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Research report

# An evaluation of the sanction of Housing Benefit

by John Flint, Anwen Jones and Sadie Parr

Department for Work and Pensions

Research Report No 728

# **An evaluation of the sanction of Housing Benefit**

John Flint, Anwen Jones and Sadie Parr

A report of research carried out by Centre for Regional Economic and Social Research, Sheffield Hallam University and Centre for Housing Policy, University of York on behalf of the Department for Work and Pensions

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# Summary

## Introduction

This report presents the findings from an evaluation of the sanction of Housing Benefit (HB) piloted in eight local authority areas in England from 1 November 2007 to 31 October 2009. No sanctions were used during the pilot period. This report provides details of the background to and aims of the sanction and the local contexts of the pilot areas. The report identifies why the sanction was not used and the views of stakeholders about the potential use of a sanction.

## Policy and legislation background

The sanction of HB was introduced in the Welfare Reform Act 2007. The sanction was based on the concept of challenge and support to encourage individuals to seek help from initiatives such as Family Intervention Projects (FIPs)<sup>1</sup>.

The sanction could be applied in circumstances where individuals or households has been subject to an order of possession on the grounds of anti-social behaviour and subsequently refused to engage with an appropriate package of support. The sanction could be applied in tiered stages to a subsequent claim for HB from a new address within a designated pilot area. There were limits on the extent of a sanction in cases of material hardship and some cases (such as those involving mental health problems) were not eligible for sanction. The Department for Work and Pensions (DWP) issued technical guidance on the intended operation of the sanction.

Eight local authorities piloted the sanction of HB: Blackburn with Darwen; Blackpool; Dover; Manchester City; New Forest; Newham; South Gloucestershire and Wirral. Each pilot area was provided with a modest grant to meet the additional costs of the sanction scheme.

## The research

The research was undertaken by Sheffield Hallam University and the University of York. The aim of the research was to evaluate the implementation, operation and impacts of the sanction of HB during the two year pilot period in each of the eight pilot local authority areas. The research methods included analysis of relevant documentation and interviews, focus groups and correspondence with stakeholders in the eight pilot areas.

## Context and policy infrastructures in the pilot areas

The pilot schemes were established in complex housing and governance contexts, with growing housing affordability problems and diffuse rented housing provision. Levels and forms of anti-social behaviour varied between the pilot areas but addressing anti-social behaviour was a key priority in all of the areas. Some of the pilot local authorities were designated TOGETHER or Respect

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<sup>1</sup> FIPs offer intensive support to households, based upon a key worker and whole family approach. They aim to reduce anti-social behaviour and offending and address a range of risk factors and vulnerabilities. There are now over 700 FIPs, or related projects, in England.

Action areas<sup>2</sup>. The use of enforcement mechanisms varied between the pilot areas. Pilot areas had appropriate support services available, although there were some concerns about the capacity of alcohol and drugs services.

Each of the pilot areas followed the guidance issued by the DWP in establishing the sanction scheme. The pilot areas intended to implement and deliver the scheme in accordance with this guidance. It was believed that the schemes could be delivered within pilot areas' existing anti-social behaviour management strategies.

There were a range of views expressed about the likely effectiveness of the sanction, with a consensus that it potentially offered an additional tool to address anti-social behaviour. Stakeholders believed that it was the impact of the threat of sanction on individuals' engagement with support, and the provision of this support, that was the key element. It was expected that less than ten individuals would be subject to a sanction in each pilot area. This was due to the limited numbers of possession cases on the grounds of anti-social behaviour and the propensity of individuals to take up intensive support offered to them.

### The operation and delivery of the sanction of Housing Benefit

The sanction of HB schemes were publicised through a range of mechanisms in most of the pilot areas. In all of the pilot areas during the period of the pilot, increasing emphasis was given to early intervention, prevention and intensive support. This meant that post- eviction enforcement action such as a sanction of HB (albeit as a mechanism for facilitating the take up of support) was increasingly out of step with policy developments and objectives.

No individual was subject to a sanction of HB during the pilot period (1 November 2007 to 31 October 2009) although a number of individuals were warned directly about the possibility of a potential future sanction.

The reasons why the sanction was not used included a difficulty in identifying eligible cases due to the lack of information flow between the courts, the DWP and local sanction pilot scheme coordinators. Although there were potentially eligible cases (possession proceedings on the grounds of anti-social behaviour), in no case was a subsequent new claim for HB from an address within a pilot area identified.

A number of other factors reduced the number of cases meeting the sanction criteria. These included:

- the limited use of anti-social behaviour grounds for possession;
- the ineligibility of cases involving probationary, introductory or demoted tenancies;
- the abandonment of properties by tenants prior to warrants being issued; and
- limited information about the actions of some social registered and private landlords.

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<sup>2</sup> TOGETHER areas were announced in 2004 as part of the TOGETHER national action plan. Ten TOGETHER trailblazer areas were established and were provided with additional funding to tackle neighbourhood problems, begging and environmental crimes. Fifty Respect Areas were announced in 2007 as part of the Respect Action Plan. The areas received additional funding to deliver a range of measures, including FIPs.

## The use and impacts of warnings of a potential sanction of Housing Benefit

There was considerable differentiation between pilot areas with regard to the extent to which warnings about a potential sanction of HB were issued, the form that this warning took and the stage in individual cases where it was deemed appropriate.

It was not possible to disaggregate the independent impact of a warning of a potential future sanction of HB on the behaviour and engagement with support of individuals and households. Individuals' responses to the threat of a sanction were similar to their reaction to a final warning and the possibility of legal action more generally and it was widely believed that eviction and resultant homelessness would have a greater impact. This is supported by (limited) evidence that individuals subject to a warning about a sanction could not recall this.

## Key findings and conclusions

There were three views expressed about the impacts of individuals being warned about a potential future sanction of HB. Some practitioners believed that the warning had no impact as it related to action that was too far in the future and involved too many additional steps. Other practitioners stated that the warning may have had some impact but that it was not possible to disaggregate this from the influence of other factors such as the threat of eviction or the use of an Anti-Social Behaviour Order (ASBO). Practitioners in one pilot area strongly believed that warnings about a potential future sanction of HB had been instrumental in some households engaging with support packages.

The majority of practitioners expressed disappointment about the operation of the sanction pilot and believed that it had not had any real impact. They cited a number of key flaws including the lack of communication from the courts and the DWP, the difficulty in tracking households after eviction and the limitations of a post-eviction mechanism. However, local practitioners were divided about whether a pre-eviction HB sanction would be more effective and appropriate.

The majority of local practitioners stated that it was not possible to recommend that the sanction be rolled out nationally as there had not been any assessment of the actual processes and outcomes of applying a sanction.

Research participants suggested that most individuals already engage with support and this engagement was facilitated through the establishment of trust and identifying underlying causes of anti-social behaviour rather than future-orientated legal or financial incentives or penalties.

There is a need for a greater understanding of the complex relationship between support and enforcement and the specific role that coercion and sanction may play in facilitating the take up of support. The increasing emphasis within the pilot areas on early intervention, intensive support and holistic 'whole family' approaches, based on working with individuals and households in their existing tenancies were more likely to lead to positive sustainable behavioural change in the individuals subject to anti-social behaviour interventions.

# 1 Introduction

In September 2007, the Centre for Regional Economic and Social Research at Sheffield Hallam University and the Centre for Housing Policy at the University of York were commissioned by the DWP to undertake an evaluation of the sanction of HB being piloted in eight local authority areas in England.

This report provides an account of the main findings and issues emerging from the evaluation. Chapter 2 describes the policy background to the sanction of HB pilot. Chapter 3 provides information about the aims of the evaluation and the research methods used. Chapter 4 summarises the background context and delivery structures developed and established in the eight local authority areas at the commencement of the pilot in October 2007. Chapter 5 provides an account of the delivery and operation of the sanction of HB pilot until its conclusion on 31 October 2009. Chapter 6 presents findings on the use and impacts of warnings about the potential use of a sanction of HB. Chapter 7 summarises the key findings and conclusions of the research.

Appendix 1 provides further information about the background housing, anti-social behaviour and policy contexts in each of the eight local authority pilot areas. Appendix 2 provides further information about the stakeholders interviewed during the research.

## 2 Policy background

### 2.1 Introduction

This chapter provides a brief summary of the policy and legislation context for the introduction of the sanction of HB pilot schemes in October 2007. The chapter describes the national development of the sanction pilot scheme and the intended processes for its implementation. The material in the chapter is based on government policy and guidance documents and correspondence and further information provided by officers at the DWP.

### 2.2 Policy and legislation context

In January 2006, the Respect Action Plan (Respect Task Force, 2006, p 23) announced that consideration was being given to the introduction of HB sanctions as an incentive for those individuals engaged in persistent anti-social behaviour to engage with intensive support services that were offered to them. This measure formed part of the government's agenda to tackle anti-social behaviour. Although the forms of support that the measure would apply to were not specified, reference was made to the intensive rehabilitation services provided by FIPs (Respect Task Force, undated). The rationales and aims of the pilot were therefore grounded in the concept of challenge and support, through which individuals and families would be supported to change their behaviour, with sanctions being applied as a mechanism to facilitate the taking up of support amongst families and individuals who previously had refused to engage with support offered to them.

The sanction of HB related to anti-social behaviour was introduced by Section 31 of the Welfare Reform Act 2007. This inserts Sections 130B to 130G to the Social Security Contributions and Benefits Act 1992. The supporting secondary legislation is The Housing Benefit (Loss of Benefit) (Pilot Scheme) Regulations 2007 (SI 2007/2202) and The Housing Benefit (Loss of Benefit) (Pilot Scheme) (Supplementary) Regulations 2007 (SI 2007/2427).

The legislation set out the circumstances under which a local authority may sanction HB. The circumstances were where:

- A household received a relevant order of possession related to anti-social behaviour and subsequently leaves the property.
- The household was offered help and support and refused to engage with the help offered.
- The household did not comply with conditions within a written warning notice.

All three of these circumstances had to apply for a sanction to be considered.

### 2.3 The sanction pilot process

In 2006, the DWP invited local authorities to pilot the sanction of HB policy. The pilot was operational from 1 November 2007 to 31 October 2009. Eight local authorities agreed to pilot the sanction:

- Blackburn with Darwen Borough Council.
- Blackpool Borough Council.
- Dover District Council.

## 6 Policy background

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- Manchester City Council.
- New Forest District Council.
- Newham London Borough Council.
- South Gloucestershire Council.
- Wirral Metropolitan Borough Council.

The DWP held stakeholder events for the pilot areas and produced written guidance for the pilot areas on the operation of the policy and specific guidance on HB issues relating to the sanction (DWP, 2007a and 2007b).

In order for the HB sanction to be imposed, households needed to have been served with a relevant Order for Possession. These included an order made under:

- Section 84 of the Housing Act 1985 (secure tenancies) on Ground 2 set out in schedule 2 to that Act;
- Section 7 of the Housing Act 1988 (assured tenancies) on Ground 14 set out in Schedule 2 to that Act; and
- Section 98 of the Rent Act (1977) (protected or statutory tenancies) in the circumstances specified in Case 2 in Schedule 15 to that Act.

The sanction could only be applied in cases where possession orders were made by a court within a pilot local authority area and where a subsequent new claim for HB was made (by a member of a household subject to a previous relevant possession order) from a new address within a pilot local authority area.

