

Dover District Council

# Anti-Social Behaviour Policy



2024

# Contents

<b>1. Introduction</b>	<b>2</b>
<b>2. Definitions</b>	<b>2</b>
<b>3. Legislation and regulatory framework</b>	<b>2</b>
<b>4. Purpose and scope</b>	<b>3</b>
<b>5. Policy aims</b>	<b>3</b>
<b>6. Defining Anti-Social Behaviour</b>	<b>4</b>
Matters the Council will not investigate	4
<b>7. Policy statements</b>	<b>5</b>
General	5
Key principles	5
Protection of staff and contractors	5
How to report ASB	5
Tenant responsibilities	6
Support for victims and witnesses	6
Hate crime	6
Multi-agency collaboration	7
Vulnerable subjects	7
Staff training	7
Publicity	8
Managing ASB cases	8
Responding to reports of ASB including hate incidents	8
How cases are prioritised	9
Types of Action	9
Case closures	11
ASB Case Review	<b>12</b>
<b>8. Safeguarding</b>	<b>12</b>
Safeguarding children, young people and adults at risk	12
Domestic abuse	13
<b>9. Implementation, monitoring and review</b>	<b>13</b>
<b>10. Complaints</b>	<b>14</b>
<b>11. Equality, diversity and inclusion</b>	<b>14</b>
<b>12. Data privacy and confidentiality</b>	<b>14</b>
General	14
Information sharing and confidentiality	15
<b>13. Version control</b>	<b>15</b>

# 1. Introduction

- 1.1 Dover District Council (“the Council”) believes that residents have the right to live and enjoy their home and environment in peace. We recognise that anti-social behaviour (ASB) caused by a minority of individuals can be disruptive, distressing and have a detrimental impact on victims, family members and other residents, as well as damage the environment of our neighbourhoods and estates and the sustainability of communities.
- 1.2 This Policy sets out how the Housing Service tackles ASB including hate incidents within its social housing stock.

# 2. Definitions

- 2.1 For the purposes of this policy:
  - ‘We’, ‘ours’ and ‘us’ refers to Dover District Council (“the Council”).
  - The ‘Housing Team’ refers to Officers who are members of the Housing Service and one of the following teams: housing management, housing options, housing allocations, strategic housing and property services.
  - ‘Tenancy Agreement’ is a legally binding contract, signed by the tenant and the Council that sets out the terms and conditions of both parties.
  - ‘Resident’ refers to tenants of Council owned properties, members of their households and visitors.
  - ‘Subject’ refers to the subject of anti-social behaviour including hate crime.
  - ‘Reporter’ refers to the person making the complaint (“reporter”) of ASB including hate incidents.
  - ‘Witness’ refers to a person who has observed a crime or incident taking place.

# 3. Legislation and regulatory framework

- 3.1 This Policy has been informed by the following legal and regulatory framework for tackling ASB:
  - Housing Act 1985
  - Housing Act 1996
  - Crime & Disorder Act 1998
  - Human Rights Act 1998
  - Anti-social Behaviour Act 2003
  - Equality Act 2010
  - Anti-social Behaviour, Crime and Police Act 2014
  - Data Protection Act 2018
  - Neighbourhood and Community Standard 2023
  - Anti-Social Behaviour Action Plan (updated 2024)

## 4. Purpose and scope

- 4.1 In accordance with the Housing Act 1996 (as amended by Part 2 of Section 12 of the Anti-Social Behaviour Act 2003), and the Neighbourhood and Community Standard (Section 1.3), the Council is required to publish a policy and procedures setting out how we will tackle and deter occurrences of ASB including hate incidents.
- 4.2 The Policy sets out how the Council will manage and respond to complaints of ASB including hate incidents, and how we will work with partner organisations to tackle such behaviour on our estates and neighbourhoods.
- 4.3 The Policy applies to tenants in Council owned social housing and sheltered accommodation and covers incidents of ASB including hate crime:
- Involving an alleged subject and / or reporter who live in, or are visiting a property owned and managed by us
  - That occur within a neighbourhood or estate where we manage properties
  - That take place at our offices
- 4.4 The following documents should be read alongside this Policy:
- DDC Corporate Plan 2023 – 2027
  - Tenancy Agreement
  - Tenancy Management Policy
  - Neighbourhood Management Policy
  - Vulnerable Tenant Policy
  - Domestic Abuse Policy (Housing)
  - Managing Unacceptable Behaviour Policy (Housing)
  - DDC Complaints Policy
  - DDC Equality Policy
  - DDC Safeguarding Policy

