

This fact sheet is about complaints about anti social behaviour. It should be read together with the general information booklet about our service.

Councils have a wide range of duties and powers in relation to anti social behaviour occurring within the community and must work with other organisations such as the police to address such problems. Some behaviour may constitute a crime and should be dealt with by the police. As landlords, Councils and housing associations have specific duties to address anti social behaviour within the properties they manage. There are certain specific actions that only they can take (e.g. possession proceedings if the behaviour breaches the terms of the tenancy agreement). Anti social behaviour can include excessive noise, harassment, verbal abuse, threats and vandalism.

What the Ombudsman can do

He can look at whether there is something wrong in the way that the council or housing association dealt with complaints of anti social behaviour. This can include failure to:

- have proper procedures in place to guide staff as to how to record, investigate and monitor cases of anti social behaviour;
- explain to complainants what their procedures are and how complaints will be recorded and investigated;
- give consideration to all of the options available to bring the behaviour under control or to consider the full range of legal sanctions that could be used;
- work in conjunction with other agencies such as the police to address the problems;
- provide support to the victims of anti social behaviour, keep them informed and consider taking steps to protect their safety;
- deal with the person causing the problem in a timely manner. We think that most cases should be resolved within three months but cases involving racist abuse or physical threat should be given a higher priority.

What the Ombudsman cannot do

He cannot:

- normally, look at failings that occurred more than twelve months ago and where the nuisance has ended;
- look at concerns you may have but have not as yet brought to the attention of the organisation responsible. You should give the council or housing association a chance to resolve matters before you complain to us.

Issues to bear in mind

It is helpful if you keep a record of when the nuisance started, what form it took and when you brought these problems to the attention of the responsible body together with any correspondence you received in return, including emails. We will ask for this information and for your account of events to help us decide whether to investigate your complaint.

Further information

There are a number of organisations which give guidance to public bodies on dealing with anti social behaviour. Some of the key ones are:

- the Home Office, with information on two of its websites:
<http://www.homeoffice.gov.uk/anti-social-behaviour/> and
<http://www.respect.gov.uk/>
- the Welsh Assembly Government:
<http://wales.gov.uk/topics/housingandcommunity/safety/crimereduction/antisocial/?lang=en>
- the Chartered Institute of Housing: <http://www.cih.org/> ; and,
- the Welsh Local Government Association:
<http://www.wlga.gov.uk/english/Anti-Social-Behaviour>

The Ombudsman is independent and impartial; he cannot order public bodies to do what he recommends – but, in practice, they almost always do.

Examples of cases that the Ombudsman has looked at can be found on our website. Please see www.ombudsman-wales.org.uk

If you are unsure whether the Ombudsman would be able to look into your complaint, please contact us:

- **phone** 0300 790 0203;
- **e-mail** ask@ombudsman-wales.org.uk;
- **visit the website at** www.ombudsman-wales.org.uk;
- **follow us on Twitter:** @OmbudsmanWales;
- **write to:** The Public Services Ombudsman for Wales
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