The process envisaged for the implementation of a sanction was as follows:

- The local court would inform the DWP of relevant possession orders within the pilot local authority areas
- The DWP would receive, collate and retain central records of anti-social behaviour evictions within the designated pilot areas.
- The DWP would run monthly scans of future claims of HB against details of members of households evicted for anti-social behaviour.
- Where a new claim for HB was made at a new address within a designated pilot area by a member of a household subject to a relevant previous possession order then members of the household would be eligible for a potential sanction.
- The DWP would then inform the relevant designated local sanction co-ordinator.
- The household would be approached and asked to take up an appropriate programme of rehabilitation. Only in cases where this support was deemed not to have been taken up or adequately engaged with, would a HB sanction be considered.
- The sanction would be applied in stages of a ten per cent deduction, 20 per cent deduction and then full deduction of 100 per cent if the offer of support was not taken up.
- Households meeting hardship criteria would be subject to a maximum 30 per cent reduction and some cases, for example those involving serious mental health issues, were not eligible.
- Each pilot area would decide on a case by case basis whether a sanction should be applied, following the guidance from the DWP.

The DWP provided a modest grant of approximately £10,000 to each pilot area local authority to meet the additional expenditure arising from implementing the sanction of HB schemes.

The government stressed that the primary aim of the sanction of HB was to encourage individuals and households to engage with the support offered to them and that it was envisaged that a very small number of households would actually be subject to a sanction.

# 3 About the research

## 3.1 Introduction

This chapter describes the aims and objectives of the evaluation research and provides an account of, and reflections upon, the research methods used.

The research was conducted by a team of researchers at Sheffield Hallam University and the University of York, supported by an advisory panel of three academic experts. The research was conducted between September 2007 and November 2009.

## 3.2 Research aims and objectives

The aim of the research was to evaluate the implementation, operation and impacts of the sanction of HB during the two year pilot period in each of the eight pilot local authority areas.

The objectives of the research were specifically to:

- Monitor and gather information on the implementation and scoping of the local schemes during their initial stages (November 2007 to April 2008).
- Capture and evaluate how each of the pilot schemes had operated during the pilot period.
- Provide an in-depth profile of the households eligible for sanction (including those sanctioned and not sanctioned).
- Identify and understand why households had or had not been sanctioned.
- Identify and understand the housing outcomes of as many individuals and households eligible for sanction (including those sanctioned and not sanctioned) as possible.

## 3.3 Research methods

The research comprised four waves of fieldwork, as follows:

- Initial Scoping Phase (November 2007 to April 2008).
- First Delivery Progress Assessment (August 2008 to October 2008).
- Second Delivery Progress Assessment (January 2009 to April 2009).
- Final Evaluation (September 2009 to November 2009).

During each wave of fieldwork the research comprised:

- An analysis of relevant documentation (including local strategies, practice and guidance manuals, publicity materials related to the sanction of HB schemes and local progress reports and evaluations).
- Interviews (in person or by telephone) and/or focus groups and/or written responses with/from local sanction pilot coordination and delivery officers and other relevant stakeholders.



The interviewees included the designated sanction coordinators in each local authority pilot area, anti-social behaviour managers and officers for local authorities and registered social landlords, local authority HB managers, officers from local authority Housing, Homelessness, Children's, Social Work and Legal Services departments and managers of local FIPs. Full details of the stakeholders interviewed are provided in Appendix 2.

Following each of the four waves of fieldwork, a report was produced, circulated to the eight pilot local authority areas for comment and subsequently submitted to the DWP.

Seminar presentations on the interim findings of the evaluation were delivered to the DWP and the Scottish Government.

As there were no households subject to a sanction during the pilot it was not possible to undertake three elements of the planned research. These included:

- tracking outcomes for households eligible for a sanction;
- extending coverage of key stakeholders to legal and tenant representatives and Citizens Advice Bureaus; and
- using non-pilot control areas to compare the take up and outcomes of FIPs support.

As the research progressed and it became evident that it was increasingly unlikely that an individual would be subject to a sanction of HB, we additionally focused on the impact and outcomes of the use of warnings about a potential sanction on the behaviour of individuals and households subject to a warning. We asked key local stakeholders for their views on this issue and these are presented in Chapter 6. An attempt was made to identify and interview individuals who had been subject to a warning. This was achieved in only one pilot area, where four individuals subject to anti-social behaviour interventions were interviewed, between January 2009 and April 2009.

The limitations of the research methods should be borne in mind when reading this report and when considering its findings and conclusions. In particular, the absence of the perspectives of households subject to a warning about a potential sanction, other tenants, other registered social landlords and representatives of the local courts and the DWP should be noted. In addition, local authorities do not necessarily collate up to date and accurate data about the grounds for possession orders and may not have an awareness of the legal actions of all registered social and private landlords in their area. This should be noted when reading the section of the report which discusses levels of possession orders related to anti-social behaviour in the sanction pilot areas.

The issues of data protection and research ethics are very important. Although it was not directly relevant to this evaluation, given that no households were subject to tracking, it is important to note that all future research in this area requires the informed consent of participants and key local stakeholders were concerned about how information about individuals subject to warnings of actual sanctions could be identified to the researchers.

In order to protect the confidentiality of the research participants, individual quotes presented in this report are not attributed to specific stakeholders.

# 4 Context and policy infrastructures in the pilot areas

## 4.1 Introduction

This chapter provides a summary account of the demographic and housing contexts and policy infrastructures in the pilot local authority areas at the time when the sanction of HB schemes were developed. More details about each of the pilot localities are provided in Appendix 1. The chapter also reports on the intended operation, aims and expected outcomes of the sanction schemes at the time of their implementation and the issues that were present and emerging during this period. The material presented in this chapter is based on the initial fieldwork conducted in each pilot local authority area, between November 2007 and March 2008, comprising analysis of key background data, strategic policy documents and interviews and focus groups with local stakeholders.

## 4.2 Local contexts

The proportions of properties in the social and private rented tenures varied between the pilot areas. However, all of the pilot areas had an increasingly diverse rental tenure pattern, combining various forms of council or ex-council properties, large numbers of registered social landlords and a private rented sector (see Table 4. 1). This was most evident in Manchester, which combined retained council stock, an Arms Length Management Organisation, stock transfer organisations, other registered social landlords and large numbers of private landlords. This diversity and complexity created potential challenges to the operation of the sanction of HB schemes. Most pilot areas had seen a growth in the private rented tenure. The Buy to Let sector, the large number of private landlords with one or two properties, the increase in Houses in Multiple Occupation and the presence of larger syndicate private landlords who may not be based locally suggested that it would be very complex and resource intensive to engage the full range of private landlords in the sanction schemes.

Common findings across the pilot areas were that, according to Housing Strategy documents and local stakeholders, housing affordability was an increasing problem, that waiting lists for access to social housing were growing and that rent levels were rising in the private rented sector in many localities within the pilot areas. A large proportion of social and private rented tenants were dependent upon HB. This dependency and increasing rent levels enhanced the potential implications of the sanction of HB for households.

The research did not identify any specific issues relating to Black and Minority Ethnic groups and the operation of the sanction schemes at this initial stage of their implementation, although Blackburn and Darwen, Manchester City and Newham in particular had large Black and Minority Ethnic populations.

Levels of recorded anti-social behaviour and crime varied across the pilot areas. For example, in the New Forest and South Gloucestershire levels were significantly below the national or regional average. In Blackpool and Manchester levels were above the national or regional average. In all of the pilot areas, survey evidence and agency data suggested that crime and anti-social behaviour had tended to stabilise or indeed fall since 2001. However, perceptions and concerns about anti-social behaviour remain significant in all the pilot areas, particularly related to anti-social behaviour involving young people and environmental offences. There was also a consensus that incidents related to the misuse of drugs and alcohol were increasing and that these factors were increasingly prevalent in cases of homelessness and persistent anti-social behaviour.

### 4.3 Local policy infrastructures

A model shared by all the pilot areas was for a multi-agency anti-social behaviour team to sit within the framework of the local Community Safety Partnerships. These teams were based in local authorities or in a large registered social landlord in some areas where whole stock transfer had occurred. The teams comprised anti-social behaviour prevention and enforcement officers, legal officers, seconded police officers and parenting practitioners. In most cases, the coordinators of these teams were also coordinating the sanction of HB pilot schemes. These central anti-social behaviour teams coordinated the initial responses to anti-social behaviour which were usually carried out by local housing officers and also dealt with referred serious, persistent or complex cases.

Large registered social landlords, including stock transfer organisations, had their own anti-social behaviour teams, and these landlords had been involved in the development and implementation of the sanction of HB pilot schemes. In addition, several of the pilot areas had used signing up to the Respect Housing Management Standard as a mechanism for developing closer links between local authorities and registered social landlords in developing and delivering anti-social behaviour strategies. It was anticipated that these strong partnership structures would enable coordinated responses to the pilot sanction schemes, although connections with private landlords were generally much weaker.

All of the sanction pilot areas operated multi-agency panels or case conferences to manage more complex or serious cases of anti-social behaviour. These panels included anti-social behaviour team officers from local authorities and large registered social landlords, the police, Fire and Rescue Services, Youth Offending Teams, parenting practitioners, managers of FIPs and representatives from local authority departments including Housing, Homelessness, Children and Young People, Community Care, Social Work, Education Welfare and Environmental Services. In some pilot areas an authority-wide panel was complemented by a number of local panels.

Manchester was a TOGETHER trailblazer area. Blackburn with Darwen, Blackpool, Dover and Wirral were designated Respect Action areas. All of the pilot areas had similar strategic aims and approaches to tackling anti-social behaviour, based upon a holistic model of prevention, intervention, education, enforcement and resettlement. However, the extent to which measures including ASBOs, Injunctions, Dispersal Orders and Parenting Orders were utilised varied considerably between the pilot local authorities.

It was commonly believed across the pilot areas that appropriate support services were available for households involved in anti-social behaviour and that access to the support services likely to be required by households eligible for a sanction of HB would be facilitated by strong partnership working. However, there was some concern in most pilot areas about the provision and capacity of existing drug and alcohol misuse services. The four larger urban authorities all had FIPs. Whilst this was not feasible for the smaller rural authorities, all of the pilot areas had given increasing priority

to parenting support, through the use of parenting practitioners, often resourced through Respect funding. FIPs, where they existed, were expected to be centrally involved in providing support to family households meeting the criteria for a sanction of HB.

Table 4.1 below provides a summary of the local contexts for the delivery of the HB sanction scheme in the eight pilot local authority areas:

**Table 4.1 Summary of local contexts for the Housing Benefit sanction pilots**

<b>Pilot area</b>	<b>Housing management</b>	<b>Area status</b>	<b>FIPs</b>	<b>HB sanction delivery</b>
Blackburn with Darwin	Whole Stock Transfer ( <i>Twin Valley Homes</i> )	Respect Action area	Darwen Family Intervention Programme	Community Safety Team Case Intervention Panel
Blackpool	Arms Length Management Organisation (ALMO) ( <i>Blackpool Coastal Housing</i> )	Respect Action area	Springboard FIPs	Blackpool Coastal Housing Anti-social Behaviour Team
Dover	Direct Council Management ( <i>Dover District Council</i> )	Respect Action area		Dover Anti-social Behaviour Action Group
Manchester	Direct Council Management ( <i>Manchester City Council</i> ), ALMO, partial stock transfer organisations, Private Finance Initiative (PFI)	TOGETHER trailblazer area	Tenancy Support Plus (Manchester City Council) and Foundations Project (NCH and registered social landlord)	Anti-social Behaviour Panel
New Forest	Direct Council Management ( <i>New Forest District Council</i> )			<i>Divided We Fall</i> partnership group case conferences
Newham	ALMO ( <i>Newham Homes</i> ), Tenant Management Organisations, PFI		Newham Family Intervention Project	Newham Crime and Anti-social Behaviour Service
South Gloucestershire	Whole Stock Transfer ( <i>Merlin Housing Society</i> )			Anti-social Behaviour Review Panel
Wirral	Whole stock transfer ( <i>Wirral Partnership Homes</i> and <i>Beechwood and Ballantyne Community Housing Association</i> )	Respect Action area	Wirral FIPs	Sanctions Panel, linked to Anti-social Behaviour Team

## 4.4 Initial development of the sanction of Housing Benefit

Respondents in all of the pilot areas acknowledged that there had been an opportunity to engage in consultation and meetings with the DWP about the implementation of the sanction of HB schemes. The general view was that the guidance issued by the DWP, including the specific guidance on HB mechanisms, was clear. However, there was some concern that the guidance was issued at a relatively late stage and the pilots stated that they would welcome more opportunities to discuss developments with, and to learn from, each other.

