

HOUSING LIAISON PROTOCOL

**THE MORAY COUNCIL, GRAMPIAN POLICE,
PROCURATOR FISCAL
AND
REGISTERED SOCIAL LANDLORDS in MORAY**

November 2002

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SIGNED for The Moray Council

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1. **INTRODUCTION**

- 1.1 When people live together in close proximity there is always potential for friction and disputes. Some instances can lead to long-standing feuds that are difficult to resolve by any one agency. These disputes are now becoming more common in Moray. It is essential that Grampian Police, the Procurator Fiscal, The Moray Council and Registered Social Landlords have effective **problem solving** strategies in place to allow early identification and intervention to ensure that the root problems are targeted for action. It is recognised though that many neighbour incidents are of a minor or one-off nature and are resolved without recourse to the law or a multi-agency approach. This protocol is not designed to assist with such incidents. It is the cases where the behaviour of one household causes serious upset to other households or the general neighbourhood that will be targeted for action. These can often involve harassment, violence and criminality and can give rise to widespread misery, anger and fear affecting large numbers of households or even whole estates.
- 1.2 The Moray Council along with its key partners have been working to reduce risks which threaten the quality of people's lives through its Community Safety Strategy. This Protocol is designed to ensure that the relevant statutory agencies and other social housing landlords have effective co-operative working arrangements in place to tackle such behaviour.
- 1.3 A Housing Liaison Protocol may yield benefits to the community, the Police as well as to Housing Providers.

Benefits to the Community

- Demonstrates to the public the commitment of Grampian Police, The Moray Council, Registered Social Landlords and other agencies to work together to reduce instances of anti-social behaviour.
- Improves the quality of life for law-abiding citizens through a reduction in the number of incidents of anti-social behaviour.

Benefits to the Grampian Police

- Formal system adopted for sharing information prevents cumbersome process of attempting to retrieve historical information on incidents of anti-social behaviour as one-off requests.
- Can reduce the number of recurring calls, which are a drain on police resources in attending persistent complaints about residents. i.e. one clear channel of communication.
- Information feedback from Housing agencies to the Police to inform of the result of the information exchange e.g. court action to repossess house.

Benefits to the Housing Agencies

- The Liaison Protocol provides for a historical record of evidence, which will facilitate retrieval of information and allow concise production of evidence in a court setting when action is taken against a disruptive resident.
- Housing officers will have access to all relevant documentation and can easily identify police officers from whom statements may be required for court purposes.
- Provides a system for production of statistical information to enable effective monitoring and internal reporting and evaluation of actions taken.

2. MULTI – AGENCY APPROACH TO INFORMATION EXCHANGE

- 2.1 Effective information exchange is the key to multi-agency working in any sphere. It relies on good relations between partners, and above all mutual trust. A joint Housing Liaison Protocol will allow a more co-ordinated approach to be taken when dealing with anti-social behaviour in housing areas across the Moray Community. Grampian Police, the Procurator Fiscal, The Moray Council and Registered Social Landlords are committed to taking positive action to deal with anti-social residents. To enable this, the protocol establishes procedures to ensure that the right information is exchanged to prevent problems escalating and thereby eroding valuable finite resources.
- 2.2 Close working relationships already exist across several areas and many informal arrangements are already established to exchange information on current anti-social residents. This protocol is not designed to replace such relationships. It should enhance them.
- 2.3 Much police and housing agency time is spent responding to the symptoms of anti-social behaviour and a protocol to fully exchange information will allow all agencies to identify potential causes and co-ordinate their activities to further improve the quality of life and community safety in Moray.

3. DEFINING ANTI-SOCIAL BEHAVIOUR

3.1 'Anti social behaviour' may take many forms and some of the categories regularly tackled from a housing perspective are:

- Harassment of neighbours and other residents
- Racial harassment
- Noise nuisance
- Criminal damage
- Breaches of tenancy agreements
- Fouling and littering of common areas

3.2 These incidents in isolation may appear minor, but often an accumulation of such incidents or regular repetition can build up to cause a serious deterioration in the quality of life, and ultimately lead to conflict.

3.3 Anti-social behaviour may encompass acts of a more serious nature such as:

- Any incidence or threat of physical assault or domestic abuse;
- Breaches of the peace and malicious damage;
- Behaviour which constitutes threats and harassment;
- Drug abuse and/or dealing; and
- Any other behaviour by one occupier or individuals in an area which threatens the physical or mental health, safety or security of other households or individuals

4. LIAISON PROTOCOL

4.1 Confidentiality

Any disclosure, whether under section 115 of the Crime and Disorder Act 1998 or under previously existing common law or statutory powers, must have regard to common law and statutory restrictions on disclosure including data protection legislation. This legislation includes the data protection principles, which require that personal data obtained is processed and disclosed fairly and is processed only for certain purposes; is accurate, relevant, and held no longer than necessary and is kept securely.