## 5. Policy aims

- 5.1 The aims of this policy are to:
- 1) Tackle and prevent incidents of ASB including hate incidents from escalating when they arise.
  - 2) Send a clear message to tenants that ASB including hate incidents are unacceptable.
  - 3) Use early intervention and warnings whenever possible to avoid ASB including hate incidents from escalating.
  - 4) Ensure that residents are encouraged to report incidents of ASB including hate incidents to the Council and that they are taken seriously when they do so.
  - 5) Ensure that there are clear and transparent processes in place for residents to report ASB including hate incidents and understand how the matter will be investigated.
  - 6) Ensure that residents are provided with appropriate advice and assistance and provide clear expectations to reporters and alleged subjects.
  - 7) Work collaboratively with other agencies and practitioners to identify, assess and tackle ASB including hate incidents and the underlying causes.
  - 8) Take the necessary legal action, where there is sufficient evidence, to deal with alleged subjects who breach the terms and conditions of the tenancy agreement.

## 6. Defining Anti-Social Behaviour

- 6.1 This Policy adopts the definition of ASB in the Anti-social Behaviour, Crime and Policing Act 2014 as:
- Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person
  - Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
  - Conduct capable of causing housing related nuisance or annoyance to any person.
- 6.2 This includes but is not limited to the examples listed within the Tenancy Agreement (para 3.3.3).

### **Matters the Council are unlikely investigate**

- 6.3 The Council accepts people have different lifestyles and it is important that we are realistic when advising reporters what we can and cannot do in relation to a complaint of ASB.
- 6.4 Not all inconsiderate behaviour may be deemed as ASB. Some examples of issues which may cause upset or disturb people, and which are unlikely to be dealt with as ASB include but are not limited to:
- Children playing (including ball games – unless they are being played in a communal area or persistently causing a nuisance)
  - Babies crying
  - Cooking smells
  - Doors and drawers being shut
  - Dishwashers, hoovers, tumble dryers, washing machines and other household appliances
  - Dropping of objects / moving of furniture
  - General talking / Heavy footfalls (people walking on floors or upstairs)
  - Flushing toilets and running water
  - Lights switches being turned on and off
  - Loud talking or laughing
  - One-off or isolated incidents e.g. a party
  - People carrying out DIY jobs at unreasonable hours of the day
  - Sexual noises
  - Shift workers leaving home
  - Occasional slamming of doors
  - Where there is no breach in the tenancy i.e.: people staring or being inconsiderate

## 7. Policy statements

### **General**

#### **Key principles**

- 7.1 We will apply the following principles when we manage and investigate incidents of ASB:
- 1) We take a victim-centred and robust approach to tackling ASB including hate incidents.
  - 2) We believe that tenants have the right to enjoy their homes and are entitled to live their day to day lives without having concerns that complaints of ASB including hate incidents will be made against them.

- 3) All tenants will be treated fairly, and vulnerabilities will be considered when we conduct our investigations.
- 4) Incidents of ASB including hate incidents are dealt with consistently, proportionately, professionally, and justified action will be taken.
- 5) We will work in partnership with other relevant agencies and organisations to prevent and reduce ASB including hate incidents and to ensure the victim receives the correct support.
- 6) Be clear about the standards expected of staff and ensuring they have the knowledge to investigate incidents and reports of ASB including hate incidents.
- 7) We provide staff with training, clear guidance, policies, and procedures so they can deal with cases of ASB effectively, make informed decisions, use the appropriate enforcement tools and are aware of the wider issues associated with ASB, including hate incidents and safeguarding.