A small group of practitioners took the lead in developing the sanction schemes in each pilot area. These included the designated sanction scheme coordinator (usually the anti-social behaviour or community safety team coordinator) and representatives from local authority Housing and HB Services representatives from large registered social landlords and FIP managers.

In the pilot areas mechanisms were established for administering the schemes based upon existing procedures and groupings. Although at varying stages, the pilots developed written communication materials about the schemes, including publicity and information leaflets, warning letters and hardship appeal forms as well as amending generic anti-social behaviour warning letters and tenant information documents.

The pilots informed key stakeholder partners about the schemes. These included registered social landlords (particularly those signed up to partnership working with local authorities through the Respect Housing Management Standard), support service organisations, some private landlords and voluntary organisations including Citizens Advice Bureaus. Mechanisms for publicising the scheme included local area panels and landlord forums, housing and benefits newsletters, tenants' newsletters and press releases. However, most pilot areas deliberately sought to limit the publicity about the scheme, given its early stages and the need to avoid alarming tenants and landlords. However, Wirral conducted a two day 'road show' to inform residents and practitioners about the scheme and to answer their queries and South Gloucestershire hosted a conference for social and private landlords which included sessions about the sanction of HB scheme.

## 4.5 The intended operation of the sanction of Housing Benefit

All of the pilot areas intended to base their implementation of the sanction of HB schemes on the guidance issued by the DWP. In all but one pilot area, the sanction would be delivered through existing structures and procedures, and in the one area (Wirral) where a bespoke sanction panel was being used, this was a sub-group comprising members of the existing anti-social behaviour team. Stakeholders in one pilot area reported that the development of the sanction scheme had required considerable resources. However, in the other pilot areas, it was stated that, as the scheme worked within existing structures and was likely to affect a very small number of households, the impacts upon resources, including those of HB departments, were anticipated to be minimal after the initial set up stage.

The pilot areas recognised that they would be dependent upon the DWP informing them, through the central database, of eligible households. However, anti-social behaviour teams, particularly in the smaller local authorities, were likely to be aware of all households subject to eviction proceedings related to anti-social behaviour and in most cases, were already working with these households. Some of the larger urban local authority pilots, including Manchester and Wirral explored the possibility of establishing an additional mechanism whereby they may be directly informed by the local courts of evictions in their area.

The key vehicles for delivering the sanction of HB schemes were the existing multi-agency intervention panels or case conference groups in each pilot area. In addition to their core membership, relevant registered social landlords or other stakeholders were to be invited to join the panel on a case by case basis. In most cases, the coordinator of these panels was also the designated coordinator for the sanction schemes.

Upon notification by the DWP, the panels would collate information about the individual or household and conduct an interview with the individual or members of the household. These activities would lead to the production of a pre-assessment report presented to the panel. On the basis of this information, the panel would develop an action plan of support to be offered to the household. It was anticipated that appropriate support services would be in place and could be accessed in the short-term by eligible households (although in one pilot area it was acknowledged that eligible households may have to be given priority over others if there were waiting lists for a service).

These panels would also review the engagement of the household with support services and the impacts that the support was having upon their behaviour, based on an assessment provided by support service workers. It was anticipated in most pilot areas that a designated case worker would be assigned to each household. The panels would review engagement on a regular basis and would make subsequent decisions about the application, continuation or cessation of a sanction of HB.

Stakeholders in the pilot areas commonly held the view that tenants should be informed about the possibility of sanction at the earliest opportunity (reflected in the publicity activities reported above). Some pilot areas intended to refer to the sanction in their tenant handbooks, whilst all the pilots would refer to the sanction in the early first stage warning letters that were issued to alleged perpetrators of anti-social behaviour.

There were some differences between the pilot areas in their initial perceptions of how HB processes would operate in applying the sanction. Some pilot areas did not identify any problems in administering the sanction; although they believed that manual calculations would be required, based upon altering the eligible rent level. However, one pilot area reported that their existing software package would not enable a partial percentage sanction to be applied.

Clarification was sought from the DWP about a number of issues including: how calculations of percentage reductions should be managed in cases where rent increased; whether individuals subject to a 100 per cent sanction were to be classified as suspended or sanctioned; how a new claim by an individual under sanction at a previous property was to be administered; at what stage over-payments should be pursued; and how the hardship appeals process would operate.

All of the pilot areas followed DWP guidance that HB officers would administer the sanction but would not be involved in panel decisions about whether or not a sanction was appropriate.

### 4.6 Aims and expected impacts and outcomes

The commonly expressed view at the outset of sanction pilot period was that it potentially provided an additional tool for encouraging households to engage with support services and addressing the underlying causes of anti-social behaviour. In this regard, it was viewed as a mechanism for complementing preventative approaches rather than a further enforcement measure. It was the threat of the sanction, rather than its actual application, that was viewed as being powerful. The sanction was also viewed as corresponding with the dual approach of support and compliance that was commonly deployed in anti-social behaviour interventions in the pilot areas.

In several pilot areas research participants believed that the sanction could act as a catalyst for improving multi-agency working and the range and extent of support services provided to households. The fact that the sanction schemes required appropriate support services to be available was regarded as useful in extending the involvement of support agencies and organisations and providing new services as well as facilitating more in depth analysis and responses to the complex needs of individual households. Another potential benefit of the sanction was the identification of households, particularly in the private rented sector, that were not already known to agencies (although it was anticipated that this would be a very small number of households and mainly in the larger urban authorities).

Although of secondary importance, in at least one pilot area the sanction of HB was regarded as sending out important symbolic messages to residents that anti-social behaviour would not be tolerated and was being tackled by local agencies.

In all of the pilot areas, a very small proportion of overall cases resulted in legal enforcement action and even fewer in evictions on the grounds of anti-social behaviour. It was therefore anticipated that very small numbers of households would be eligible for potential sanction. The estimated numbers of previous evictions on the grounds of anti-social behaviour ranged from ten per year in the larger urban pilot local authorities to none or one or two in the previous five years in the smaller rural local authorities. It was anticipated that the numbers of households meeting the criteria for the sanction over the duration of the pilot period was likely to be in single figures in each of the pilot areas.

There were a range of explanatory factors for this, including the emphasis upon, and success of, alternative pre-eviction measures including injunctions and Acceptable Behaviour Contracts, the increasing use of probationary and demoted tenancies, the reluctance of private landlords and some registered social landlords to seek evictions on the grounds of anti-social behaviour and the abandonment of properties prior to eviction, with households moving in with families or friends.

Significantly, practitioners, including FIPs managers, reported that, in their experience, the vast majority of households subject to anti-social behaviour interventions (90 per cent) took up offers of support. Therefore it was viewed as being unlikely, even where households met the initial eligibility criteria, for it to be necessary to actually apply the sanction. No specific characteristics of individuals or households were identified as making them more or less likely to engage with offers of support.

There were a range of views about the likely effectiveness of the threat of a sanction of HB. Some practitioners believed that the threat of the sanction was potentially very powerful and may result in households taking up offers of support, particularly as it would be extend post-eviction and into the private rented sector. It was also believed that some households initially refused to engage with support services, but if this reluctance could be overcome, then these households would increasingly participate in the services offered to them. The threat of the sanction of HB was viewed as another tool for overcoming this initial barrier to engagement.

However, other stakeholders believed that the threat of sanction would have limited, if any, impact. The reasons for this view included the threat of the sanction being in the future and dependent upon household's subsequent place of residence. It was felt that if the immediate threat of the loss of their home was not sufficient to address the behaviour, it was unlikely that a future loss of HB would be effective. It was also argued that some individuals would not be overly concerned by accruing rent arrears and that in many cases where full HB was paid directly to the landlord, there would be no immediate material impact upon the sanctioned tenant. Thirdly, there were concerns that some households engaged in serious anti-social behaviour would not understand the longer term consequences of their conduct and would therefore be unlikely to respond in a 'rational' or 'logical' manner to the threat of sanction.

Concerns were expressed, particularly by voluntary sector representatives, about the impact of the sanction upon households, including children. Although it was recognised that a hardship mechanism was in place, the potential impact of a loss of income on the ability of households to purchase essential goods and provisions was identified. There was also a concern that some households may resort to borrowing money from high interest 'loan sharks'. There was a perceived lack of clarity about which agencies or organisations would have ultimate responsibility for the welfare of sanctioned families. Local authorities were still likely to have statutory obligations, particularly towards children, and there was some uncertainty about how homeless intentionality related to the sanction. It was argued that there was a need to examine how a subsequent eviction from private rented accommodation as a result of rent arrears arising from a sanction would be interpreted if a household then presented to a local authority as homeless.

There were some concerns about how the sanction would affect the relationship between local authorities and private landlords and to what extent landlords should be informed about the scheme. Not informing landlords could potentially damage relationships between them and local authorities. Conversely, landlords may become more reluctant to accommodate some households if they believed that HB sanctions may be applied. There was also a common belief that registered social landlords and local authorities may be reluctant to apply a sanction that led to a loss of their own rental income and an increase in their rent arrears figures.

### 4.7 Issues

A number of additional issues were identified by key stakeholders during the initial establishment phase of the sanction of HB pilot schemes. Concerns were expressed by stakeholders in most pilot areas about how the sanction would relate to vulnerable individuals with mental health or learning difficulties. However, it was acknowledged that DWP guidance indicated that a sanction was unlikely to be appropriate in such circumstances.

There was a division between services provided to family households and single person or couple without children households. Households with children were likely to receive support through FIPs where these existed, or through parenting practitioners. However, households without children were not usually eligible for support through FIPs. Support to single persons or couples without children was most likely to be provided through housing tenancy support mechanisms. It was recognised in the pilot areas that it was essential that support be available to households without children and that, through the anti-social behaviour panels, responses to all households eligible for sanction were clearly coordinated. A number of support services, such as alcohol or drug rehabilitation, mediation or counselling were not dependent on household composition.

There were concerns about how 'appropriate engagement' by households would be quantified and where the responsibility for assessing appropriate engagement would lie. The common view was that engagement could not be measured by households simply turning up for parenting classes etc. However, it was equally recognised that engagement could fluctuate over time and be demonstrated in different ways and that active engagement could not be equated with an immediate cessation of problematic behaviour. Across the pilots, the consensus seemed to be that households would be given a reasonable period to demonstrate engagement prior to a sanction being imposed but also that engagement would have to be demonstrated for a sustained period of time. In most pilot areas, it was thought likely that individual case workers or FIP officers would make the initial assessment of engagement and this would be reviewed by the panel coordinating the sanction scheme.



Practitioners in several pilot areas expressed their disappointment that the sanction of HB was a post- eviction mechanism. They argued that it would be more effective if it could be applied at an earlier stage in intervention processes. It was felt that this would enable the sanction to complement more fully the emphasis on early intervention and would also reinforce that eviction was a measure of last resort that was likely to displace, rather than resolve, anti-social behaviour.

