s use of those powers and other activities under RIPA.

Recommendations:

The Overview & Scrutiny Committee is recommended to:

1. Consider and comment upon the information provided in the report.

1. REASONS FOR THE DECISIONS

- 1.1 The information in the report is provided so that members may oversee the Council's use of powers under RIPA.

2. ALTERNATIVE OPTIONS

- 2.1 It is open to members to provide such comments on the Council's use of RIPA powers as they consider appropriate.

3. DETAILS OF REPORT

3.1 Covert investigation and RIPA

- 3.2 The Council has broad statutory functions and takes targeted enforcement action in relation to those functions, having regard to the Tower Hamlets Community Plan, the Council's Local Development Framework, any external targets or requirements imposed under relevant legislation and the Council's enforcement policy. There may be circumstances in the discharge of its statutory functions in which it is necessary for the Council to conduct directed surveillance or use a covert human intelligence source for the purpose of preventing crime or disorder.

- 3.3 RIPA was enacted to provide a framework within which a public authority may use covert investigation for the purpose of preventing or detecting crime or of preventing disorder. It is designed to ensure that public authorities do not contravene the obligation in section 6(1) of the Human Rights Act 1998 not to act in a way which is incompatible with an individual's rights under the European Convention on Human Rights ("ECHR"). It is particularly concerned to prevent contravention of the qualified right in Article 8 of the ECHR to respect for private and family life, home and correspondence.

3.4 The Council's use of RIPA

- 3.5 The Monitoring Officer is the senior responsible officer for ensuring the Council complies with RIPA.

- 3.6 The Council has policies on the use of directed surveillance or covert human intelligence sources. The current versions of these policies were approved by Cabinet on 3 October 2012, as appendices to the Council's enforcement policy. The Council has in place guidance manuals to assist officers in the authorisation process. The policy is in the course of being refreshed.

- 3.7 The Council's current priorities for using RIPA, as specified in its policies are –

- Anti-social behaviour
- Fly-tipping
- Unlawful street vending of DVDs and tobacco
- Underage sales of knives, tobacco, alcohol and fireworks

- Fraud, including misuse of disabled parking badges and claims for housing benefit
 - Illegal money-lending and related offending
 - Breach of licences
 - Touting.
- 3.8 These priorities will be considered in the review of the enforcement policy.
- 3.9 The Council may only use covert investigation for the purposes of serious offences. This means an offence of the following kind –
- An offence punishable by a maximum term of at least 6 months of imprisonment.
 - An offence under section 146 of the Licensing Act 2003 (sale of alcohol to children).
 - An offence under section 147 of the Licensing Act 2003 (allowing the sale of alcohol to children).
 - An offence under section 147A of the Licensing Act 2003 (persistently selling alcohol to children).
 - An offence under section 7 of the Children and Young Persons Act 1933 (sale of tobacco etc. to persons under eighteen).
- 3.10 The Council must also have approval from a court, in addition to an internal authorisation granted by its authorising officer, before carrying out covert surveillance.
- 3.11 In accordance with the Council's policies and manuals, a central record is maintained in Legal Services of all authorisations and approvals granted to carry out either directed surveillance or to use covert human intelligence sources (authorisations under Part 2 of RIPA). The Council provides an annual return to the Office of Surveillance Commissioners (“OSC”), based on the central record.
- 3.12 In order to ensure that applications for RIPA authorisation are of an appropriate standard, the Council's policies and manuals provide that all applications for authorisation to conduct directed surveillance or to use covert human intelligence sources should be considered by a gatekeeper before being passed on to the authorising officer. The Council's gatekeeper is the Head of Community Safety (within the Community Safety Service) and the deputy gatekeeper is the Intelligence Team Leader, Risk Management & Audit. In the absence of the Head of Community Safety, the deputy may act as gatekeeper. The gatekeeper must work with applicant officers to ensure an appropriate standard of applications, including that applications use the current template, correctly identify known targets and properly address issues of necessity, proportionality and collateral intrusion.
- 3.13 The Council's authorising officer, the Divisional Director, Public Realm, has responsibility for considering applications to use directed surveillance or covert human intelligence sources. The policies provide that the Head of

Internal Audit may stand in for the Divisional Director, Public Realm where the Monitoring Officer or Divisional Director, Legal consider it necessary.

- 3.14 The Council's policies and manuals require officers who apply for RIPA authorisations to expeditiously forward copies of authorisations, reviews and cancellations to Legal Services for the central record. The Divisional Director, Legal (or deputy) may attend fortnightly at internal deployment and tasking meetings to ensure the central record is being kept up to date. Representatives of the Place Directorate and the Police attend these meetings. The meetings provide an opportunity to check the status of applications and authorisations under RIPA and a forum at which officers may present any operations plans where covert investigation may be required and seek a steer from those at the meeting.

3.15 The Council's RIPA applications in 2016/17

- 3.16 No applications were made in the first, second and third quarters of 2016/2017.

- 3.17 On 11 December 2015, a RIPA training session was arranged for the Tower Hamlets Enforcement Officers (THEOs). Members of the Enforcement Team in Legal Services also attended.

- 3.18 On 7 November 2016, a RIPA training session was arranged for the Fraud & Audit Teams.

- 3.19 On 25 January 2017, a training session was held for the THEOs.

- 3.20 Recently, there have been new appointments for the Authorising Officer, Gatekeeper and Deputy Gatekeeper.

- 3.21 On 15 March 2017, there will be an inspection by the Office of the Surveillance Commissioners with regards to compliance with the Regulation of Investigatory Powers Act 2000 (RIPA). The last inspection was May 2013.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 This is a report of the Council's use of the Regulation of Investigatory Powers Act 2000 ("RIPA"). There are no financial implications arising from the recommendations in this report.

5. LEGAL COMMENTS

- 5.1 Legal implications are addressed in the body of the report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 Enforcement action that complies with the five principles expressed in the Council's enforcement policy should help to achieve the objectives of equality and personal responsibility inherent in One Tower Hamlets.
- 6.2 Enforcement action may lead to indirect discrimination in limited circumstances, but this will be justified where the action is necessary and proportionate. Necessity and proportionality are key considerations in respect of every application for authorisation under RIPA.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The report does not propose any direct expenditure. Rather, it is concerned with regularising decision-making in areas in which the Council is already active. The enforcement policy seeks to ensure that enforcement action is targeted to the Council's policy objectives. This is more likely to lead to efficient enforcement action than a less-controlled enforcement effort. It is also proposed that members will have an oversight role primarily through the Standards (Advisory) Committee but also through the Overview & Scrutiny Committee. This will provide an opportunity to judge whether the Council's enforcement action is being conducted efficiently.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 The enforcement policy seeks to target the Council's enforcement action in accordance with the Community Plan. The Community Plan contains the Council's sustainable community strategy for promoting or improving the economic, social and environmental well-being of Tower Hamlets and contributing to the achievement of sustainable development in the United Kingdom. To the extent that the enforcement policy aligns enforcement action with the Community Plan it will tend to promote sustainable action for a greener environment.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 Enforcement action carries with it a variety of inherent risks, including the potential for allegations of over- or under-enforcement, discrimination, adverse costs orders and damage to the Council's reputation. It is considered that proper adherence to RIPA, the codes of practice, the Council's policies and guidance will ensure that risks are properly managed. Oversight by Members should also provide a useful check that risks are being appropriately managed.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 As set out in paragraphs 3.1 and 3.2 of the report, the Council's use of covert investigation may be a necessary part of its enforcement work, but must be carried out having regard to the requirements of RIPA.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- NONE

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

- NONE

Officer contact details for documents:

- N/A