### **Protection of staff and contractors**

- 7.2 We will not, under any circumstances, tolerate threatening or violent behaviour towards staff members or contractors working on the Council's behalf. We will take appropriate action if staff are threatened, abused or subjected to ASB including hate incidents in accordance with our internal procedures of managing unacceptable behaviour.

### **How to report ASB**

- 7.3 Residents can report ASB to the Council several ways:
  - In person at the Council offices or during a scheduled visit by a member of our staff.
  - By telephone: 01304 801084.
  - Online using our ASB reporting form on the [Council website](#).
- 7.4 **In situations where someone or a property is in danger, a serious disruption to the public is likely or when a crime is taking place, residents should contact the Police on 999 before contacting the Council. Residents should call 101 for non-emergency enquiries.**

### **Tenant responsibilities**

- 7.5 Tenants are responsible for their behaviour, the behaviour of the members of their households and their visitors, and must abide by the Tenancy Agreement, and in particular clauses 3.3.1 – 3.3.6 which pertain to ASB including hate incidents. Failure to abide by these may result in enforcement action and could in some circumstances result in loss of the home.
- 7.6 We expect tenants to resolve minor issues between themselves and their neighbours where appropriate, and we encourage them to do so in the first instance.

### **Support for victims and witnesses**

- 7.7 We will support as best we can, reporters and others affected by ASB including hate incidents to continue to live in their home and encourage them to work with us to resolve the problem.
- 7.8 An action plan will be completed with the reporter, and we will keep them, and any witnesses informed of the progress of the case.
- 7.9 We will signpost reporters experiencing ASB including hate incidents to other agencies for support and advice. We will make reasonable adjustments to our services where the reporter is vulnerable, and this is required. Please see our Vulnerable Tenant Policy for further details.

### **Hate crime**

- 7.10 A 'hate crime' is defined as any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation; or transgender identity or perceived transgender identity.
- 7.11 **Residents who believe they have been victim to a hate crime should report this to the Police on 999.**
- 7.12 If residents inform us that they have been a victim of a hate crime we will update our records and help sign-post them to support and advice services. A list of these is also available on our website.
- 7.13 We treat all hate incidents as Category A ASB and will be dealt with in accordance with this Policy and associated procedures.
- 7.14 We will support the Police and other agencies during criminal investigations, where required.

### **Multi-agency collaboration**

- 7.15 We will work with other partner agencies and residents to tackle and address ASB including hate incidents.
- 7.16 We will actively participate in information sharing protocols with the Police and other agencies (where appropriate) to coordinate an effective response to problem solving ASB complaints.
- 7.17 Some types of complaints may constitute as ASB; however, it may not be appropriate for us to be the lead investigator. Such as, but not limited to:
- Environmental issues such as abandoned cars and fly tipping
  - Harassment and intimidation
  - Hate crime
  - Highways related matters including parking illegally or inconsiderately on land outside of a tenancy boundary
  - Hoax calls to emergency services
  - Illegal or immoral activity
  - Threatening behaviour and verbal abuse
  - Violence to person
  - CCTV related nuisance
  - Drug dealing
  - Smoking cannabis
  - Safeguarding or welfare concerns
- 7.18 When incidents of this type are reported to us, we will sign post the reporter to the agency best placed to investigate these allegations and work with partner agencies where required, to support resolution of these issues.

### **Vulnerable subjects**

- 7.19 We will consider the vulnerability of subjects. In doing so, we will ensure that we comply with the Disability Discrimination Act 1995, the Mental Health Act 2001, the Care Act 2014 and the Equality Act 2010.

- 7.20 Where it is identified that a subject has a vulnerability, we will signpost them to external support services to help address the issues that may be exacerbating their behaviour. In doing so we may decide to work closely with the support service to identify actions that can prevent repeat incidents.
- 7.21 Our actions to offer support to vulnerable subject does not condone or excuse their behaviour but forms part of our attempts to address and prevent repeat ASB including hate incidents.