It was also suggested by stakeholders that there was a need to explore the impact of the rolling out of the Local Housing Allowance to the private rented sector in England during the period of the sanction of HB pilot schemes, given that this would increase the numbers of tenants receiving direct payment of HB and potentially making the threat of a sanction more tangible as a result.

Some stakeholders argues that there was a need for the DWP to provide further guidance or clarification about how the sanction was to be technically administered by local authority HB departments in the pilot areas.

## 4.8 Summary

In all of the sanction of HB pilot areas, the scheme would be operating in a complex housing and governance context, with increasing numbers of landlords, growing housing affordability and access problems and a significant dependence upon HB. Levels and forms of anti-social behaviour varied between the pilot areas but addressing anti-social behaviour was a key priority in all of the areas. All of the pilot areas used multi-agency groups to coordinate strategic responses to anti-social behaviour and multi-agency panels to assess the most complex cases. Partnership working was strong with registered social landlords but considerably weaker with private landlords. Some of the pilot local authorities were designated TOGETHER or Respect Action areas. The use of enforcement mechanisms varied between the pilot areas, but increasing emphasis was being given to early intervention and intensive support services and there were low levels of eviction on the grounds of anti-social behaviour. Pilot areas had appropriate support services available, although there were some concerns about the capacity of alcohol and drugs services.

Each of the pilot areas followed the guidance issued by the DWP about the establishment of the sanction of HB and intended to implement and deliver the scheme in accordance with this guidance. Most pilot areas intended to use existing multi-agency structures and did not envisage significant resource implications. It was recognised that the scheme was dependent upon a flow of data between the courts, the DWP and local sanction pilot coordinators and there was some variation in how the sanction would technically be calculated and applied through local authority HB management systems.

There were a range of views expressed about the likely effectiveness of the sanction, with a consensus that it offered an additional tool and that it was the impact of the threat of sanction on individuals' engagement with support, and the provision of this support, that was the key element. It was expected that very small numbers of individuals would be subject to a sanction, given the limited numbers of possession cases on the grounds of anti-social behaviour and the propensity of individuals to take up intensive support offered to them. There was some uncertainty about how the 'appropriate engagement' of individuals with offered support would be measured and assessed.

# 5 The operation and delivery of the sanction of Housing Benefit

## 5.1 Introduction

This chapter presents the developments in the delivery and operation of the sanction of HB schemes in the eight local authority pilot areas from May 2008 to 31 October 2009, when the pilot period ended. The chapter explains how the scheme was publicised and how it related to partnership working and policy and practice developments. The use of the sanction, including the identification of eligible cases, is explored and key issues identified. The information presented in this chapter is based on three waves of fieldwork comprising documentary analysis and interviews with and written responses received from local stakeholders. The research was conducted in August 2008 to October 2008; January 2009 to April 2009 and September 2009 to November 2009.

## 5.2 Publicising the sanction of Housing Benefit

The sanction schemes were further publicised in most but not all local authority areas throughout the pilot period. This included information in bespoke leaflets, articles in tenants' newsletters, local newspapers and television and on websites and screens in public reception areas of council and housing offices. Meetings about the schemes were held with local registered social landlords and some private landlords and in some cases, the scheme was covered in joint training activities

Reports and presentations about the schemes were also made to Community Safety Partnership boards and Anti-social Behaviour Management groups and the scheme was a standing item on some partnership meetings agendas. One pilot area included a session on the sanction scheme at a major conference for housing and anti-social behaviour management partners. They had requested that a DWP representative address the conference but this did not happen.

Reference to the sanction of HB sanction was included by some local pilot area local authorities and registered social landlords in verbal and written warnings to tenants. In some cases, reference to the potential of a sanction of HB was made from the outset of a case and therefore prior to any formal warning or enforcement proceedings. In other cases, reference to the potential of a sanction was made at the final written warning stage.

Anti-social behaviour and housing officers in the pilot local authorities and their registered social landlord partners has been made aware of the pilot and this had been incorporated into policies and case management procedures.

### 5.3 Partnership working and policy and procedural developments

In a number of the pilot local authority areas, there were major restructuring and reconfigurations of anti-social behaviour management services, youth offending and support services, housing management strategies and regeneration strategies during the period of the pilot. However, these were not identified as having a major impact on the rationale or delivery of the sanction schemes, which continued to involve the same core group of agencies and officers.

Similarly, the sanction schemes were not envisaged as necessitating new structures or management processes for individual cases but rather offered an additional mechanism within existing techniques. There was no need identified for new, bespoke or revised services to be introduced as a direct result of the sanction schemes. However, stakeholders did note that this was because existing mechanisms and service support provision had not been directly tested by the actual application of a sanction of HB.

The pilot area local authorities had strong linkages with some registered social landlords, including stock transfer organisations, and official registered social landlord partners, included those who had signed up to the Respect Housing Management Standard. However, it was recognised that partnership working and data sharing arrangements were not robust enough with all registered social landlords and particularly private landlords, to guarantee that sanction coordination panels were aware of every potentially eligible case in the local authority area.

Although it was generally agreed that private landlords were unlikely to evict on the grounds of anti-social behaviour, some pilot areas had sought to encourage them to do so and, through further anti-social behaviour partnership working and case reviews, it was anticipated that some private landlords may be more willing to use anti-social behaviour grounds for possession, which would necessitate sanction coordination panels being aware of these cases.

A common theme across all of the local authority areas during the period of the sanction pilot was an increasing emphasis on early intervention, multi-agency working and holistic 'whole household' approaches. This included the use of:

- Acceptable Behaviour Contracts.
- Parenting Contracts.
- Good Neighbour Agreements and Community Agreements.
- New intensive intervention projects.
- Intensive housing management support.
- Restorative justice.
- Parenting classes, youth diversionary schemes, and
- Alcohol and drugs initiatives.

These policy and practice developments meant that further forms of intensive early intervention support were being provided to the most vulnerable and problematic households, reducing the need for possession orders in a context where such enforcement action was increasingly viewed as inappropriate or ineffective.

### 5.4 Use of the sanction of Housing Benefit

During the sanction period (1 November 2007 to 31 October 2009), no individual was subject to a sanction of HB. No households were identified as meeting both of the two main eligibility requirements: being subject to a Possession Order and evicted on grounds including anti-social behaviour and making a subsequent claim for HB for a new address within a pilot area. The reasons for this relate partly to the changing focus and reported increasing effectiveness of local anti-social behaviour policies described above and also due to problems in identifying eligible cases, discussed in the following section.

During the sanction pilot period a number of individuals and households were warned about the potential of a sanction of HB. The contexts, processes and impacts of these warnings are discussed in the following chapter of this report.

### 5.5 Identifying eligible cases

In most of the pilot local authority areas a small number of households and individuals were identified who potentially met the criteria for a future sanction of HB if they were to make a subsequent new claim for HB for a property with an address within a pilot area.

Local authorities or registered social landlords had instigated Possession Order proceedings on the grounds of anti-social behaviour in each of the pilot areas during the sanction period. However, the complexity of potentially applying a sanction was evident, given that cases could involve dates prior to the commencement of the pilot period, starter, introductory or demoted tenancies, the use of Injunctions as alternatives, tenants abandoning properties before a warrant was applied for or the incorrect wording of court orders. It was also noted that not all social registered landlords or private landlords would necessarily provide data about eligible cases to the sanction coordination panels.

There was no direct communication about potentially eligible cases from the courts to or from the DWP and the local pilot sanction coordinators. Some local sanction coordinators were aware of local court cases that they had not subsequently been informed of by the DWP.

Although local multi-agency case review and intervention panels were often aware of potential cases, they were dependent upon registered social landlords providing information about some cases and this was not always provided.

There was uncertainty, given the lack of direct information flow between the courts, the DWP and local pilot coordinators, whether local coordination panels could progress the investigation of a potential sanction without official direct notification from the Department. There was also uncertainty about whether anti-social behaviour occurring at a new address was a prerequisite for the consideration of a potential sanction. Data protection requirements, such as encryption were identified as creating challenges and there was a lack of clarity about whether information would be provided to anti-social behaviour coordinators or HB managers within the pilot local authorities.

In some cases individuals or households who were potentially eligible for a sanction, on the grounds of eviction for anti-social behaviour, had been referred to FIPs and several stakeholders suggested that such individuals or households either did not meet the criteria for a sanction or voluntarily took up support in any case.

## 5.6 Issues

There were a number of problems which prevented the envisaged reporting and notification processes between the courts, the DWP and the sanction coordinators within the local authority pilot areas from functioning effectively. This resulted in the sanction coordinators not receiving notification of potential cases from the DWP, as the guidance originally envisaged.

The problems included:

- local courts not identifying or informing the DWP of cases;
- the envisaged central computer database not being fully established;
- data protection concerns; continuing uncertainty about the grounds for eligibility;
- the limited use of anti-social behaviour grounds in possession orders; and
- the ineligibility of cases involving probationary, introductory or demoted tenancies.

## 5.7 Summary

The sanction of HB schemes were publicised through a range of mechanisms in most of the pilot areas. Although there were major restructuring of services in several local authority areas during the period of the pilot, this did not affect the sanction of HB scheme. In all of the pilot areas during the period of the pilot, increasing emphasis was given to early intervention, prevention and intensive support which meant that post-eviction enforcement action such as a sanction of HB (albeit as a mechanism for facilitating the take up of support) was increasingly out of step with policy developments and objectives.

No individual was subject to a sanction of HB during the pilot period (1 November 2007 to 31 October 2009) although a number of individuals were warned directly about the possibility of a potential future sanction.

In addition to the counter-trends in policy developments described above, there was a difficulty in identifying eligible cases due to the lack of information flow between the courts, the DWP and local sanction pilot scheme coordinators. In some instances, local sanction coordination panels were aware of cases that may have met the initial eligibility criteria (eviction on the grounds of anti-social behaviour) but they were not informed of these cases by the DWP and in no such case was a subsequent new claim for HB from an address within a pilot local authority area identified.

In addition to the problems with the exchange of information, the limited use of anti-social behaviour grounds for possession, the ineligibility of cases involving probationary, introductory or demoted tenancies, the abandonment of properties by tenants prior to warrants being issued and limited information about the actions of some social registered and private landlords further reduced the number of cases potentially meeting the criteria for consideration of a future sanction of HB.

# 6 The use and impacts of warnings of a potential sanction of Housing Benefit

## 6.1 Introduction

This chapter provides an account on how warnings about the possibility of a future potential sanction of HB were used within the pilot local authorities' anti-social behaviour case management procedures and processes. The chapter also presents some exploratory findings on the perceived impacts of these warnings on individuals who received them. The very limited research methodology should be noted in considering the implications of these findings.

## 6.2 Warning procedures and processes

In at least one pilot area a decision had been taken that it was unlikely that the sanction would be utilised. The view was taken that there would therefore be no point in warning households about a potential sanction at an early stage as this potential penalty was too far in the future:

*'In effect we'd be saying if we get possession and if you get evicted and if you then make a Housing Benefit application and if you don't comply with support then we may apply a sanction.'*

It was also argued that, as the practice and policy was only to pursue for eviction if all else had failed, eviction would not be used as a threat so it was difficult to envisage what a household could do to convince the agencies to withdraw legal action at this point.

The variation between pilot areas was evident in the differential extent to which warnings about the sanction had been issued. In some pilot areas housing and anti-social behaviour officers reported that no individuals had been specifically warned about a sanction, whilst in other areas several individuals had been directly warned, although it was not possible to quantify the exact numbers of individuals as central anti-social behaviour teams would not be aware of the daily practices of front line officers. In all of the pilot areas it was apparent that warnings about the sanction were not being widely or routinely used by landlords other than the local authority or large stock transfer or ALMO organisations.

