



**D** **DERBYSHIRE**  
County Council  
Improving life for local people

# **DERBYSHIRE COUNTY COUNCIL**

## **ANTI-SOCIAL BEHAVIOUR** **PROTOCOL & PROCEDURES**

## Contents

<b>Introduction</b>	<b>Page 2</b>
<b>Scope</b>	<b>Page 2</b>
<b>Aim</b>	<b>Page 3</b>
<b>Background and Legal Framework</b> What is anti-social behaviour? How is anti-social behaviour dealt with in Derbyshire?	<b>Pages 3-4</b> Page 3 Page 3-4
<b>Support for Victims &amp; Witnesses</b>	<b>Page 4</b>
<b>Other Related Documents</b>	<b>Page 5</b>
<b>Equality and Discrimination</b>	<b>Page 6</b>
<b>Legislation &amp; Guidance</b>	<b>Page 6</b>
<b>Guiding Principles in working to prevent &amp; reduce anti-social behaviour</b>	<b>Page 7 - 9</b>
<b>Procedures for dealing with incidents of Anti-Social Behaviour</b> Sifting complaints Dealing with individual incidents of anti-social behaviour Dealing with serious incidents of anti-social behaviour Dealing with persistent incidents of anti-social behaviour How to refer serious or persistent anti-social behaviour problems to local Community Safety Partnerships Instigation of court proceedings What happens next	<b>Pages 9-12</b> Page 10 Page 10 Page 11 Page 11 Page 11 Page 11 Page 11 Page 12
<b>Responsibilities</b> Responsibilities of the DCC department Responsibilities of the local Community Safety Partnership Responsibilities of Safer Derbyshire	<b>Pages 12-13</b> Page 12 Page 12 Page 13
<b>Derbyshire County Council Departments</b> <b>Adult Care</b> <b>Children &amp; Younger Adults</b> <b>Corporate Resources</b> <b>Cultural &amp; Community Services</b> <b>Environmental Services</b>	<b>Pages 13 – 14</b> Page 13 Page 13 Page 14 Page 14 Page 14
<b>Appendix 1 – Home Office Typology of Anti-Social Behaviour</b>	<b>Pages 15</b>
<b>Appendix 2 – Police Calls for Service</b>	<b>Page 16</b>
<b>Appendix 3 – Explanation of legal and informal enforcement options</b>	<b>Page 17 – 20</b>
<b>Appendix 4 - Local ASB Co-ordinator contact details</b>	<b>Page 21- 22</b>
<b>Appendix 5 - DCC Community Safety Unit contact details</b>	<b>Page 23</b>
<b>Appendix 6 – Key Contacts</b>	<b>Page 24</b>

# **Anti-Social Behaviour Protocol & Procedures for Derbyshire County Council**

## **Introduction**

Across Derbyshire key agencies are working in partnership with Crime and Disorder Reduction Partnerships (CDRPs) to give its residents peaceful and safe communities.

Derbyshire County Council (DCC) recognises that anti-social behaviour (ASB) impacts negatively on all people, young and old in all communities. It reduces the quality of life for Derbyshire residents for whom it is a key concern.

Where ASB happens DCC will play a full part in supporting action to stop it and promote an objective of preventing anti-social behaviour.

DCC believes that early intervention, joint working and information sharing between its departments and its partners can make a significant contribution to reducing anti-social behaviour.

DCC prides itself on working in partnership with other agencies and, under the Crime and Disorder Act 1998, is a statutory partner of each of the eight Crime and Disorder Reduction Partnerships (also known as Community Safety Partnerships) in Derbyshire.

Some ASB is motivated by hate, whether that is because of race, sexual orientation or gender identity, disability or religion or faith. DCC in partnership with Derbyshire Constabulary and Derby City Community Safety Partnership have commissioned Stop Hate UK a registered charity to provide a 24 hour helpline for victims of hate crime in Derbyshire. Further details can be found by visiting [www.stophateuk.org](http://www.stophateuk.org) or by calling 0800 138 1625.

## **Scope**

This protocol sets out the guiding principles that all departments should follow when seeking to tackle anti-social behaviour. The procedures contained within it set out how to refer serious or persistent anti-social behaviour problems, which are either reported to, or identified by DCC departments, into Community Safety Partnerships

It describes a broad incremental approach that should be followed when tackling ASB, which allows for regional variations across CDRPs. DCC, understands that where there is extreme anti social behaviour partners will use the most appropriate intervention to tackle it.

This Protocol & Procedures does not attempt to set out how every minor, day-to-day incidence of anti-social behaviour should be dealt with by each DCC department.

Each CDRP will have its own local protocol which should be read in conjunction with this and will be available from the local Anti-Social Behaviour Officers, or by visiting Safer Derbyshire Website at [www.saferderbyshire.gov.uk](http://www.saferderbyshire.gov.uk)

## **Aim**

The aim of this protocol is to deliver

- A consistent and robust approach to tackling Anti Social Behaviour across Derbyshire from Derbyshire County Council departments.
- Effective interventions at the most appropriate time and in the most appropriate way.
- Confidence in, and between, the county council, the partnerships and countywide agencies that they can and will play their part effectively and in systems that enable them to do this.
- A reduction in ASB through increased efficacy of prevention and enforcement measures.
- Assist DCC departments to deal effectively with serious or persistent incidents of anti-social behaviour
- Facilitate partnership working through local Community Safety Partnerships to reduce anti-social behaviour
- Prevent any individual suffering anti-social behaviour on the grounds of race, disability, gender, sexual orientation, age, religion, or creed

## **Background and Legal Framework**

### What is anti-social behaviour?

Anti-social behaviour covers many types of actions from low-level persistent nuisance to serious public disturbance, it;

- Is behaviour capable of causing nuisance and annoyance
- Is likely to cause harassment, alarm or distress
- Creates significant and persistent problems in neighbourhoods
- Leaves communities intimidated and afraid.

It is defined in the Crime and Disorder Act (CDA) 1998 as “acting in a manner that caused or was likely to cause alarm, distress or harassment to one or more persons not of the same household”. Examples of such behaviour would include

- Noise nuisance
- Criminal damage/vandalism
- Intimidation/harassment
- Litter/rubbish, the fouling of public areas, fly tipping
- Drug/substance misuse and drug dealing
- Hate behaviour that targets members of identified groups because of their perceived differences

This is by no means an exhaustive list; the vital issue is the impact that these actions have on victims, witnesses and the community they live in. ( See Appendix 1 for a fuller list.)

People’s expectation that anti-social behaviour will be dealt with has generally increased but there are very different tolerance levels and expectations. Those with

the lowest tolerance levels can have the highest expectations: and those with the highest tolerance levels can have the lowest expectations.

There is a crossover between anti-social behaviour and criminal behaviour but anti-social behaviour is perhaps more associated with public acts and behaviour that negatively affect the quality of life of our communities.

### How is anti-social behaviour dealt with in Derbyshire?

Community Safety Partnerships, formed under the Crime and Disorder Act 1998, are based on district/borough council boundaries so there are eight in the administrative county of Derbyshire.

Statutory Partners are Derbyshire Constabulary, local district/borough council, Derbyshire Fire & Rescue Service, local Primary Care Trust (PCT), Derbyshire Drug & Alcohol Action Team (DAAT), but also include National Probation Service – Derbyshire (soon to become a Statutory Partner), Derbyshire Youth Offending Service, and Connexions Derbyshire.

Community Safety Partnerships use prevention, education and enforcement methods to reduce anti-social behaviour in their area. In each district, the anti-social behaviour-related work of the Community Safety Partnership is co-ordinated by an Anti-Social Behaviour Co-ordinator. Contact details for the Anti-Social Behaviour Co-ordinators are at Appendix 3.

Currently, most Community Safety Partnerships hold multi-agency anti-social behaviour strategy meetings to:-

- Discuss whether action can be taken to resolve problems identified in specific geographical locations and agree the next course of action
- Identify ways of preventing anti-social behaviour
- Evaluate the success of action taken

In addition, multi-agency meetings are held to determine the appropriate interventions for individuals, who are committing anti-social behaviour.

### **Support for Victims and Witnesses**

Research shows that, where victims feel supported and protected, they are more likely to be prepared to take a stand and act as witnesses to help reduce ASB. People need to have confidence that complaints will be taken seriously by statutory agencies. The support needs to follow through from the first report of the ASB, to any enforcement action, or court case, and beyond.

The best type of evidence is given by witnesses who are willing to testify in court. Witnesses should be encouraged to come forward, but they must be supported to do so.

Special measures, such as giving evidence from behind a screen or via a video link, can be used in ASB cases, where there are vulnerable or intimidated witnesses whose quality of evidence is 'likely to be diminished'.

A request for special measures should be discussed with the CPS or Legal Representative at the earliest possible stage in order that an application can be made to the Court for special measures to apply.

*Vulnerable witnesses* are those who are under 17 years old or have a mental disorder, learning disability or physical disability.

*Intimidated witnesses* are those who are in fear or distress about testifying.

The Lead Officer should ensure that the witnesses are:-

- Given information about ASB services and procedures
- Given witness diaries to record evidence of the ASB
- Offered support through a referral to Victim Support
- Regularly updated with the progress of the case

Derbyshire County Council funding has enabled Victim Support to provide a tailored support service to all victims and witnesses of ASB in Derbyshire, regardless of whether legal enforcement action is being taken or which housing sector they live in.

The services available to victims and witnesses of ASB in Derbyshire are:-

- Information about how to report ASB
- Emotional and practical support, including addressing fears of intimidation and retaliation
- Referral to other specialist organisations – eg mediation, counselling, target hardening
- Support for those required to go through either the criminal or civil court process:-
  - Information and advice about the different court systems and processes
  - The opportunity to go on an accompanied visit to the court prior to the hearing
  - Assistance with practical issues, such as access to secure waiting areas (where available)
  - Information about the outcome of the court hearing
- Emotional support after the court hearing to enable victims and witnesses to put the experience behind them

The referral form and procedures are available at [www.saferderbyshire.gov.uk](http://www.saferderbyshire.gov.uk)

For more information about the service, contact Victim Support on 01629 825864.

### **Other Related Documents**

This Anti-Social Behaviour Protocol & Procedures supports the delivery of the Derbyshire Partnership Forum's (DPF) Anti-Social Behaviour Protocol, which can also be found on DNet, [www.derbyshire.gov.uk](http://www.derbyshire.gov.uk) and [www.saferderbyshire.gov.uk](http://www.saferderbyshire.gov.uk) . The Protocol sets out the guiding principals that all partners should follow when seeking to tackle anti-social behaviour.

Each Community Safety Partnership will have its own local protocol, which should be read in conjunction with these procedures. These will be available at [www.saferderbyshire.gov.uk](http://www.saferderbyshire.gov.uk) or from local Anti-Social Behaviour Co-ordinators.

The sharing of information in relation to anti-social behaviour is supported by the Anti-Social Behaviour Information Sharing Agreement, which can be found on DNet, [www.derbyshire.gov.uk](http://www.derbyshire.gov.uk) and [www.saferderbyshire.gov.uk](http://www.saferderbyshire.gov.uk) .

## **Equality and Discrimination**

When investigating complaints of anti-social behaviour, staff must satisfy themselves that the complaint has not been motivated by discrimination or victimisation on the grounds of, for example, race, disability, gender, sexual orientation, age, religion, or faith.

For any action to address anti-social behaviour, the process taken to arrive at that decision and the method of implementation must be necessary, reasonable and proportionate.

We recognise that we can only meet the safety needs of all our communities if we are able to reach those adults most vulnerable to abuse and neglect by virtue of disability age or ill health. We work with Derby and Derbyshire Safeguarding Vulnerable Adults Partnership to ensure that the safety needs of this group are being met.

## **Legislation and Guidance**

The Government is committed to tackling ASB and has built on existing legislation to give local authorities and the police extensive new powers to do this through a variety of recent legislation such as

The Crime and Disorder Act (CDA) 1998  
Criminal Justice and Police (CJP) Act 2001  
Criminal Justice & Immigration Act (CJI) 2008  
Police Reform Act (PRA) 2002  
The Anti-Social Behaviour Act 2003 ASBA (and as amended by Police & Justice Act 2006)  
Fireworks Act (FA) 2003 and Fireworks Regulations (FR) 2004 &  
Education Act (EA) 1996  
Education and Inspection Act (EIA) 2006  
Serious Organised Crime and Police Act (SOCP) 2005  
Clean Neighbourhoods and Environmental Act (CNE) 2005  
Police & Justice Act (PJA) 2006  
Housing Act (HA) 1996  
Noise Act (NA) 1996  
Protection from Harassment Act (PH) 1997  
Local Government Act (LGA) 1972

## **Guidance**

Home Office Guide to Acceptable Behaviour Contracts August 2007  
Home Office Guide to Anti-Social Behaviour Orders August 2006  
Home Office Guidance to 'Reviewing Anti-Social Behaviour Orders Given to Young People and Individual Support Orders 2007

Derbyshire ASB Forum

ABC Guidance Document March 2008

Derbyshire ASB Forum 12 Month Review of ASBO's given to Young People in Derbyshire 2008 Guiding Principles in working to prevent and reduce ASB

### **Guiding Principles in working to prevent and reduce ASB**

Section 5(1) of the Crime and Disorder Act 1998 as amended by Section 97 of the Police Reform Act 2002 says "Local authorities, Chief Officers of Police for the area within those authorities, PCT's and Fire Authorities are "Responsible Authorities" and jointly responsible for **working together** to reduce local crime and disorder and combat misuse of drugs in their area

DCC departments will, along with other agencies and partnerships, contribute to a problem solving approach to instances of ASB. There is no panacea for tackling ASB; rather it requires a combination of community building, prevention, diversion and enforcement. Good communication, sharing of information, mediation and diversionary activities are as important as the use of statutory powers.

DCC believes that most people will alter their behaviour when the effect it is having on other people is pointed out to them.

DCC supports a case discussion approach to ensure enforcement against ASB is proportionate, upholds the rights of victims and perpetrators, and which recognises the right of individual partners to use the powers available to them.

DCC will share information with partner agencies, and when necessary ensure the appropriate staff from relevant departments attends case discussions.

DCC will contribute to schemes to tackle ASB using a variety of tools, which may at times, combine enforcement, support and diversion.

DCC will contribute to interventions to prevent and tackle ASB.

When DCC is involved in investigating complaints about ASB it will take into consideration whether the complaints are motivated by discrimination on the grounds of race, culture, religion, age, gender or sexual orientation.

Enforcement action should not be taken simply because people are different or have differing cultural lifestyles.

DCC understands that, it may be necessary to publicise details of people who are subject to ASBOs to help prevent disorder, reassure the community assist in the enforcement of the order but not to punish or embarrass the individual. This would be after consultation in case discussion meetings where consideration will be given to the impact of such publication on family members and to safeguarding children and young people.

There are four key strands involved in tackling ASB.

### **1. Prevention**

DCC will work with its partners to identify potential offenders and seek to divert them into constructive activities.

DCC, working with its partners, including the Youth Inclusion and Support Partnership (YISP) to reduce the numbers of young people, aged 8-14, becoming involved in anti-social or criminal behaviour.

DCC departments will promote good citizenship and its employees demonstrate it.

DCC will assist in the dissemination of good practice through the Derbyshire ASB Forum.

DCC will work with its partners to assist local communities to develop their own local prevention schemes.

### **2. Community Involvement**

DCC will listen to the residents of the County in deciding what work to prioritise.

DCC will work with partner organisations to ensure that it is responding positively to the wishes of the people of that area.

DCC will work with local communities to improve relationships between different groups in the community.

### **3. Enforcement**

Enforcement can take a variety of forms through informal warnings, formal (written) warnings, Acceptable Behaviour Contracts (ABC), Parenting Contracts to formal court proceedings which could be for Injunctions, Parenting Orders and Anti-Social Behaviour Orders (ASBO). (See Appendix 3)

DCC will work with its partners to ensure the legislation is used in the most effective manner.

DCC will contribute to the monitoring of enforcement and assist in the swift acknowledgement of breaches.

Where DCC finds that ASB is directed against its staff or property prompt action will be pursued, with its partners, to tackle it.

### **4. Information and Communication**

DCC, through the Safer Derbyshire Research & Information Team will work with its partners to develop a consistent recording and mapping of all incidents of ASB. This will identify hotspots and assist in effective targeting of resources.

Instances of ASB reported to the County Council will be shared with the local ASB Coordinator to ensure there is consistency of response and avoid duplication of effort.

DCC will provide training for its own departments on ASB and will assist in the delivery of training sessions throughout the county.

DCC will publicise its and its partners' efforts and achievements in tackling ASB.

## **Procedures for Dealing with Serious or Persistent Incidents of Anti-Social Behaviour**

### **Procedure**

The approach to tackling ASB is a structured one that, as a situation progresses is best tackled through all relevant agencies working together to find a solution to the problem. However, partners will always use the most appropriate intervention to tackle ASB and protect communities and this may mean seeking legal solutions in the first instance.

Complaints of anti-social behaviour come into the various agencies, Housing, Police, Schools, and Libraries etc. Where these are minor nuisance the agency initially deals with them individually through a process of warnings, verbal and/or written. In most cases this resolves the problem. Where it doesn't and/or the person involved continues to behave anti-socially then details are passed to the district/borough ASB Co-ordinator.

The ASB Co-ordinator gathers more information from partners to help decide on future action; it may be that a case discussion is held. This can apply in respect of individuals or an area that is subject to anti-social behaviour.

This working together by agencies has a number of benefits, it can

- Increase the speed of evidence gathering
- Improve background information on the individual's circumstances
- Help to ensure that interventions are tailored to the individual
- Utilise a variety of expertise to intervene early in anti-social behaviour
- Reduce breaches by the provision of other support
- Assess & identify the underlying causes of the ASB
- Improve monitoring of contracts.

It relies on partners responding to requests to share information, ensuring the appropriate person attends, where necessary, the case discussion and considers what it can provide towards preventing the continuation of the anti-social behaviour.

There may not always be agreement between partners of the best way forward and the decision will rest with the lead agencies who are likely to be the Local Authority or Police though could, on occasions, be a Registered Social Landlord (RSL) or the County Council.

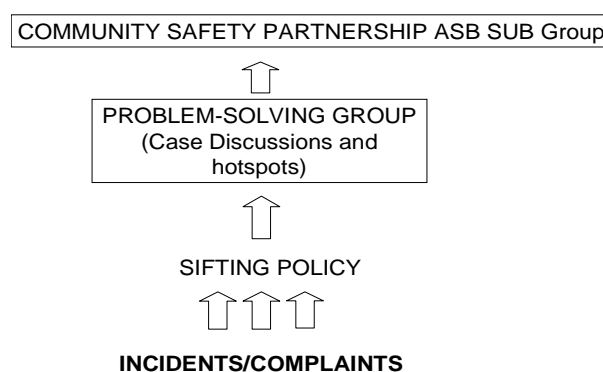
If it is felt that an ABC is a useful way of proceeding then the individual and, where appropriate parents/carers should be invited to a meeting.

The lead agency, Police and other relevant agencies should attend this meeting but consider carefully how many people need to be present, and follow the guidance in the **Derbyshire ASB Forum ABC Guidance Document (March 2008)**

Following the meeting any breaches or further instances of ASB should be dealt with promptly. A serious breach or number of breaches should result in a case discussion to decide how to proceed and consideration given to legal options such as ASBO's and tenancy related proceedings.

### Sifting Complaints

The following diagram represents a broad outline of the process for dealing with reports and complaints of anti-social behaviour.



On behalf of the local Community Safety Partnership, the Anti-Social Behaviour Co-ordinator gathers more information from other partners to help decide on future action; it may be that a multi-agency case discussion is held. This can apply in respect of individuals or a geographical area that is subject to anti-social behaviour.

### Dealing with Individual Incidents of Anti-Social Behaviour

Many individual incidents of anti-social behaviour are routinely dealt with by individual departments of DCC. The range of different types of anti-social behaviour is vast and the type of action required will be different dependant on the type of behaviour, the location, who the perpetrators are, the department experiencing the behaviour, etc. Therefore, the response required from DCC departments will be on an incident-by-incident basis.

It is not the intention of these procedures to specify the type of action for every incident of anti-social behaviour, rather what to do with persistent problems.

If advice or guidance is required on an individual incident of anti-social behaviour, reference should be made to DCC Community Safety Unit, based at County Hall.

Contact details for the Community Safety Unit are listed at Appendix 5.

### Dealing with Serious Incidents of Anti-Social Behaviour

'Serious incidents' can be defined as those types of anti-social behaviour that are of a serious criminal nature and demonstrate a degree of pre-meditation e.g. arson attack on a DCC building, serious assault on a member of DCC staff.

These incidents should be reported to the police in the first instance, who should be well placed to identify any links with other incidents in the locality.

If additional advice or guidance is required, contact DCC Community Safety Unit.

### Dealing with Persistent Incidents of Anti-Social Behaviour

Where there are persistent incidents of anti-social behaviour experienced by DCC departments, referral should be made to the local Community Safety Partnership to consider instigating a multi-agency response to the problem.

'Persistent incidents' can be defined as repeated problems that may involve different types of anti-social behaviour that have been experienced over a period of time and are not being resolved through the actions taken by DCC departments.

It is difficult to clearly define what is meant by 'persistent incidents of anti-social behaviour' it is a 'judgement call', perhaps usefully discussed with your Manager or DCC Community Safety Unit.

Once persistent anti-social behaviour problems have been identified by departments, reference should be made to a 'Team Manager' to make the final decision to refer the problem to the local Community Safety Partnership.

### How to Refer Serious or Persistent Anti-Social Behaviour Problems to Local Community Safety Partnerships

There are two methods of referring serious or persistent anti-social behaviour problems to the local Community Safety Partnership:-

- Telephone or e-mail the local Anti-Social Behaviour Co-ordinator, whose contact details are listed at Appendix 4
- Raise the problem when attending the district Anti-Social Behaviour Strategy Meeting

### Instigation of Court Proceedings

An application for an ASBO may be made by a relevant authority, i.e. the council for a local government area, (in England) County Council, any Chief Officer of the Police for the area, Chief Constable of British Transport Police Force, and any person registered as a Social Landlord or a housing action trust. In most cases the Police or District Council will instigate this.

The Education Welfare Service will, when necessary instigate proceedings for non-school attendance against a parent or carer, which may also result in a Parenting Order being made.

The Local Authority will instigate proceedings for Parenting Orders only when a parenting contract has failed or is thought likely to fail, based on experience of earlier voluntary interventions. These powers may be used to prevent exclusion from

school where the action of parents are identified as a contributory factor in the misbehaviour of their child(ren) or as a result of exclusion from school where parents are reluctant to co-operate in improving the behaviour of their child(ren) in school.

The Youth Offending Service can instigate proceedings for a Parenting Order when it is necessary to prevent anti-social or criminal behaviour and a Parenting Contract has failed, or is thought likely to fail, based on experience of earlier voluntary interventions.

Local authorities can also apply for Parenting Orders with parents or carers of children who are involved in ASB (Police & Justice Act 2006)

Trading Standards will instigate proceedings against those who make underage sales despite advice and warnings.

### What Happens Next

The next step will be one of the following:-

- Further information may be sought/gathered
- The referral may be progressed through the Community Safety Partnership
- The referral may be declined for a multi-agency response (although the situation should be monitored and re-referred, if appropriate)

### Responsibilities

#### Responsibilities of the DCC department

DCC departments are responsible for:-

- Dealing with individual incidents of anti-social behaviour
- Identifying anti-social behaviour problems that require referral to local Community Safety Partnerships
- Making referrals to local Community Safety Partnerships.
- Ensuring referrals for multi-agency action are not motivated by race, disability, gender, sexual orientation, age, religion, or faith.
- Sharing any additional information requested by the local Anti-Social Behaviour Co-ordinator
- Attending multi-agency case discussions/problems solving meetings, organised by the local Anti-Social Behaviour Co-ordinator, to resolve problems that involve DCC departments
- Undertaking DCC actions identified as a result of multi-agency case discussions/anti-social behaviour problem solving meetings
- Monitoring the situation
- Re-referring the problem to the local Anti-Social Behaviour Co-ordinator, if the situation remains unchanged

#### Responsibilities of the local Community Safety Partnership

On behalf of the local Community Safety Partnership, the Anti-Social Behaviour Co-ordinator is responsible for:-

- Receiving referrals from DCC departments (and from many other sources) for consideration of a multi-agency response
- Reviewing the problem by considering complaints from other sources/partners

- Co-ordinating action through the local Community Safety Partnership, such as calling a multi-agency case discussion (or alternative), as appropriate
- Providing feedback to the generator of the referral

#### Responsibilities of Safer Derbyshire

The Community Safety Unit is responsible for:-

- Providing advice to DCC departments on individual incidents, as required
- Handling any difficulties arising from these procedures
- Promoting these procedures to DCC departments and employees

The Safer Derbyshire Research and Information Team is responsible for:-

- Collecting and analysing the data generated by the completion of the 'Anti-Social Behaviour Referral Form'
- Producing regular reports to DCC departments and local Community Safety Partnerships to provide feedback on the data generated and the outcome of these procedures.

## **Derbyshire County Council Departments**

### **DERBYSHIRE COUNTY COUNCIL**

#### **Adult Care**

- Support services for victims of ASB, who are carers or adults and families with special needs.
- Support services for adults and families with special needs who are at risk of receiving an ASB legal intervention such as eviction, injunction, ASBO or other order that may result in homelessness, subject to the standard assessment of need.
- Intergenerational work to encourage adults and children to understand each others strengths, needs and fears.

#### **Children & Younger Adults**

- A single Children and Young People's Plan will be produced for each district, taking account of the strategic direction provided by the plans of the County Children and Young People's Partnership.
- DCC has appointed three managers in each district to manage county council services and co-ordinate the activity of other agencies involved in the delivery of services for children and young people. Each district has managers responsible for Children and Families (0-11 year olds); Young People's Services (11-19 year olds) and Safeguarding and Specialist Services. In most areas, the Young People's Services Manager will act as the key contact for ASB issues, ensuring liaison with:
  - Connexions Derbyshire
  - Youth Service
  - Education Welfare
  - Behaviour Support Service
  - Safeguarding and Specialist Services

- The Children and Young People's Trust has established a District Partnership Group in each district to ensure that a single plan for the delivery of services to children and young people is produced and implemented. Chaired by one of the district managers, each group includes membership from other agencies and partnerships, including the community safety partnership.

### **Corporate Resources**

- Target hardening & security measures at sites owned or maintained by the county council

### **Cultural & Community Services**

- Participate in co-ordinated action against individuals and/or groups causing ASB in and around Libraries & Heritage Departmental buildings
- Provision of library, museum and archives based activities targeted at children and young people
- Provide venues / meeting rooms for partnership youth diversionary activities, community meetings etc
- Trading standards officers carry out age-restricted sales test purchase operations for products such as alcohol, butane gas and knives
- They advise businesses on age-restricted sales legislation
- Enforcement action is taken against people who make underage sales despite advice and warnings
- There is close liaison between trading standards, the Police and licensing authorities to review licenses and co-ordinate enforcement work

### **Environmental Services**

- Take action (e.g. Warning letters) against individuals and / or groups causing ASB on countryside service sites
- Preventative action with the environment to reduce incidents of ASB on countryside service sites
- Take action (e.g. Warning letters) against individuals and / or groups causing ASB on Public and School Bus Services
- Preventative action to reduce incidents of ASB on Public and School Bus services
- Liaise with other partners where it becomes apparent that the ASB is part of a wider problems
- Liaise with other partners where it becomes apparent that the ASB is part of a wider problem
- Advice on lighting matters where the authority is responsible for the streets and footpaths, including surveys, lighting assessments, recommendations and estimates.
- Make referrals to Community Payback for graffiti removal etc

## APPENDIX 1 From a Home Office publication Defining and Measuring ASB

### RDS typology of anti-social behaviour

Table 2.1 below sets out the typology of anti-social behaviour. This has been based on a range of anti-social behaviour definitions currently in use, including those detailed in the CDRP Audits (2001) or Strategies (2002) and definitions used in Home Office funded research and by other government departments. It also draws on the experiences of anti-social behaviour identified by respondents in the 2000 British Crime Survey (BCS).

The purpose of the typology is to provide a practical framework and guide to the main categories of behaviour that are widely accepted to be anti-social by both practitioners and the public. The categories are divided into four core areas according to whether they occur in a public space, whether they have a direct or indirect victim and whether the behaviour impacts on the environment. Examples are provided of specific activities, which could fall into each category. The list of examples is not intended to be exhaustive and it is likely that CDRPs and CSPs will be able to identify additional examples based on local experience.

**Table 2.1: RDS typology of anti-social behaviour**

Misuse of public space	Disregard for community/ personal well-being	Acts directed at people	Environmental damage
<b>Drug/substance misuse &amp; dealing</b>	<b>Noise</b>	<b>Intimidation/harassment</b>	<b>Criminal damage/ vandalism</b>
Taking drugs	Noisy neighbours	Groups or individuals making threats	Graffiti
Sniffing volatile substances	Noisy cars/motorbikes	Verbal abuse	Damage to bus shelters
Discarding needles/drug paraphernalia	Loud music	Bullying	Damage to phone kiosks
Crack houses	Alarms (persistent ringing/malfunction)	Following people	Damage to street furniture
Presence of dealers or users	Noise from pubs/clubs	Pestering people	Damage to buildings
	Noise from business/industry	Voyeurism	Damage to trees/plants/hedges
<b>Street drinking</b>	<b>Rowdy behaviour</b>	Sending nasty/offensive letters	<b>Litter/rubbish</b>
<b>Begging</b>	Shouting & swearing	Obscene/nuisance phone calls	Dropping litter
<b>Prostitution</b>	Fighting	Menacing gestures	Dumping rubbish
Soliciting	Drunken behaviour	<i>Can be on the grounds of:</i>	Fly-tipping
Cards in phone boxes	Hooliganism/loutish behaviour	Race	Fly-posting
Discarded condoms	<b>Nuisance behaviour</b>	Sexual orientation	
<b>Kerb crawling</b>	Urinating in public	Gender	
Loitering	Setting fires (not directed at specific persons or property)	Religion	
Pestering residents	Inappropriate use of fireworks	Disability	
<b>Sexual acts</b>	Throwing missiles	Age	
Inappropriate sexual conduct	Climbing on buildings		
Indecent exposure	Impeding access to communal areas		
<b>Abandoned cars</b>	Games in restricted/inappropriate areas		
<b>Vehicle-related nuisance &amp; inappropriate vehicle use</b>	Misuse of air guns		
Inconvenient/illegal parking	Letting down tyres		
Car repairs on the street/in gardens	<b>Hoax calls</b>		
Setting vehicles alight	False calls to emergency services		
Joyriding	<b>Animal-related problems</b>		
Racing cars	Uncontrolled animals		
Off-road motorcycling			
Cycling/skateboarding in pedestrian areas/footpaths			

Source: Research Development and Statistics Directorate

## **APPENDIX 2**

### **Police Calls for Service (as at March 2009)**

**(These are the coded headings used by the Police when recording ASB incidents on their Command & Control System)**

- Abandoned vehicles (not stolen/not causing obstruction)
- Begging
- Fireworks – Inappropriate use/sale/ possession
- Hoax calls to Emergency Services.
- Malicious Communications
- Littering/Drugs Paraphernalia
- Neighbours
- Noise Business/roadworks/pubs/vehicles/raves
- Nuisance/ASB/related problems involving animals
- Prostitution Related Activity
- Rowdy or Inconsiderate Behaviour
- Street Drinking.
- Trespass
- Vehicles nuisance and inappropriate use (excluding obstruction)

## **Appendix 3**

### **Explanation of Legal and informal enforcement options.**

#### **What are Acceptable Behaviour Contracts (ABCs)?**

Written voluntary agreements between a person who has been involved in ASB and one or more agencies whose role is to prevent such behaviour. They are most commonly used for young people but not exclusively so.

The contract, written in a form that the individual can understand, specifies a list of what they agree to do, what they agree not to do and the support from partner agencies to ensure the ASB does not continue. The contracts usually last for six months and need to be monitored. ABCs are not an order but are a key element of Home Office Guidance.

#### **What are Parental Control Agreements (PCAs)?**

A Parental Control Agreement is effectively an ABC for children under the age of 10 years where only the parents sign as opposed to an ABC where both parent and young person sign.

#### **What are Parenting Contracts?**

A voluntary agreement between a parent or parents with one or more agencies to attend a series of counselling and guidance sessions either in a group or individually.

Schools or Local Authorities may offer a parenting contract where a child is truanting, if they have been excluded from school or if they have misbehaved at school

The Youth Offending Service (YOS) may enter into a Parenting Contract with a parent/s of a young person referred to them if they have reason to believe that the young person has engaged, or is likely to engage in criminal conduct or anti-social behaviour.

#### **What are Child Safety Orders?**

A child safety order (CSO) only applies to children below the age of criminal responsibility (10). The CSO is not a punishment. It is designed to help the child improve their behaviour and is likely to be used alongside work with the family and others to address any underlying problems.

The order can be applied to a child:

- who has committed an act which, had they been aged 10 or over, would have constituted an offence;
- where an order is necessary to prevent such an act;
- who has behaved anti-socially (in manner that caused, or was likely to cause, harassment, distress or alarm to others)

The order places the child under the supervision of a responsible officer from either a youth offending team or social services department and requires them to comply with a set of requirements the court considers desirable.

The requirements will be made in the interests of ensuring that:

- the child receives appropriate care, protection and support;
- the child is subject to proper control;
- that any repetition of the kind of behaviour that led to the child safety order being made is prevented.

A CSO can last for up to 12 months.

The order is made in the magistrates' court (in family proceedings) and there is provision to make a Parenting Order alongside the Child Safety Order.

### **What are Parenting Orders?**

A court order that requires the parent to comply, for a period of not more than 12 months with such requirements as are specified in the order. For instance to ensure their child attends school regularly or is in by a certain time each evening. The parent must also attend counselling or guidance sessions as specified.

The court may impose a Parenting Order in any proceedings where;

- A Child Safety Order is made
- An Anti-Social Behaviour Order is made with respect to a child/young person
- A child/young person is convicted of an offence
- A person is convicted of an offence of failing to secure regular school attendance of a registered pupil.

Where a pupil has been excluded on disciplinary grounds from a relevant school a Local education authority may apply to the magistrate's court for a Parenting Order.

Where a child or young person has been referred to a YOT, a member of that team may apply to a magistrate's court for a Parenting Order in respect of a parent of that young person.

### **What are Anti-social Behaviour Orders?**

The Police, District or county councils, Housing Action Trusts, Registered Social Landlords or British Transport Police can apply for an ASBO if it appears to them that the conditions are fulfilled with respect to anyone aged 10 or over.

ASBOs are not designed as punishment; they are a means to make people behave reasonably through detailing behaviour that must cease and may include exclusion areas. They last for a minimum of two years and can include a curfew requirement. Failure to comply with the requirements, however, is a criminal offence and could, on conviction, lead to a custodial sentence.

### **What are Individual Support Orders?**

For persons aged 10 – 17 a presumption in favour of making an Individual Support Order (ISO) is established in all cases when an ASBO is made. This requires the young person to:

- participate in specified activities at specified times
- present to specified person(s) at specified time(s) at specified place(s)
- comply with specified educational arrangements

on no more than two days in any week (seven days) for a period of up to six months.

The court has to obtain “...any information which it considers necessary...” from a social worker, or a member of a YOT, or person nominated by Education probably an Education Welfare Officer.

### **What are Local Child Curfew Orders?**

This scheme allows the local authority or the police to ban children under 16 from being in a particular public place during specified hours (between 9pm and 6am) unless they are under the supervision of a parent/carer or responsible adult. Local Child Curfew Orders have two purposes. They are designed to protect the interests of residents in particular areas where children congregate and engage in anti-social or criminal behaviour (including that which is racially motivated). They are also aimed at protecting children and ensuring that they are at home under adult supervision at night.

### **What are Dispersal Orders?**

These give powers for the police (and community support officers and the British Transport Police) to disperse groups of two or more of any age and return young people under 16, who are not under the effective control of a parent or a responsible person aged 18 or over in public places after 9.00pm, to their homes. This is a permissive power the police do not have to take someone under the age of 16 home if they are just passing through a designated dispersal area.

An officer of at least the rank of Superintendent can make an authorisation in respect of a designated area ***if they are satisfied that significant and persistent anti-social behaviour has occurred in the area and that intimidation, harassment, alarm or distress has been caused to members of the public by the presence or behaviour of groups in that area.***

There must also be prior consultation and agreement with the local authority and the authorisation must be publicly advertised. The authorisation can last for up to six months. There are exemptions for lawful industrial disputes and public processions. Knowingly contravening a direction to disperse is an offence and there is a power of arrest. Where a person under 16 is taken home the local authority (the district councils) must be notified.

## **What are Fixed Penalty Notices?**

Fixed Penalty Notices and penalty notices for disorder are both one-off fines issued for anti-social behaviour.

Fixed Penalty Notices generally deal with environmental offences such as litter, graffiti and dog fouling, and can be issued by local authority officers, Police and Police Community Support Officers.

These notices can be issued to anyone over 10 years old.

Examples of offences for which a notice might be issued are:

- littering
- graffitiing or fly posting
- causing so much loud and annoying noise that your neighbours complain

Penalty notices are not the same as criminal convictions. However, failure to pay your fine may result in higher fines or imprisonment.

Penalty notices for disorder are issued for more serious offences, such as throwing fireworks or being drunk and disorderly. These notices can be issued to anyone over 16 years old.

They were introduced to address low-level anti-social behaviour, while also reducing police bureaucracy and paperwork.

Examples of offences where a penalty notice for disorder may be issued include:

- intentionally harassing or scaring people
- being drunk and disorderly in public
- destroying or damaging property
- petty shoplifting
- selling alcohol to underage customers
- selling alcohol to somebody who is obviously drunk
- using fireworks after curfew

Fixed Penalty Notices can also be issued by authorised Local Authority staff, head teachers, (In Derbyshire only the Education Welfare Service), Police and Police Community Support Officers in respect of failure to secure regular attendance at school of a registered pupil. This is often referred to as “Penalty Notices for Parents of Truants”.

**Local ASB Co-ordinator Contact Details**

District	<b>Amber Valley</b>
ASB Co-ordinator	Graham Jarrett
Address	Amber Valley Borough Council PO Box 15 Town Hall Ripley Derbyshire DE5 3XE
Telephone	01773 841410
E-mail	<a href="mailto:graham.jarrett.3892@derbyshire.pnn.police.uk">graham.jarrett.3892@derbyshire.pnn.police.uk</a>

District	<b>Bolsover</b>
ASB Co-ordinator	Deborah Whallett
Address	Bolsover District Council Sherwood Lodge Bolsover Derbyshire S44 6NF
Telephone	01246 242346
E-mail	<a href="mailto:deborah.whallett@bolsover.gov.uk">deborah.whallett@bolsover.gov.uk</a>

District	<b>Chesterfield</b>
ASB Co-ordinator	Dianne Illsley
Address	Chesterfield Community Safety Partnership Town Hall Chesterfield Derbyshire S40 1LP
Telephone	01246 345225
E-mail	<a href="mailto:dianne.illsley@chesterfield.gov.uk">dianne.illsley@chesterfield.gov.uk</a>

District	<b>Derbyshire Dales</b>
ASB Co-ordinator	Karen Cooper
Address	Safer Derbyshire Dales Town Hall Matlock Derbyshire DE4 3NN
Telephone	01629 761187
E-mail	<a href="mailto:karen.cooper@derbyshiredales.gov.uk">karen.cooper@derbyshiredales.gov.uk</a>

District	<b>Erewash</b>
ASB Co-ordinator	Gemma Nash (Police) or Lisa Nayler (EBC)
Address	Erewash Borough Council Ilkeston Town Hall Wharncliffe Road Ilkeston Derbyshire DE7 5RP
Telephone	0845 9072244 ext 3582
E-mail	<a href="mailto:gemma.nash.9424@derbyshire.pnn.police.uk">gemma.nash.9424@derbyshire.pnn.police.uk</a> <a href="mailto:lisa.nayler@erewash.gov.uk">lisa.nayler@erewash.gov.uk</a>
District	<b>High Peak</b>
ASB Co-ordinator	Hannah Cocker
Address	High Peak Community Safety Partnership The Council Offices Hayfield Road Chapel-en-le-Frith Derbyshire SK23 0QJ
Telephone	0845 129 7777 ext 2056
E-mail	<a href="mailto:hannahc@highpeak.gov.uk">hannahc@highpeak.gov.uk</a>

District	<b>North East Derbyshire</b>
ASB Co-ordinator	Alan Burley
Address	North East Derbyshire Community Safety Partnership Council House Saltergate Chesterfield Derbyshire S40 1LF
Telephone	01246 217862
E-mail	<a href="mailto:alan.burley@ne-derbyshire.gov.uk">alan.burley@ne-derbyshire.gov.uk</a>

District	<b>South Derbyshire</b>
ASB Co-ordinator	Claire Rawlins
Address	Safer South Derbyshire Partnership Civic Offices Civic Way Swadlincote Derbyshire DE11 0A
Telephone	01283 595798
E-mail	<a href="mailto:claire.rawlins@south-derbys.gov.uk">claire.rawlins@south-derbys.gov.uk</a>

**DCC Community Safety Unit Contact Details**

Community Safety Officer	Marie Billyeald (Covers Bolsover and South Derbyshire Community Safety Partnerships)
Telephone	01629 538473
E-mail	<a href="mailto:marie.billyeald@derbyshire.gov.uk">marie.billyeald@derbyshire.gov.uk</a>
Community Safety Officer	Erin Bower (Covers High Peak and Derbyshire Dales Community Safety Partnerships)
Telephone	01629 538220
E-mail	<a href="mailto:erin.bower@derbyshire.gov.uk">erin.bower@derbyshire.gov.uk</a>
Community Safety Officer	Seamus Carroll (Covers North East Derbyshire Community Safety Partnership)
Telephone	01629 538494
E-mail	<a href="mailto:seamus.carroll@derbyshire.gov.uk">seamus.carroll@derbyshire.gov.uk</a>
Community Safety Officer	Sue Furniss (Covers Amber Valley and Erewash Community Safety Partnerships)
Telephone	01629 538292
E-mail	<a href="mailto:sue.furniss@derbyshire.gov.uk">sue.furniss@derbyshire.gov.uk</a>
Learning & Development Officer	Katya Redwood (Covers Chesterfield Community Safety Partnership)
Telephone	01629 538495
E-mail	<a href="mailto:katya.redwood@derbyshire.gov.uk">katya.redwood@derbyshire.gov.uk</a>
Assistant Community Safety Officer	Alison Boyce
Telephone	01629 538272
E-mail	<a href="mailto:alison.boyce@derbyshire.gov.uk">alison.boyce@derbyshire.gov.uk</a>
Assistant Community Safety Officer	Tracy Coates
Telephone	01629 538493
E-mail	<a href="mailto:tracy.coates@derbyshire.gov.uk">tracy.coates@derbyshire.gov.uk</a>
Assistant Community Safety Officer	Holly Walker
Telephone	01629 538472
E-mail	<a href="mailto:holly.walker@derbyshire.gov.uk">holly.walker@derbyshire.gov.uk</a>

## APPENDIX 6

### Key Contacts

#### Connexions

*Information on local opportunities, general information on Connexions Derbyshire and details of local Connexions Centres are available from: 0800 269468 [www.connexions-derbyshire.org](http://www.connexions-derbyshire.org)*

#### Derbyshire's Local Authorities

Amber Valley Community Safety Unit .....	01773 570222
Bolsover Community Safety Unit .....	01246 242424
Chesterfield Community Safety Unit .....	01246 345345
Derbyshire Dales Community Safety Unit .....	01629 761100
Erewash Community Safety Unit .....	0845 907 2244
High Peak Community Safety Unit .....	0845 129 7777
North East Derbyshire Community Safety Unit .....	01246 231111
South Derbyshire Community Safety Unit .....	01283 595795

#### Derbyshire County Council

Chief Executive .....	}	
Community Safety Unit .....	}	
Corporate Resources .....	}	
Cultural and Community Services Department .....	}	01629 580000
• Trading Standards Division	}	Text No. 86555
• Libraries and Heritage Division	}	
Children & Younger Adults Department	}	
Environmental Services .....	}	
Adult Social Services .....	}	

#### Safer Derbyshire Website

[www.saferderbyshire.gov.uk](http://www.saferderbyshire.gov.uk)

## Other Authorities/Useful Numbers

<b>Derbyshire Fire and Rescue Service</b> .....	01332 771 221
<b>Derbyshire Constabulary</b> .....	0345 123 3333
<b>National Probation Service (Derbyshire)</b> .....	01629 55422
<b>Derbyshire DAAT</b> .....	01629 538229 & 01629 538248
<b>Derbyshire YOS</b> .....	01629 538233
<b>Derbyshire YISP</b> .....	01629 531993
<b>Victim Support</b> .....	01629 825864
<b>Stop Hate UK</b> .....	0800 1381625

## Primary Care Trusts

### Derbyshire County Primary Care Trust

**Chief Executive: Derek Bray**

Tel: 01246 231255

<http://www.derbyshirecountypct.nhs.uk/>

Trust Headquarters  
Scarsdale  
Nightingale Close  
Off Newbold Road  
Chesterfield  
Derbyshire  
S41 7PF

### NHS Derby City

**Chief Executive: Mr Prem Singh**

Tel: 01332 224000

<http://www.derbycitypct.nhs.uk/>

Headquarters  
Derwent Court  
1 Stuart Street  
Derby  
DE1 2FZ

### Other key documents

Derbyshire Partnership Forum ASB Protocol  
Derbyshire Partnership Forum Information Sharing Protocol  
Derbyshire ASB Forum ABC Best Practice Guidance  
Derbyshire ASB Forum Guidance on 12 Month Review of ASBO's Given to Young People in Derbyshire  
Derbyshire ASB Information Sharing Agreement