### **Staff training**

- 7.22 Tenancy Support Officers investigate and manage cases of ASB including hate incidents, and all Housing Staff have access to the up-to-date policies and procedures for managing ASB including hate incidents.
- 7.23 While the Council provides training for its staff on ASB including hate incidents, we may on occasion seek to procure external training from specialist training providers or partners. This is to ensure that our staff have key transferrable skills and knowledge of good practice to manage and deal with incidents of ASB including hate incidents, prevent occurrences and provide support to reporters.

### **Publicity**

- 7.24 The Council will consider the use of publicity to pursue legitimate aims including, but not limited to:
- Supporting and reassuring communities
  - Informing communities of methods of reporting ASB including hate incidents
  - Informing communities of positive case outcomes
  - Making it clear to subjects that the Council will not tolerate ASB including hate incidents and will take action to protect others.
  - Providing reassurance to residents in the Council's ability to tackle and prevent ASB including hate incidents.
- 7.25 Forms of publicity methods used will include, but are not limited to, media coverage, targeted leafleting, use of the Council website and / or social media platforms as appropriate.
- 7.26 When considering whether to publicise by what means and for how long, the Council will consider the circumstances of each case and whether the proposed publicity is necessary and proportionate.

## **Managing ASB cases**

### **Responding to reports of ASB including hate incidents**

- 7.27 We will take a victim-centred approach when investigating complaints of ASB including hate incidents.
- 7.28 If we decide that a complaint is not ASB, we will advise the reporter of our decision. We may still be able to offer advice or signpost them to other services for advice and support.
- 7.29 We will categorise each ASB complaint reported to us. The categorisation is dependent on the nature of the ASB and the impact to the reporter.



7.30 We will respond to reported ASB cases including hate incidents according to their assigned category (see 7.33 & 7.34)

- **Category A** we will respond to the reporter in 2 working days
- **Category B** we will respond to the reporter in 4 working days
- **Category C** we will respond to the reporter in 10 working days

7.31 We will contact the reporter to discuss the case and complete an action plan setting out what we will do to resolve the issue. A case handler will be assigned to the reporter and will keep in regular contact with them throughout the investigation.

7.32 We will retain clear records of all ASB cases including hate incidents for the purpose of evidence gathering, monitoring, quality checks and to provide a comprehensive picture of the case. All records will be kept electronically and kept up to date. The Housing Operations Manager will review all cases regularly to ensure:

- compliance with this Policy, other related policies, and the ASB procedures
- appropriate ASB case management.

### **How cases are prioritised**

7.33 We prioritise our response to each reported case of ASB including hate incidents based on the severity of the ASB and the impact to the reporter and their household. There are three categories. These are:

#### **Category A**

- Serious and violent incidents involving a person or a property
- Intimidation and / or harassment
- Hate incidents that target members of identified groups because of their perceived difference or characteristics

#### **Category B**

- Using or threatening to use housing accommodation to manufacture, supply or sell drugs or for other unlawful purposes.
- Threatening or abusive behaviour.
- Excessive noise nuisance.

#### **Category C**

- The fouling of public areas, graffiti (unless it is racist or obscene) fly tipping, nuisance vehicles
- Excessively untidy gardens
- Noisy animals

7.34 Although behaviour may be listed in a particular category, the specific circumstances of a case may mean that it is considered sufficiently serious for possession to be sought under an absolute ground.

## **Types of Action**

### **Preventative action**

- 7.35 We recognise that one of the most effective ways to tackle ASB including hate incidents is to take preventative action to discourage this type of behaviour from occurring in the first place. The range of preventative measures we can take includes the following:
- Allocating properties in accordance with the allocations and lettings policies.
  - Explaining the importance of abiding by the tenancy agreement.
  - Providing and publicising information on what constitutes ASB including hate incidents
  - Providing information on what a tenant can do to combat ASB and what we can and cannot do to help
  - Co-operating and working with Multi Agency Partnerships to prevent and reduce occurrences of ASB including hate incidents.
- 7.36 We will take a balanced approach to preventing and reducing ASB including hate incidents. Any action we take will be based on the circumstances of each case and will be proportionate to the behaviour.