In order to streamline the processing of information on anti-social residents information will only be exchanged under private and confidential cover between the local Police Inspector, the relevant Area Housing Manager (for the Council) or the Housing Manager/senior Housing Officer (for Registered Social Landlords). The information will be held securely and only acted upon under the terms of this protocol by each agency.

Any information disclosed remains the property of the disclosing agency. It can only be used for the purpose(s) the information was requested for and only by the agency requesting the information. If the agency requesting the information requires to use the disclosed information for another purpose or they need to disclose the information to another third party (not already notified to the disclosing agency) or a third party requests copies of the disclosed information, then the original disclosing agency must be contacted to confirm their approval of the disclosure. For example, a Housing Association has requested information on Mr X who lives in one of their houses. Grampian Police disclose information on a number of incidents at the property involving Mr X. Mr X approaches the Housing Association and requests a copy of his housing file. The Housing Association must contact Grampian Police to confirm if they agree to the data they have disclosed to the Housing Association being passed on to Mr X.

4.2 Key Elements

The Moray Council operates four housing management areas. In addition, Registered Social Landlords manage housing in Moray.

The key elements of this agreement will involve

- Closer links between the Council's Housing Service, Registered Social Landlords, Police officers, the Procurator Fiscal and Council solicitors;
- The targeting of issues;
- The sharing of information; and
- The agreement of action for solving problems in the shortest possible time.

The sharing of information will be strictly controlled. Only individuals in named posts who are fully aware of Data Protection principles and restrictions will be

allowed to share information. The posts involved are those named in Appendix 1.

Grampian Police, the Moray Council, Registered Social Landlords and the Procurator Fiscal will share information in respect of incidents of anti-social behaviour in an agreed format.

4.3 The Process

The Chief Housing Officer, the Senior Area Housing Manager, Principal Solicitor, the Procurator Fiscal, the Chief Inspector from Grampian Police and a senior Manager representing Registered Social Landlords will meet on a regular basis to review the effectiveness of joint working and to identify any directional/policy issues that may arise.

4.3.1 Working at Area Level

Area Housing Managers are responsible for their area, which will be the basis for dealing with issues. Each Area Housing Manager and the relevant Police Officers will meet formally on a timescale to be decided by them. Prior to meetings, both organisations will research instances where anti social behaviour or other criminal conduct has occurred. From this information, consideration will be given to targeting individuals who have committed such acts, or areas giving concern. Both organisations will then liaise with a view to considering joint action. Depending on the nature of the issues to be discussed, the persons involved and the location of the problem, then attendance at the meeting may be extended to include: -

- Housing Officers (as required);
- Protective Services Officers (as required);
- Housing Association Managers (as required);
- Social Work Staff (as required);
- Education Representatives (as required);
- Health Representatives (as required); and
- Legal Services Representatives (as required).

Day to day liaison between personnel of all agencies will continue on an 'as required' basis.

4.3.2 Information Gathering/Exchange

The circumstances surrounding each case will no doubt vary. The research prior to any action must be carried out thoroughly and accurately in order to support effective action. It is envisaged that by discussing cases from the outset of complaints, a joint investigation *may* be initiated which *could* involve a Community Beat Officer and a Housing Officer attending, if deemed necessary. The Police and Housing personnel will, if appropriate, visit a complainer or victim to ensure that his or her confidence and assistance is maintained.

4.3.3 Grampian Police

When incidents involving anti-social behaviour occur at/or within the vicinity of a property in a target area and are reported to the police, Grampian Police will adopt the following procedure:

Details of the incidents will be recorded on a pro-forma report (copy attached - Appendix 2) and the information will be forwarded to the relevant Housing Manager.

The report should detail:

- Date/time and address where incident occurred;
- Officer(s) attending and his/her station;
- Complainer's details;
- Nature and description of anti-social behaviour;
- Summary of the circumstances and police action;
- Whether or not the matter reported to Procurator Fiscal (including the reference number); and
- Whether there were any contributory factors surrounding the anti-social behaviour e.g. evidence of drugs or alcohol

In cases where there has been a joint involvement with the Housing Service or a Registered Social Landlord and the Police and the latter have referred an incident to the Procurator Fiscal for consideration of a criminal prosecution, the report to the Procurator Fiscal will include information that the Housing Service/Registered Social Landlord has an interest.