Where the sanction had been mentioned, some individuals had requested further explanation of the scheme if a warning letter about the sanction had been read in the presence of an anti-social behaviour or housing officer, but there were no reported examples of individuals finding out about the sanction independently and then asking for clarification or more information. Similarly, articles about the sanction in tenant newsletters had not generated any responses or enquiries.

The stage in the anti-social behaviour case management process when a warning about a potential future sanction of HB would be issued varied between pilot areas. In some pilot areas, information about the sanction was widely disseminated through leaflets, articles in tenant newsletters and displays on screens in housing offices. In other areas, it was reported that the sanction was not generally publicised, that most tenants would therefore not be aware of the scheme and that the scheme was not mentioned to new tenants as they were on introductory tenancies (where

the sanction would not apply) and the sanction was not mentioned at sign up stage as this was regarded as *'too much additional information to take in, which may not be relevant.'*

In some pilot areas it was reported that warnings about the potential of a future sanction of HB were issued at an early stage when tenants were first spoken to about their behaviour and that information about the sanction were contained in all procedural letters and the sanction was referred to during initial visits to households. In one pilot area households were warned verbally and in writing although there was no standard procedure, rather warnings were issued at the informed discretion of the housing or anti-social behaviour officer. However, these warnings would not be issued in cases where other methods, such as mediation, would be more appropriate.

In other pilot areas it was reported that a warning about the sanction would not be issued until the final warning letter stage. This was regarded as the most appropriate mechanism for using the warning of a sanction of HB to reinforce the seriousness of a situation. In another pilot area, warnings about the potential of a housing sanction would not be made until possession action had actually commenced.

In one pilot area, when a case was taken to court a press release was issued with details of the case, a letter warning about the potential of a future sanction of HB was sent to the tenant and the FIPs was informed. The process was subsequently amended so that reference to the potential sanction was included in all warning letters, so that households would already have been warned about the sanction by the time they were in contact with the anti-social behaviour enforcement team.

Although in some pilot areas individuals had been warned verbally and in writing it is important to note that the sanction of HB sanction was not the only consequence that the individual was made aware of and other measures including eviction, ASBOs and Acceptable Behaviour Contracts were also be referred to simultaneously.

### 6.3 Reactions to, and impacts of, warnings

Housing and anti-social behaviour officers reported that the reactions of individuals to the threat of further action, including the future sanction of HB, varied considerably. Some individuals were reported to be very apologetic and to change their behaviour, others denied wrong doing and were indignant and in some cases individuals simply did not believe that action would be taken. Therefore, the reaction of an individual to a warning about a sanction of HB and the subsequent impact on their future behaviour was likely to be similar to their reaction to threats of further action more generally. A common viewpoint was that individuals did not necessarily understand the potential threat of a sanction, particularly as it was an action that would affect them some time into the future:

*'I don't know how much they take on board, probably the same as the impact of the warning letter more generally. The fact that they end up going to court probably reflects the fact that it doesn't have a lot of impact.'*

*'Individuals liable to receive a warning about a potential Housing Benefit sanction live from day to day in the majority of cases and to mention something that is so far away means nothing. They don't grasp it.'*

*'Tenants who cause anti-social behaviour are often of a certain mind set whereby they assume threats won't materialise, it's not going to happen and it doesn't matter what you say to them.'*

Therefore, the threat of a sanction ‘down the line’ was viewed as likely to be ineffective in most cases. It was argued by some stakeholders that some individuals often believe they will be able to find alternative accommodation in the private rented sector and so are not ‘unduly concerned’ about the threat of eviction.

All of the officers in the pilot areas suggested that it was impossible to quantify the *independent* impact of the warning of a sanction of HB as this was usually issued simultaneously to the threat of possession or other legal action. It was unfeasible to discern the disaggregated impact of a warning about a potential sanction of HB as there were a range of factors that influenced whether an individual or household would continue or desist from further anti-social behaviour. In many cases, the final warning stage resulted in an improvement in behaviour. It was therefore reported to be difficult to judge whether it was the threat of eviction or the threat of a sanction of HB that led to a change in behaviour (in cases where a change occurred) but officers generally believed that it was more likely to be the more immediate threat of eviction and homelessness.

Although some individuals were reported to ‘not worry’ about the threat of a sanction or eviction, in some cases, officers argued that, as identified by the individuals subject to action discussed below, *‘the prospect of losing the home is a frightening one...it’s the ultimate sanction’*.

*‘Whether it is the threat of a sanction that has had the impact or the threat of losing the home – I suspect it is the threat of losing the home rather than the sanction. As I said, most nuisance tends to die down after the final warning.’*

The general consensus amongst officers was therefore that the ‘critical point’ for households was when they were going to lose their tenancy and if the threat of losing their home had no impact then a sanction of HB in the future was unlikely to be a significant factor. One housing officer who had issued a verbal warning about the sanction of HB to a household confirmed that this *‘had not had any impact’*.

In one pilot area extensive use was made of publicising legal cases, through press releases and leaflets (including, in some cases, photographs of the perpetrator) distributed in local neighbourhoods. Officers in this pilot area argued that it was the threat of adverse publicity that was the most significant deterrent, even more so than eviction and certainly more so than the threat of a future sanction of HB:

*‘They [individuals subject to legal action] worry more about that [the press release] than they do about losing their house...people do not want their picture in the paper and that has a huge impact.’*

It was also argued that Closure Orders and the publicity that these generated had an ‘amazing impact’ on local communities.

It was difficult for officers to assess if the specific threat of a future sanction of HB had encouraged individuals to take up or engage with support. It was reported that, in general, individuals with drug and alcohol problems tended to take up support, but it was more difficult to ensure that individuals with mental health conditions engaged with support and then sustained this engagement (such cases would not, in any event, meet the eligibility criteria for a sanction of HB). One FIPs manager stated that although the threat of sanction had yet to have an impact (as cases were only now being accepted by the Project), the sanction could provide a lever to encourage households to change their behaviour as these households may not be willing to engage with support without the motivation that enforcement action may provide:



*'There's got to be something because if not they'll just ignore us...its not just about giving them support, its about giving them the motivation to change...these families don't take any notice of what's being said. Now if we've got enforcement to say this is non-negotiable support, if you take this on the sanctions won't be carried through, therefore it's a bargaining tool if you like, but there's got to be sanctions there...as long as there's some sort of enforcement tool there then we can negotiate with them...there needs to be the threat there.'*

FIP workers in another pilot area similarly believed that the threat of the sanction could provide 'some leverage' in persuading individuals to engage meaningfully with the support offered to them. However, it was also emphasised that most individuals engaged with this support in any case.

Officers also believed that the impact of the sanction would only become apparent once individuals had actually been sanctioned and that the publicity attached to this may have a significant impact on other residents:

*'Until somebody has had the sanction applied and the jungle drums start beating and the sanction receives more publicity then it is unlikely to have any effect. People don't understand quite what it is, until it happens and people realise what it's about.'*

## 6.4 The views of individuals subject to anti-social behaviour interventions

Interviews were conducted with four individuals subject to anti-social behaviour interventions in one pilot area. The anti-social behaviour included noise, harassment and in one case drugs (which resulted in an eviction). Three of the individuals were in receipt of HB. The individuals reported disputes with neighbours and often believed that they themselves were the victims of anti-social behaviour or were subject to unreasonable conduct by their neighbours. The individuals' perceptions of housing officers varied from viewing them as very helpful and understanding to a belief that they were 'high handed' and offered no support.

However, some individuals acknowledged that support may have been offered but they had not pursued this (for example never being at home when a housing officer attempted to visit them). It was apparent that a range of intervention mechanisms had been utilised in these cases, including visits, interviews, incident diaries and mediation. In each case individuals had received verbal and written warnings, including the threat of eviction.

None of the four individuals recalled hearing about the potential of a sanction of HB, although they could recall warnings about eviction. The final warning letter issued to these individuals clearly stated:

*'From 1 November 2007 if you are evicted on the grounds of anti-social behaviour, your full entitlement will be affected unless you comply with certain conditions. Information on this can be obtained from your housing office or be visiting: [www.benefit-leaflets.org](http://www.benefit-leaflets.org)'*

However, none of the individuals were aware of the sanction and they did not remember a potential sanction being discussed. Individuals' reactions to the threat of eviction varied from regarding this as 'obviously threatening things to hear, not very comfortable' and resulting in a change of behaviour (albeit one that the individual believed put unfair and undue restrictions upon them in their own home) to not being too concerned and being confident about finding alternative accommodation. One individual, on being informed by the researcher about the sanction of HB, felt that this would be an unfair measure as it may penalise those who were wrongly accused of anti-social behaviour and would make it very difficult for those dependent on HB to get re-housed.

### 6.5 Summary

There was considerable differentiation between the sanction pilot areas with regard to the extent to which warnings about a potential sanction of HB were issued, the form that this warning took and the stage in individual cases where it was deemed appropriate.

It was not possible to disaggregate the independent impact of a warning of a potential future sanction of HB on the behaviour and engagement with support of individuals and households. Individuals' responses to the threat of a sanction is likely to be similar to their reaction to a final warning and the possibility of legal action more generally and it was widely believed that eviction, resultant homelessness (and in one pilot area adverse publicity) would have a greater impact.

This is supported by the (albeit very limited) evidence that individuals subject to a warning about a sanction of HB could not recall this and the views of officers that warnings about a sanction did not have a significant impact in their own right. Some research participants believed that a warning about a potential sanction of HB may provide additional leverage in persuading individuals to take up offers of support, although the majority of individuals already take up this support in any case.

# 7 Key findings and conclusions

## 7.1 Introduction

This chapter summarises the key findings and conclusions of the evaluation of the pilot of the sanction of HB in eight local authority areas in England. The chapter draws on material gathered throughout the evaluation research and data drawn from a final round of reflective interviews with, and written responses from, local stakeholders in the eight pilot areas. This final phase of the research was conducted between September 2009 and November 2009.

## 7.2 The use of the sanction of Housing Benefit during the pilot period

The sanction of HB was not applied against any individual during the period of the sanction stipulated in legislation: 1 November 2007 to 31 October 2009. Six of the pilot local authorities also reported that there were no cases where a sanction was actually considered by a sanction panel. The sanction panel was close to being convened in one case in the Wirral. One household who were evicted on the grounds of anti-social behaviour in July 2009 had secured a new property in the private rented sector and had applied for HB. The household (who had previously turned down an offer of support from the Wirral FIP) were sent a letter informing them that the sanction panel was due to convene to consider applying a sanction.

At this point the family began to engage with the FIP and so the sanction panel was not convened. At the time of writing, the family was still engaging with the FIP and there had been no further complaints about anti-social behaviour involving the family. Five of the pilot local authorities reported that they were not aware of any cases in their area during the period of the sanction pilot where an individual would have potentially have been eligible for a sanction (i.e. having been evicted on the grounds of anti-social behaviour *and* having made a subsequent claim for HB at an address within a pilot area).

In Blackpool there was one case involving an individual who was evicted, partly due to anti-social behaviour, and subsequently made a new claim for HB. However, the individual was technically ineligible for the sanction due to the wording of an amended court order. By the time the new HB claim was made the individual was living in a hostel and had accepted support to address the behaviour. The individual left the hostel and there had been no more complaints of anti-social behaviour.

However, it was not possible to establish whether this was due to the support that the individual received, the ASBO that they were subject to or the fact that they moved to a new locality. In the Wirral there were four eligible cases. In addition to the case described above, one case involved an individual who engaged with the FIP after eviction but prior to consideration of a sanction of HB. Another case involved an evicted individual who had made a subsequent HB claim and a further case was being assessed, but in both of these cases the pilot period ended before a sanction could be considered or applied, which the local authority stakeholders reported to be 'very frustrating.'