### **Early intervention**

- 7.37 The Council's aim is to intervene at an early stage and tackle problems quickly to prevent the behaviour from escalating. Cases are assessed individually, and the appropriate intervention taken to tackle the behaviour.
- 7.38 Early interventions we can take include, but are not limited to:
- Written or verbal warnings
  - Joint visits with the Police or other agency representatives
  - Prompt action for repairs because of ASB including hate crime e.g. the removal of graffiti
  - Referral to Environmental Health to investigate a statutory nuisance
  - Referral to the Mediation Service
  - Community Protection Warnings
  - Acceptable Behaviour Agreements – an informal agreement to try and stop certain types of behaviour.
  - Referral to external agencies who can provide services to subjects and reporters
  - Extension of Introductory where applicable.
  - Demote a secure tenancy
  - Multi agency partnership working.

### **Enforcement**

- 7.39 We will take enforcement action where other interventions and actions taken to tackle and prevent ASB and hate incidents have failed, or where the behaviour is such that it endangers life or property.
- 7.40 Any enforcement action we take will be in accordance with the Anti-social behaviour powers statutory guidance and will be considered on the grounds of proportionality as well as the Human Rights Act 1998 and the Equality Act 2010.

7.41 There are several enforcement actions we can take to resolve anti-social behaviour. These include, but are not limited to:

**1. Civil injunctions** – can be granted against anyone who is 10 years or age or over. Applications against individuals who are 18 years of age or over will be made in the County Court or High Court. Depending on the severity of the behaviour, this could be (1) without notice, (2) with / without power of arrest and (3) with / without an exclusion order.

Where we are considering applying for an injunction against someone under the age of 18, we will apply to the Youth Court and we will consult with Youth Offending Teams (YOT) and other agencies as appropriate, prior to the application of an injunction.

Where possible we will seek to make an order for positive requirements, encouraging young subjects to remedy their behaviours. Positive requirements will be considered on a case-by-case basis and may be subject to availability of additional services in the area.

**2. Community Protection Notices (CPN)** – can be issued against any person aged 16 or over or to a body, including a business from committing any anti-social behaviour.

**3. Fixed Penalty Notices (FPN)** – In some cases and with some offences, the Council can prosecute the subject or may choose to issue a FPN of up to £100. The Council can also prosecute if the FPN remains unpaid.

**4. Criminal Behaviour Order (CBO)** – can be used to deal with a wide range of anti-social behaviours following an individual's conviction for a criminal offence, for example:

- Threatening others in the community
- Persistently being drunk and aggressive in public
- To deal with anti-social behaviour associated with a more serious conviction, such as for burglary or street robbery.

An application for a CBO does not require a link between the criminal behaviour which led to the conviction and the anti-social behaviour for it to be issued by the Court.

The Council will make proportionate and reasonable judgements before applying for a CBO.

**5. Public Space Protection Order (PSPO)** – are intended to deal with a particular nuisance or problem in a specific area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are intended to help ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.

**6. Closure powers** – is a fast, flexible power than can be used to protect victims and communities by quickly closing premises that are causing nuisance, disorder and to prevent offensive or criminal behaviour on the premises.

Before issuing a notice, the Council will ensure that it has consulted with anyone we think appropriate, which includes (but not limited to) the Police, the reporter and other members of the public that may be affected positively or negatively by the closure.

**7. Absolute ground for possession** – was introduced to speed up the possession process in cases where anti-social behaviour or criminality has already been proved by another court.

7.42 When we conduct any legal and / or enforcement action, we will follow the set ASB procedures as stipulated in the Policy.