4.3.4 Council/Registered Social Landlord

The relevant Housing Manager will record details of all incidents of anti-social behaviour reported to them.

Where the Council or a Registered Social Landlord receives a report of, or witnesses anti-social behaviour which is of a nature suitable for referral to the Police, then the relevant Housing Manager will forward details to the local Inspector by means of a pro-forma report (Appendix 3)

4.3.5 Urgent Situations

In certain cases, there may be insufficient time for the formal exchange of information. In such cases, the organisation identifying the requirement for prompt action will convene a meeting between the agencies to discuss the case at hand. This may be appropriate in cases of chronic repeat victimisation.

4.3.6 Anti Social Behaviour Orders

Where the Council obtain an Anti Social Behaviour Order against an offender, they will copy the document to the relevant local Chief Inspector. The Chief Inspector will update the S.T.O.R.M Command and Control System. In the event of the Order being breached, the relevant operational officer will be informed by the Control Room of the Order.

Where evidence exists that the order has been breached, the Police will normally report the offender to the Procurator Fiscal. Such reports will be processed at the earliest opportunity and normally within 14 days. A copy of the Anti Social Behaviour Order will be forwarded to the Procurator Fiscal by the Police. In cases where the Police are informed of a breach of an Anti Social Behaviour Order, notification will be forwarded to the relevant Area Housing Manager within 5 days.

4.3.7 Procurator Fiscal

On receipt of the Police report regarding the alleged breach of an Anti Social Behaviour Order, the Procurator Fiscal will decide whether or not he is to prosecute. If the decision is to prosecute, he will communicate this information to the Council's Chief Legal Officer. If the decision is not to prosecute, he will advise the Police who will notify the Council's Chief Legal Officer. The Chief Legal Officer will advise the relevant Housing Manager.

4.4 Monitoring

Effectiveness of the protocol can be monitored in a number of ways: -

- Crime figures for the area;
- Incident figures relating to anti-social behaviour in the area;
- Success or otherwise in obtaining interdict/evictions orders and anti-social behaviour orders; and
- Complaints of anti-social behaviour to housing providers and the Police regarding individuals/families identified as priority cases.

The parties to this Protocol will review its operation and effectiveness at least annually.

HOUSING LIAISON PROTOCOL

Individuals Authorised to Share Information

The Moray Council

Chief Housing Officer
Chief Legal Officer
Senior Housing Manager
Area Housing Managers
Housing Needs Manager
Senior Housing Officer
Senior Solicitor
Acting Caseload Solicitor

Grampian Police

Chief Inspector
Duty Inspector

Procurator Fiscal

Procurator Fiscal
Deputy Procurator Fiscal

Registered Social Landlords

Housing Manager
Senior Housing Officers

POLICE NOTIFICATION OF INCIDENTS

Date of Alleged Incident (including name and address of complainant and reported to)	Details of Complaint and Description of Anti-Social Behaviour (including reference to drugs/alcohol)	Summary of Police Action (including names of Police Officers attending and reference numbers)
		<p>Matter referred to Procurator Fiscal? Yes/No If yes, reference number of incident </p>
Information requested by: - Date		Information provided by: - Date

**HOUSING NOTIFICATION OF ALLEGED ANTI-SOCIAL BEHAVIOUR
TO
GRAMPIAN POLICE**

To:

Grampian Police

I wish to bring your attention to the following details of allegations of Anti-Social Behaviour. This information is being shared under the terms of the Housing Liaison Protocol with Grampian Police.

Date/Time:

Location:

Details of alleged incident:

Details of any witnesses/other complainants:

Any other enclosures: Yes No

Area Housing Manager Signature:

Date:

HOUSING LIAISON PROTOCOL

INFORMATION EXCHANGE PRO-FORMA

The Moray Council seeks information from Grampian Police on the complaint(s) listed below. This information will assist the Housing Service in deciding appropriate actions to prevent recurring incidents of anti-social behaviour. This may include legal actions.

Date:

Location:

Details of alleged incident:

I hereby confirm that I wish details of my complaint recorded and, where Grampian Police hold information on this, shared with the Moray Council.

Complainants Signature:

Name (Block Capitals):

Grampian Police Comments:

Details of Police response, including any advice given to complainant and/or Housing Officer:

Name and Number of Police Officer(s) attending:

Crime Reference Number:

Further Recommendations:

Is the matter to be reported to the Procurator Fiscal? Yes No

If yes, details of potential changes: