

**To: Senior Management Team**

**Subject: Tenant Scrutiny & Antisocial Behaviour Performance**

**Report by: The Tenant Scrutiny Panel**

**Date: 8 March 2016**

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The Tenant Involvement Group (TIG) identified that our Annual Return on the Charter (ARC) score for the percentage of cases of antisocial behaviour (ASB) resolved within locally agreed targets was much lower than the national or local average. They proposed to investigate this, and identify any procedural issues causing this low score.

### **Stage 1: Fact Finding and Research**

The TIG carried out a fact finding and research exercise by considering:

- What the Scottish Social Housing Charter states about Locally Agreed Targets
- Reading policy and procedures including our Antisocial Behaviour Policy and Procedure and the East Lothian Anti-Social Behaviour Partnership Policy
- ELHA's performance information
- Gathering information on 'Locally Agreed Targets' from other Landlords in East Lothian
- Gathering more information on targets across Scotland.

### **Stage 2: ELHA Corporate Approach**

The TIG reviewed ELHA's processes:

- Karen Barry, Housing Manager, provided a presentation on the ASB Policy and associated procedures and answered any questions posed
- By examining procedures

### **Stage 3: What Actually Happens**

The TIG considered what happens on the ground in ELHA and its performance by:

- Interviewing Housing Officers to get a first – hand account of how antisocial behaviour cases are handled.

## **Findings:**

The TIG immediately identified that the completion dates ELHA works to are not completion targets, but customer care targets. They felt that while these customer care targets were important, and should be retained, additional completion targets should be put in place, appropriate to the expected length of the case.

The ARC guidance was criticized for being too vague regarding 'locally agreed targets'. It was felt that as the ARC's landlord report seems to benchmark performance against other organisations, those organisations should be working to the same targets.

From interviews with the Housing Officers, the TIG discovered the difficulty in resolving problems stemming from personality or lifestyle conflicts, rather than a clear breach of the Tenancy Agreement.

## **Recommendations:**

1. Feedback should be sent to the Scottish Housing Regulator regarding the ambiguity over 'Locally Agreed Targets'.
2. ASB cases to be dealt with in three parts:
  - Assessment: Using the existing customer care targets
  - Investigation: An additional 10 days for category C complaints if needed, 3 months for category B complaints to give time to liaise with external agencies, and 12 months for category A complaints, to take into account the time required to raise court action, or for Police investigations to take place should be included
  - Follow up: Housing Officers should 'check in' with tenants at the end of the investigation period. If the complainant is not satisfied that the case has been resolved, or if the letters have only just gone out, the Housing Officer can extend the case by up to 3 months in order to give the complainant more information, conduct further investigations, or liaise with other agencies/staff. Once the additional 3 months are up, if the case is still active, it can be said to be out of target.
  - Proposed timescales:

<b>Category</b>	<b>Respond to complainant &amp; start investigation</b>	<b>Investigation/monitoring time, court action, etc (if required)</b>	<b>Follow up</b>	<b>Completion Target</b>
A	3 working days	365 days	65 days	433 days (15 months, 3 days)
B	5 working days	65 days	65 days	135 days (6 months, 1 week)
C	10 working days	10 days	65 days	85 days (3 months, 4 weeks)

3. Neighbour disputes which are not a clear breach of the tenancy agreement, and appear to be a personality/lifestyle clash should be referred to Community Mediation and the case left open for follow up. If the tenants refuse to engage with Mediation, they should be provided with information on Homehunt and East Lothian X-Changes. If the Housing Officer is satisfied that the dispute is a vexatious case, where the tenants are more interested in winning the argument than resolving their differences, the Housing Officer can write to the tenants informing them that we will not accept any further complaints of the same nature.
4. Once a case has been passed to solicitors for court action the case should no longer count towards targets, as at this point the resolution timescales are out with ELHA's control. The case should remain open until the court action is concluded.
5. Housing Officers should be given discretionary powers to bypass procedures and/or timescales where a tenant has been identified as particularly vulnerable. In these cases, the Housing Officer should liaise with the Tenancy Support Officer to bring about the best outcome. These cases will still count for ARC statistics, so should not be seen as a 'get out of jail free card' for out of target cases.

### **Tenant Involvement Group 8/3/16**