## Case closures

- 7.43 Although we will seek to resolve cases to a reporter's satisfaction, this will not be possible in all cases and the Council may choose to close the case when it is appropriate to do so. A decision to close a case or not will be on a case-by-case basis and after review.
- 7.44 The following circumstances are common reasons as to why an ASB case may be closed (this is not an exhaustive list):
- When we have reached an agreed upon solution and successfully resolved the incident.
  - When we have completed an investigation into the case and have exhausted all viable solutions.
  - Where mediation is a reasonable solution and has been offered to both parties but has been declined by the reporter.
  - When another agency is leading on the case and no longer requires our involvement.
  - Non-engagement and failure to respond to our requests by the reporter.
- 7.45 Victims and agencies involved in the initial referral of enquiries will usually be contacted and advised of the reasons for a case closure prior to the case being closed. We can also provide reporters with further advice on the next steps and on alternate options. The subject of a complaint will also usually be informed at the point of closure.
- 7.46 If a reporter is unhappy with the outcome or closure of a case, they can contact the Tenancy Support Officer to resolve this, or if the case meets the requirements, they can request an ASB Case Review (see 7.47 – 7.50).

## ASB Case Review

- 7.47 The Anti-Social Behaviour, Crime and Policing Act 2014 introduced the Anti-Social Behaviour Case Review ("the Review"), a mechanism for victims of ASB to request their local Community Safety Partnership (CSP) to review responses to incidents of ASB.
- 7.48 The Review helps ensure that agencies are working together to resolve incidents of ASB that are affecting residents' quality of life. We will do this by appropriately sharing information between agencies, reviewing the actions that have been taken and use available resource to try and reach a solution and make recommendations that will hopefully prevent the situation for reoccurring.
- 7.49 The reporter or someone acting on their behalf should use the Review if they have reported ASB to the Council, Police and / or a registered provider (housing association) at least 3 times within 6 months, and their case has not been handled satisfactorily in the eyes of the reporter. The Review cannot be used to report general ASB / crime and does not replace formal complaints procedures (see Section 10).
- 7.50 To request a Review, the reporter or someone acting on their behalf can complete our online ASB case review form: [Anti-social Behaviour Case Review \(dover.gov.uk\)](https://www.dover.gov.uk/anti-social-behaviour-case-review).

## 8. Safeguarding

### Safeguarding children, young people and adults at risk

- 8.1 Safeguarding is everyone's business. It is not uncommon for safeguarding concerns to arise during an investigation. We will make safeguarding referrals if we have concerns about a child, young person or adult at risk's welfare and believe they are likely to suffer harm.
- 8.2 We will comply with the requirements set out in the Council's Safeguarding Policy and Procedure, and the protocols, policies and procedures produce by Kent and Medway Safeguarding Adults Board (KMSAB), the Multi-Agency Risk Assessment Conference (MARAC) and the Kent Safeguarding Children Multi-Agency Partnership.

### Domestic abuse

- 8.3 Some ASB cases may show signs that domestic abuse is happening within a household. The use of ASB enforcement tools to tackle domestic abuse may be appropriate in some circumstances to protect the victim / survivor and / or reduce the impact to the wider community, however we will be mindful of the needs of the victim / survivor to ensure they are supported. Where required, a risk assessment will be completed, and external agencies informed.
- 8.4 When working on cases of domestic abuse, housing staff will follow the Safeguarding Policy, Domestic Abuse Policy (Housing), Kent & Medway Safeguarding Adults Board (KMSAB) procedures and protocols and where required, the Vulnerable Tenant Policy.