### 7.3 Eviction actions on the grounds of anti-social behaviour during the pilot period

The number of evictions on the grounds of anti-social behaviour in each local authority area during the period of the pilot (1 November 2007 to 31 October 2009) is shown in Table 7.1. Information from Manchester was not available. A total of 41 cases were identified. Over a third of these cases (37 per cent) were in the Wirral. These cases provided the sample from which potential sanctions may have subsequently been considered (i.e. they would meet the first criteria of an eviction on the grounds of anti-social behaviour). The actual number of evictions on the grounds of anti-social behaviour in some local authority areas during the pilot period could have been higher as details of cases were not universally provided by all registered social landlords to anti-social behaviour coordinators or community safety managers.

**Table 7.1 Eviction actions on the grounds of anti-social behaviour**

Local authority	Number of evictions on the grounds of anti-social behaviour
Blackpool	9
Blackburn with Darwen	4
Dover	5
Manchester	Data not provided
Newham	1
New Forest	4
South Gloucestershire	1
Wirral	17
<i>Total</i>	41

Source: Data provided by pilot coordinators, 2009.

It is important to note that these figures were provided by pilot coordinators and are not based on actual court orders. They could, therefore include cases involving demoted or probationary tenancies or cases involving anti-social behaviour and rent arrears. In such cases, eviction proceedings on the grounds of anti-social behaviour may not have actually occurred.

One of the issues identified in early phases of the research was the propensity of landlords to pursue eviction on the grounds of rent arrears even in cases where anti-social behaviour was involved. In Blackpool, there was one case where the court evicted a tenant on the grounds of rent arrears when there was an element of anti-social behaviour. However, this did not happen again and the local authority stated that anti-social behaviour would take prominence over rent arrears as grounds for eviction.

There was also one such case in Newham and two cases in South Gloucestershire and it was reported that there were also likely to have been cases in Wirral. Anti-social behaviour coordinators in Blackburn with Darwen and Newham were not aware of any such cases. In Dover there were no cases as the council's anti-social behaviour team had worked with their housing colleagues and registered social landlords to ensure that eviction would not be pursued on the grounds of rent arrears in cases involving anti-social behaviour.

## 7.4 The use and impact of warning individuals about a potential sanction

No individuals in Newham were warned about a possible sanction of HB. Individuals were warned about the potential of a future sanction in Blackpool. Some individuals were reported to have changed their behaviour and other individuals had not done so, but it was difficult to assess the specific impact of the warning as the individuals would also have been warned about possession and eviction. Similarly, in Dover, individuals had been warned and had modified their behaviour and/or taken up low level floating support but it was not possible to establish whether this was due to the warning of a future sanction of HB rather than the threat of eviction or an ASBO. In Blackburn, a number of Twin Valley Homes tenants were warned about a potential sanction but this was not perceived to have changed their behaviour.

Similarly, in the New Forest it was perceived that, although individuals who had been warned had ‘taken the warning on board’ and acknowledged the negative consequences, any impact of the warning was diminished because the potential sanction was so far in the future and involved many different stages and steps; it was not possible to identify any cases with certainty where a warning about a sanction had impacted on behaviour. However, anti-social behaviour officers in Wirral believed that the warning of a potential sanction of HB had been ‘instrumental’ in triggering the engagement of four households subject to possession and eviction actions with the FIPs (from a total of nine possession cases where warnings about the sanction were issued).

## 7.5 Reflections on the pilot

A number of practitioners believed that there were flaws in the sanction scheme from the outset which meant that the sanction of HB was unlikely to have worked as it was envisaged. These included:

- The lack of joint working with, and communication from, the courts.
- The sanction scheme being out of step with the wider policy focus on early intervention and preventing eviction.
- The use of introductory and demoted tenancies and the subsequent lack of an eviction, limiting the number of potentially eligible cases.
- It remained easier to evict on the grounds of rent arrears, and
- Families tended to ‘disappear’ and lose contact with agencies after an eviction.

Other practitioners argued that the sanction scheme was never going to work because the threat of a future sanction of HB was not enough of a deterrent, the individuals involved in anti-social behaviour did not think that far ahead and the impact would be landlords losing rental payments rather than individuals experiencing a direct reduction in their income. It was also suggested that the process to sanction was too lengthy and complicated as it was a post-eviction measure that could only be applied after individuals had made a subsequent HB claim.

Practitioners reported that there was no communication between the courts and the DWP and that there had been little or no contact between the DWP and the pilot areas since the initial stages of the sanction scheme. Pilot areas were not informed about whether the systems required to inform sanction scheme coordinators about court cases were ever put in place and some practitioners believed that the pilot would have needed to be based on the local identification of cases rather than depending upon a national database.

Some practitioners argued that the pilot areas had not received enough support from the DWP. For example, practitioners argued the DWP had not supported the local schemes with a national publicity campaign and had not taken up an invitation from one local area to promote the pilot at an anti-social behaviour conference for landlords. One local pilot coordinator was also disappointed that there had been no involvement or contact from the Home Office and the Department for Children, Schools and Families (now the Department for Education). Some practitioners stated that they would have welcomed sharing learning and good practice with other pilot areas.

Two pilot coordinators stated that the effectiveness of the sanction scheme was dependent upon the engagement with, and proactive implementation of, the measure by individual landlords. There were some continuing ambiguities about the grounds for a sanction, for example whether there had to be evidence of anti-social behaviour from the new property that a subsequent post-eviction HB claim was made from for a sanction to be considered.

Some practitioners were more supportive of the concept and principles of the sanction of HB but believed that its implementation in practice had been disappointing. Practitioners from one pilot area were 'sure' that the threat of a sanction had triggered some families' engagement with support services and this proved that the pilot had achieved some impact and that, based on warnings rather than the actual application of a sanction, the scheme was time and cost effective given this impact.

Practitioners in another pilot area reported that although the sanction of HB itself has not been applied, the pilot had triggered debates and reflections about the characteristics of the main perpetrators of anti-social behaviour and how to target resources on the main problems. As a result the local authority were now focusing attention on alcohol misuse and the night time economy and health-related policies related to the causes of anti-social behaviour. The sanction of HB was viewed as being less relevant to this emerging agenda.

### 7.6 Suggested revisions to the sanction of Housing Benefit scheme

Some practitioners believed that the sanction of HB would be more effective as a pre-eviction measure because it was more likely to have an impact on behaviour, it could potentially be a more streamlined and effective process than securing an ASBO and that some loss of rental income, if it resulted in a change of behaviour, would be less costly than an eviction. One practitioner also argued that a pre-eviction sanction measure would link more directly and robustly with existing processes and approaches to addressing anti-social behaviour and ensuring the engagement of individuals with support packages.

However other practitioners argued that it would be difficult to apply a sanction pre-eviction as the individual subject to sanction would then potentially have legal redress if they fell into arrears and many landlords would not support a pre-eviction scheme. It was also suggested that it would be politically difficult in some local areas to support a measure sanctioning HB in cases that had not been deemed serious enough to have warranted actual eviction.

One pilot coordinator suggested that some responsibilities for administering the sanction should be devolved to frontline enforcement officers and that there needed to be a clear hierarchy of final decision-making power within sanction panels to avoid 'stalemate situations' about applying a sanction. Another practitioner recommended that the scheme should be supported by a system through which the courts providing automatic notification to local anti-social behaviour coordinators about all cases involving evictions on the grounds of anti-social behaviour.

## 7.7 Views on continuing and/or rolling out the pilot

The majority of anti-social behaviour practitioners did not think that there would be much purpose continuing with the sanction of HB scheme in its current pilot form. One practitioner did not believe that the sanction scheme should continue as it could not be applied to owner occupiers and would therefore not fit with equalities agendas. This practitioner also believed that amended forms of Fixed Penalty Notices would be a more effective and cross-tenure mechanism for applying a fiscal penalty for anti-social behaviour (although this was not explicitly linked to the primary purpose of a sanction being to facilitate individuals engaging with support).

However, one pilot coordinator believed that the sanction could have a 'significant' impact on tenants and could be utilised to provide a clear warning. This coordinator argued that there was a potential role for the sanction, even within an anti-social behaviour strategy premised on early intervention, as it would link support to clear warnings. This would enable an additional package of support to be put in place for a new tenancy with explicit consequences if individuals did not engage with this support. In another pilot area the existing sanction model was regarded as being very useful as 'another tool in the armoury' for addressing anti-social behaviour and it was argued that the threat of a sanction has proved to be particularly effective at the 'end stage' of cases to compel individuals to engage with support packages. Other practitioners believed that a pre-eviction sanction would potentially be effective and that this would provide anti-social behaviour officers with another tool to address serious anti-social behaviour.

Most practitioners stated that it was impossible for them to recommend the rolling out of the sanction nationally given that there was no evidence of the outcomes and that the systems and processes established in the pilot areas were never used or tested. One pilot coordinator believed 'absolutely' that the sanction should be rolled out nationally as it was an effective deterrent that added more weight to the enforcement process and had been demonstrated (through warnings rather than the application of the sanction) to have had an impact on behaviour and engagement with support packages.

One pilot coordinator made the point that anti-social behaviour practitioners had been 'swamped' with new legislation and measures and needed to focus upon maximising the effectiveness of existing mechanisms rather than considering new schemes. It was also suggested that rolling out the scheme nationally in its current form would be at odds with the policy emphasis upon early intervention and prevention.

One pilot coordinator believed that, if the pilot were to be extended or rolled out, a great deal of work would be required with landlords as the effectiveness of the sanction scheme was dependent on housing providers and there were many different housing providers in each local area. Anti-social behaviour teams could establish processes and procedures and publicise the sanction schemes, but if housing providers did not engage and implement the scheme then its effectiveness would be limited and sanction coordinators and panels would not necessarily be informed about each potentially eligible case. Another pilot coordinator was concerned about whether appropriate support services would always be in place for single persons subject to a sanction of HB (compared to the provision of FIPs) and when these services needed to be developed.

## 7.8 Conclusions

An actual sanction of a reduction of HB was not applied to any individual in any of the eight pilot local authority areas during the pilot period (1 November 2007 to 31 October 2009).

In all but one pilot area, no cases were considered for a sanction by a sanction panel. In five of the pilot areas, no potentially eligible cases were identified during the period of the sanction pilot (i.e. no individuals were identified who had been evicted on the grounds of anti-social behaviour and subsequently made a new claim for HB from an address within the pilot area). A small number of potentially eligible cases were identified in Blackpool and Wirral. The case in Blackpool was deemed to be ineligible for a potential sanction due to wording of an amended court order. In Wirral, there were four eligible cases identified. Two of the cases occurred too late in the pilot period to be considered for a sanction and in a third case the household engaged with the FIP prior to a sanction being considered. In the fourth case, the sanction panel was due to be convened but the family involved began to engage with the Wirral Family Intervention prior to the meeting of the panel and the panel was not therefore subsequently convened.

A total of 41 evictions on the grounds of anti-social behaviour were identified during the period of the sanction pilot (based on information provided by seven of the pilot areas). Seventeen of these cases were in Wirral. It was reported that in some local areas there may have been other cases pursued by landlords that sanction coordinators were not made aware of. There were also some cases involving anti-social behaviour where evictions were pursued on the grounds of rent arrears.

There were three views expressed about the impacts of individuals being warned about a potential future sanction of HB. Some practitioners believed that the warning had no impact as it related to action that was too far in the future and involved too many additional steps. Other practitioners stated that the warning may have had some impact but that it was not possible to identify the precise impact of the warning and to disaggregate this from the influence of other factors such as the threat of eviction or the use of an ASBO. Practitioners in one pilot area strongly believed that warnings about a potential future sanction of HB had been instrumental in some households engaging with support packages.

The majority of practitioners expressed disappointment in the operation of the sanction pilot and believed that it had not had any real impact. They cited a number of key flaws including the lack of communication from the courts and the DWP, the difficulty in tracking households after eviction and the limitations of a post-eviction mechanism (including the growing use of introductory, probationary and demoted tenancies that do not require a possession order to terminate the tenancy).

The local practitioners were divided about whether a pre-eviction HB sanction would be more effective and appropriate. Most practitioners did not believe that the sanction scheme should be continued in their area, although continuation of the scheme was strongly supported in one local authority area.

The majority of local practitioners stated that it was not possible to recommend that the sanction be rolled out nationally as there had not been any assessment of the actual processes and outcomes of applying a sanction. Although practitioners in one local authority area strongly supported the sanction being rolled out nationally on the basis that warnings about a sanction had led to some individuals engaging with support packages, other practitioners were concerned that the sanction went against the current policy emphasis on prevention, early intervention and eviction being a last resort and the sanction may not meet the requirements of equalities legislation.



In conclusion, the fact that no individual was subject to a sanction of HB during the period of the pilot reflects a range of factors including technical problems in the exchange of information, legal and procedural limitations to the eligibility of cases and the post-eviction enforcement focus of the sanction being out of step with the growing emphasis on early intervention and sustaining households within existing tenancies. Although practitioners' views on the impacts of warnings about the sanctions varied, it is evident that the sanction was conceptualised on the basis of logical, legal, financial and future-orientated decision-making within households subject to serious enforcement measures.

However, this does not reflect the realities of the households' circumstances or the primary drivers of behavioural change (Lister, 2004; McIntosh, 2008; Holt, 2008; Flint and Hunter, 2011). Although some practitioners believed that the threat of a sanction of HB could further facilitate some individuals' engagement with intensive support services, most individuals accept the support offered to them (Burney and Gelsthorpe, 2008; McIntyre-Bhatty, 2008) and it is the ability of support workers to build a relationship of trust with individuals, rather than legal or financial incentives, that is crucial in sustaining engagement with packages of support and achieving behavioural change (Nixon *et al.*, 2006; Pawson *et al.*, 2009).

The contemporary housing market context has changed significantly since the pilot schemes were established and further reforms to HB are being introduced by the new Government. However, there remains a need to understand the complex impacts of balancing support and enforcement and the specific role that coercion and sanction may play in facilitating the take up of support (Fitzpatrick and Jones, 2005; Johnsen and Fitzpatrick, 2008; Deacon, 2004; Morgan, 2010; Flint and Hunter, 2011). As Crawford and Lister (2007) argue, one of the key outcomes of the risk of enforcement measures has been the encouragement to local agencies and authorities to identify complex household needs and to provide and resource appropriate packages of intensive support combined with more effective mechanisms for engaging individuals and households with this support. This is where contemporary policy development should be focused.

# Appendix A

## Further information about the pilot localities

### A.1 Introduction

This appendix provides further information about the local demographic and housing contexts of the eight local authority areas where the sanction of HB was piloted. Summary information is also provided about the type and extent of anti-social behaviour in each area and the agency and partnership structures in place to address anti-social behaviour. The data is drawn from key planning, housing and community safety strategy documents and interviews with stakeholders and refers to the period when the sanction of HB pilot schemes were being established in September and October 2007.

### A.2 Blackburn with Darwen Borough Council

#### A.2.1 Population and housing

Blackburn with Darwen Borough Council covers a predominantly urban area in the north west of England. According to the 2001 Census, the population was just under 138,000 with Blackburn itself accounting for 74 per cent of the population. The proportion of the population who were under 16 years of age was the tenth highest of all local authorities in England. Twenty-two per cent of the population was from Black and Minority Ethnic groups, the largest proportions being from Indian (10.7 per cent) and Pakistani (8.7 per cent) backgrounds.

The English Indices of Deprivation 2004 identified Blackburn with Darwen as one of the most deprived boroughs regionally and nationally. The borough had comparatively low rates of economic activity and almost a third (32.3 per cent) of children lived in families claiming a key benefit – far higher than the average for the North West region (26 per cent) and for England as a whole (22 per cent). The Borough also had a higher than average crime rate, reflected in the fact that the insurance rate for Blackburn was 37 per cent higher than the average for England.

Blackburn with Darwen had 58,477 dwellings. Of these, 68 per cent were owner occupied, 21 per cent were housing association rented and 11 per cent private rented. A high proportion of homes were unfit or obsolete and there were problems of low demand in some areas. Although house prices were relatively modest in the area, they were still beyond the reach of many low income households. Reliance on the private sector had increased and the growth of buy to let had resulted in a large number of private landlords in the borough. Blackburn with Darwen suffered from chronic and widespread poor housing conditions in the private sector.

In March 2001, Blackburn and Darwen Council transferred its stock to Twin Valley Homes, which has 8,582 properties out of the total 12,013 housing association properties. The majority of lettings are made through Blackburn and Darwen's choice based letting system ('B with Us'). Around 20 per cent of lettings in 2003-04 were to priority homeless households, 19 per cent to households who had previously been living in the private rented sector and 32 per cent who had been living with family or friends. Just 18 per cent of these new tenants were in paid employment and only 13 per cent were not in receipt of any form of benefit.

## A.2.2 Types and extent of anti-social behaviour problems

Blackburn with Darwen's Community Safety Partnership consultation with residents and organisations illustrated that local concerns around anti-social behaviour mainly centred on nuisance behaviour, deliberate fire setting, graffiti and fly tipping. In 2001/02 Twin Valley Homes received 1,092 complaints about anti-social behaviour. Of these, 77 per cent related to 'nuisance.' Local stakeholders reported that the main types of anti-social behaviour they dealt with were youth nuisance, drunken behaviour and disturbances caused by visitors to a property.

## A.2.3 Anti-social Behaviour Management Structures

Blackburn with Darwen Community Safety Partnership was developed in 2004 when the Crime and Disorder Partnership merged with the Drug and Alcohol Action Team. In the same year the Borough achieved Together Action Area status and, in 2007, the borough was one of the first 40 local authorities to be invited to become a Respect Area. Blackburn and Darwen Community Safety Partnership is committed to: 'adopting a balanced approach to resolving problems of anti-social behaviour that considers activities around prevention, intervention, enforcement, rehabilitation and resettlement.'

The Community Safety Team was based within the local authority's Regeneration and Neighbourhoods Department and included an anti-social behaviour manager, a seconded police officer, a case manager and two parenting practitioners. The team worked closely with the Borough's preferred partners (the four largest registered social landlords), who were all signed up to the Respect Housing Standard and the Anti-social Behaviour Action Plan. Twin Valleys Homes had a staff of five full time anti-social behaviour officers and a manager who dealt with the more serious cases of anti-social behaviour.

The majority of cases of anti-social behaviour were resolved through early intervention work by Twin Valley Homes staff and only a small per centage of cases proceeded to court. For example, one stakeholder reported that 20 out of 500 cases in the previous year had resulted in court proceedings. Very few cases resulted in eviction (only four cases in 2006-07). This was attributed by local stakeholders to the success of early intervention and the use of alternative enforcement tools, particularly injunctions, and also to the fact that some perpetrators abandoned their properties before the Possession stage.

More difficult cases that required enforcement action against a household with children were referred to the Community Safety Team's Case Intervention Panel which decided on the appropriate action including support. The panel was made up of senior agency representatives including: the five neighbourhood police sergeants; the heads of the Council's Children's, Education Welfare and Adult Social Services; the deputy manager of the Youth Offending Team; the manager of the FIP; Community Safety Team representatives, Twin Valley Home's anti-social behaviour manager and the senior parenting practitioner. Additional agencies were included on the panel depending on the needs of individual cases.

Overall respondents felt that the borough was well provided with support services, with an active and diverse voluntary sector offering support services, although there were concerns that statutory services were overstretched and that drug and alcohol services were already oversubscribed.

The Darwen Family Intervention Programme was established in 2003. The service was set up as a partnership involving the Council, Twin Valley Homes, Lancashire Constabulary and NCH to provide outreach support to families under threat of eviction for anti-social behaviour. The project had received additional funding under the Respect programme and provided managed housing as well as floating support to families, including those in owner occupation. The borough also employed two Respect-programme funded Parenting Practitioners who specialised in addressing anti-social behaviour.

## **A.3 Blackpool Borough Council**

### **A.3.1 Population and housing**

Blackpool is a major tourism resort in the North-West of England with a population of 142,283 which, according to figures from the 2001 Census had declined by 2.6 per cent over the last decade. There were 63,940 households. Just over a quarter (25.5 per cent) of the town's population was aged 65 or over, compared to 15.9 per cent for England and Wales as a whole. Of these households 5,390 (8.4 per cent) were lone parents compared to 6.4 per cent nationally. 1.6 per cent of the population were from Black and Minority Ethnic backgrounds, with the largest of these groups being Irish, Chinese and Asian.

Blackpool was the sixth most deprived local authority area in the North-West region; 25 localities were in the most deprived ten per cent of all the lower-layer Census 2001 Super Output Areas in England. In terms of health deprivation and disability, 74 out of 94 Blackpool localities were in the most deprived quartile of all English localities and 42.9 per cent of households contained at least one person with a limiting long-term illness. Blackpool had the second lowest life expectancy for men, the highest alcohol related death rates and the third highest teenage pregnancy rates in the region. Annual claimant unemployment rates were relatively low by historical standards but as a tourist area the local labour market experiences substantial seasonal fluctuation with winter unemployment numbers normally peaking at 50 per cent above the previous summer's total. Worklessness within the working age population is higher than the regional average and the 16th highest nationally.

Blackpool had twice the proportion of private rented housing compared with the north west as a whole, 71 per cent of the housing stock was owner occupied, 7.8 per cent local authority (which was now managed by Blackpool Coastal Housing, an Arms Length Management Organisation), 1.9 per cent housing association and 16.3 per cent private rented. The growth of the private rented sector had been driven by market failure in the small hotel and guesthouse sector where properties formerly used as holiday accommodation were converted into flats and bedsits for Multiple Occupation. It was estimated that Blackpool had between 4,000 and 6,000 Houses in Multiple Occupation. The town also had a large transient population which moved both within Blackpool and between the town and neighbouring local authority areas.

### **A.3.2 Types and extent of anti-social behaviour problems**

Crime rates had fallen in Blackpool in recent years but overall the town had a much higher rate than the national average (38.83 per 1,000 population compared with 20.62 nationally). Violent crime rates (often fuelled by alcohol) were particularly high.

Blackpool's Crime Disorder and Drugs Strategy 2005-2008 reported that 46 per cent of respondents felt that their quality of life was negatively affected by crime compared to 36 per cent nationally. The issues of greatest concern to local residents included groups of youths 'hanging around' and in particular young people using drugs. However, the majority of complaints made by residents to the council were environment-related (i.e. graffiti and litter). A Citizen's Panel convened as part of the Crime, Disorder and Drugs audit highlighted the following key issues and areas of concern to residents of Blackpool: vandalism to property (26 per cent), general crime levels (24 per cent), nuisance neighbours (20 per cent) and deliberate fire setting on or to property (17 per cent). The main type of anti-social behaviour impacting on the work of the Blackpool Coastal Housing Anti-social Behaviour team was noise and neighbour disputes.