## 9. Implementation, monitoring and review

- 9.1 Monitoring is necessary to ensure that the Council delivers the aims and objectives set out in this Policy. Cases will be subject to regular reviews by the Tenant Support Team, and the Housing Operations Manager.
- 9.2 An annual report on the work in respect of housing anti-social behaviour outcomes and issues will be presented to the Overview and Scrutiny Committee (which also acts as the Council's Crime & Disorder Committee) since they are required by legislation to oversee work on community safety.
- 9.3 Performance is monitored several other ways. Resident satisfaction is currently monitored by the measures listed below but may be subject to change:
  - Number / percentage of cases or incidents where action was taken to reduce / manage ASB
  - Tenant Perceptions Surveys
  - Transactional Surveys
  - Number of cases at the close of the quarter
  - Average length of time cases are open
  - Peer review
- 9.4 The Council aims to undertake a review of the Policy every three years, or in response to relevant changes to legislation and / or regulations that require a review to be undertaken sooner than the expected review date. We will also monitor the effectiveness of the Policy, and where appropriate, make necessary changes to reflect good practice, or operational efficiencies.
- 9.5 Any minor amendments required to this Policy will be made by officers of the Council. Any significant amendments made to the Policy due to changes to national legislation will be approved by the Council's Cabinet. Where significant changes are required, relevant officers and teams will be consulted before the changes are implemented.

## 10. Complaints

10.1 The Council's definition of a complaint is:

“An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or a group of residents.”

10.2 The Council takes complaints made about any service it provides, officers who work for the Council or contractors who provide our services, seriously. If a resident wishes to make a complaint about the service they have received, a Council officer or contractor, they can be made:

- In writing (letter or email)
- Using our online complaint form
- Using the Council's Complaint Leaflets (these are available at the Council's office reception, or our residents can request them to be posted)
- Via telephone; or
- In person by an appointment

10.3 All complaints received will be dealt with in accordance with the Council's Complaints Policy and Procedure. More information about how to make a complaint can be found on our website: [If you are unhappy \(dover.gov.uk\)](https://www.dover.gov.uk).

## 11. Equality, diversity and inclusion

11.1 The Council is committed to promoting equality of opportunity and to eliminating unlawful discrimination on the grounds of race, age, disability, gender, sexual orientation, religion, belief, financial status, and any other difference that can lead to discrimination or unfair treatment considering the principles of the [Equality Act 2010](#). Please see our Equality Policy for more details.

11.2 A full Equality Impact Assessment (EIA) was conducted for this policy in accordance with our Public Sector Equality Duty (PSED) when carrying out our duties (s149 of Equality Act 2010). The EIA has identified no negative impacts as a result of the Policy's implementation, and therefore there is no requirement at this time for mitigative actions to be put in place.

## 12. Data privacy and confidentiality

### General

12.1 The Council is a data controller under GDPR and the Data Protection Act 2018 and are therefore required to process and protect personal data in line with data protection legislation. We will comply fully with requirements of any new or existing relevant legislation.

12.2 Full details of how we store and use personal information about our customers can be found on our website and in our privacy statement. For further information or questions, please direct these to the Council's Data Protection Officer via email: [dataprotection@dover.gov.uk](mailto:dataprotection@dover.gov.uk).

### Information sharing and confidentiality

- 12.3 The Council respects the rights of individuals to confidentiality and will seek their permission before sharing any information they provide, except in circumstances where there we have a legal duty or obligation to do so.
- 12.4 Our Policy is not to accept anonymous complaints, however, in exceptional circumstances where the reported nuisance is extreme, can be evidenced and is deemed to be having a significant impact and effect on others in the community, we will investigate as appropriate.
- 12.5 There are reciprocal responsibilities to share information between partner agencies as set out in the Crime and Disorder Act 1998 and in accordance with data sharing protocols and agreements, such as the Kent and Medway Information Shared Agreement (KMISA), which sets out:
  - What information is going to shared
  - What powers in law give the ability to share information
  - How information is going to be shared
  - Who the partners to the agreements are; and
  - Any necessary security requirements

This may mean that we will share information provided to us without explicit consent, if it is required to prevent and detect crime or there is a serious safeguarding concern. One off sharing under the KMISA will require the completion of the KMISA Record of Sharing From which can be obtained from the Council's Data Protection Officer.

## 13. Version control

<b>Approval date</b>	2 December 2024
<b>Approved by</b>	Cabinet
<b>Policy owner</b>	Housing Services
<b>Scheduled review</b>	December 2027

<b>Policy controls sheet</b>		
<b>Date</b>	<b>Summary of change</b>	<b>Author and approver</b>
		<b>Author:</b>  <b>Approver(s):</b>