### A.3.3 Anti-social Behaviour Management Structures

The Blackpool Community Safety and Drugs Partnership was established in 2004 following the merger of the Blackpool Community Safety Partnership and the Blackpool Drug Action Team. The responsible authorities were Blackpool Borough Council, Blackpool Primary Health Care Trust, Lancashire Constabulary (Western Division), Lancashire Police Authority and Lancashire Fire and Rescue Services (Blackpool). The Partnership's anti-social behaviour co-ordinator was based within Blackpool Borough Council. Three strategic themes formed the basis of Blackpool's response to anti-social behaviour: prevention, enforcement and co-ordination. In 2006, Blackpool was awarded Respect Action Area status and was therefore committed to: establishing a FIP; providing more parenting classes for parents; facilitating 'Face the People' sessions where the police, local authorities and others could be accountable to the local public; keeping up its 'relentless action' to tackle anti-social behaviour by using the full range of tools and powers available, and using the Respect Housing Standard to prevent and deal with any problems in social housing. The three-year Blackpool Community Safety and Drugs Partnership Plan 2008-2011 replaced the previous Anti-social Behaviour and Crime and Drug Disorder strategies. The Community Safety and Drugs Partnership Plan was subject to annual updating based on a strategic assessments.

Responsibility for the management of anti-social behaviour in Council housing was transferred to the Blackpool Coastal Housing anti-social behaviour team. Blackpool Coastal Housing's policy was to identify any problems that could lead to anti-social behaviour (for example, unmet support needs) from the very start of a tenancy. A housing officer explained the tenancy agreement and the consequences of any breaches in detail to the new tenant and identified any support needs at sign up. A follow up 'welcome visit' was made within six weeks of the start of a tenancy to check that the new tenant was managing. Anti-social behaviour complaints were initially dealt with by a housing officer who decided the appropriate action and support.

If perpetrators continued to be involved in anti-social behaviour after referral to other agencies (e.g. environmental health or support providers) then the case could be referred to the Anti-social Behaviour co-ordinator and, if necessary, a multi-agency case conference would be convened to identify required actions and support. Blackpool Coastal Housing's anti-social behaviour team would normally deal in-house with single person households and families without children.

Most anti-social behaviour problems were resolved at an early stage and before any legal actions were necessary. There was some confusion among local stakeholders about the exact number of evictions for anti-social behaviour but there were thought to be very few. Stakeholders stressed that they adhered to Respect guidelines and that their aim was to try to support people and tackle their anti-social behaviour without recourse to eviction which was seen as a failure, but would be used if absolutely necessary. It was reported that other private and social rented landlords tended not to evict on the grounds of anti-social behaviour, for a range of reasons.

Blackpool had a range of initiatives and interventions to prevent and tackle anti-social behaviour including security patrols, 'Talking CCTV', mediation services; a FIP; expert parenting practitioners, youth diversionary activities; a project working with young people and parents; an integrated Youth Service providing a team of outreach workers (e.g. teenage pregnancy and drug and alcohol workers) and a service for young ex-offenders. In addition, locally based Reassurance Plus initiatives were in place in areas with the highest levels of anti-social behaviour and crime. Respondents also felt that Blackpool had sufficient generic support services apart from alcohol services but there were plans to develop more of these. Multi-agency and partnership working was described as being 'above average'.

## A.4 Dover District Council

### A.4.1 Population and housing

Situated in east Kent, the Dover district borders Canterbury, Thanet and Shepway and covers an area of 121 square miles. Approximately two-thirds of the district's population of 104,700 live in the urban areas of Dover and Deal. The remaining third live in the market town of Sandwich and the numerous settlements found in the district's large rural hinterland. Dover is one of the south east's less diverse large towns, with only four per cent of its residents being from Black and Minority Ethnic backgrounds.

The local Dover economy was perceived as being less dynamic than other parts of Kent. In addition to having three wards amongst the most deprived ten per cent in England, a further five were amongst the 20 per cent most deprived. Employment was largely dependent upon the service industries and average earnings within the district were low relative to regional and national averages.

The Dover district had 46,000 homes, of which 72 per cent were owner-occupied, 11 per cent rented from the council and four per cent rented from a registered social landlord. In common with many of the coastal areas in the south east, the Dover district had a larger than average private rented sector, comprising 13 per cent of the housing stock. Sixty-nine per cent of privately rented homes were built pre-1919 and a third of the private rented accommodation was unfit. The majority of private rented homes were located in the urban centres of Dover and Deal. Rent levels and type of accommodation varied by area with the poorer quality accommodation concentrated in the more deprived wards in Dover. The private rented sector included 750 Houses in Multiple Occupation which were concentrated in areas of older unimproved housing, low property prices and deprivation. Dover's lower skill and lower wage economy was reflected in the average house prices for the district being significantly less than other areas of England. But for many people, affordability was still a significant barrier to owner-occupation.

The council remained the major social landlord in the district, with just under 5,000 homes. The majority were located in Dover and Deal although over 1,700 were located in rural areas. Demand for affordable housing far exceeded supply. The East Kent Triangle (Canterbury, Dover and Thanet) had five preferred partner registered social landlords, each of which had signed a five year protocol for joint working which was developed in consultation with the Housing Corporation and the Government Office for the South East.

### A.4.2 Types and extent of anti-social behaviour problems

Dover had a significantly lower rate of crime than the national average for England and Wales and a low crime rate compared with Kent and the south east region as a whole. Dover's Crime and Disorder Reduction Strategy 2005-2009 detailed a range of anti-social behaviour and criminal acts such as burglary and violence against the person. The problems of most concern to respondents to the Dover Fear of Crime Survey (2004) were loud or fast cars or motorbikes (28.4 per cent), followed by rubbish and litter (23.8 per cent) and 'young people hanging around' (21.4 per cent). The most prevalent reasons for feeling unsafe related to anti social behaviour, followed by alcohol and then issues such as poor lighting and speeding traffic. Local stakeholders described the main types of anti-social behaviour that they had to deal with as youth nuisance, alcohol and drug misuse and neighbour disputes.

### **A.4.3 Anti-social Behaviour Management Structures**

The Dover Crime and Disorder Reduction Partnership had a number of sub-groups which included the multi-agency Dover Anti-social Behaviour Action Group, which focused on individuals and families involved in, and geographic areas suffering from, anti-social behaviour and aimed to prevent and deter identified individuals from offending. The group was made up of representatives from Dover District Council's Community Safety Unit and Housing department as well as representatives from the Council's Children's, Social Work, Youth and Community and Education Services departments, the police, Fire and Rescue Services, Port of Dover Police, a representative of local registered social landlords, the Primary Care Trust, the Youth Offending Team, Community Wardens and Connexions. The group had attempted to recruit a representative from the local voluntary sector. The Dover Anti-social Behaviour Unit was founded in 2004 at the same time as Dover was designated a TOGETHER Anti-social Behaviour action area. The Community Safety and Anti-social Behaviour manager was based in the Anti-social Behaviour Unit in Dover District Council Offices. Dover's approach to tackling anti-social behaviour embraced prevention, education and enforcement.

There had been no recent evictions for anti-social behaviour in Dover and this was attributed to the success of alternative interventions including the provision of support and warnings, Acceptable Behaviour Agreements and the use of ASBOs. However, local stakeholders also reported reluctance by landlords, including the Council, to evict on grounds of anti-social behaviour.

Low level anti-social behaviour was normally dealt with in-house by the relevant social landlord's housing and anti-social behaviour officers but more serious cases were referred to the Anti-social Behaviour Unit and, where appropriate, to Dover Anti-social Behaviour Action Group. Dover had a range of interventions designed to tackle anti-social behaviour. These were provided by Dover District Council and through partnership working with the Crime and Disorder Reduction Partnership and Dover Anti-social Behaviour Action Group. Interventions included diversionary activities and projects for young people including a scheme for children aged 8 to 13, funded with Respect money; parenting classes; drug and alcohol education and services; mediation services; and work with excluded children. Dover did not have a specialist FIP but the Council ran a parenting project and there were family support projects run by voluntary sector agencies in the district.

## **A.5 Manchester City Council**

### **A.5.1 Population and housing**

Manchester is a very diverse and rapidly changing city, with dynamic and differentiated housing markets. Although areas of the city had suffered from considerable low demand problems, the city centre and the south of the city had experienced significant price increases and increases were also occurring in private sector rent levels in the north and east of Manchester. Housing affordability was therefore a major concern, and the availability and pricing of rented accommodation had made it increasingly difficult for HB recipients and homeless applicants to find housing (in addition to making the assessment and administration of HB challenging). There were 7,010 homeless applications made to Manchester City Council in 2003/04.

Manchester was one of the most deprived local authority areas in England, with an unemployment rate twice the national average. An estimated 70 per cent of Manchester City Council tenants and 60 per cent of registered social landlord tenants were in receipt of HB. Manchester's population included above national average proportions of single person households, lone teenage parent households and 16-24 year olds.

Figures provided by the Office of National Statistics for April 2005 indicated that 20 per cent of Manchester's 201,132 dwellings were local authority stock, with 15.7 per cent registered social landlord stock. A series of approximately 20 partial council stock transfers had occurred over the last decade and there was a continuing rolling programme of transfers, for example in recent years stock in the south of the city had been transferred to Willow Park Housing Trust, Southway Housing Trust and Parkway Green Housing Trust. A large area of the north of Manchester was covered by Northwards Arms Length Management Organisation. There were also housing-related Private Finance Initiatives. These stock transfers, combined with retained council directly-managed stock, a large number of other registered social landlords and private landlords, created a context in Manchester of a very complex and diffuse rented housing sector.

### **A.5.2 Types and extent of anti-social behaviour problems**

Manchester had some of the highest rates of recorded crime in England, with a strong correlation between wards experiencing higher rates of crime and deprivation. Research underpinning the development of the Manchester Crime and Disorder Reduction Strategy 2005-2008 found that, although perceptions of the levels of anti-social behaviour had stabilised and recorded levels of youth nuisance had fallen in recent years, residents identified vandalism, youth nuisance and littering as key concerns. A survey in 2004 found that 31 per cent of respondents reported that anti-social neighbours were a problem (almost identical to the 32 per cent in 2001).

### **A.5.3 Anti-social Behaviour Management Structures**

Manchester City Council had been awarded 'trailblazer' status by central government in recognition of its approach to tackling anti-social behaviour. The council had 6,400 successful legal actions (excluding possession notices) in relation to anti-social behaviour and has secured over 650 ASBOs. The council used the full range of anti-social behaviour powers, including Dispersal Orders and Parenting Orders.

The Antisocial Behaviour Theme Group within the Manchester Crime and Disorder Reduction Partnership was chaired by Manchester City Council's Housing Department. The group coordinated multi-agency responses to anti-social behaviour across the city. Part of the Trailblazer approach had been the development of Area Casework Panels which were local multi-agency groups addressing the complex needs of individuals and families engaged in anti-social behaviour. Manchester City Council had an Anti-social Behaviour Action Team which led the management of anti-social behaviour in the city. Cases involving families were addressed through the Tenancy Support Plus Service which is an intensive FIP. Cases needing less intensive housing related support were referred to the Council's Housing Support Service, which worked with families, couples and single people. The council also had a Tenancy Compliance Team working with serious offenders and primarily single people.

The Tenancy Support Plus service operated on a city-wide basis and received referrals from a range of agencies, including the council's local housing teams, registered social landlords and Connexions. The service worked with families with a history of anti-social behaviour and high support needs who were often at risk of losing their tenancy and the service worked closely with the council's homelessness services. Referrals also came through the Area Case work panels and the Tenancy Support Plus Service had an officer from their team attending each of these monthly meetings in all three police divisions sitting across the city. The cases referred to the Panels involved families and individuals who were causing anti-social behaviour in their neighbourhood and where holistic, twin-track interventions of enforcement and support may reduce risk. The Tenancy Support Plus Service had 11 officers (one being job share) after recently recruiting three new officers. The service was funded to work with 42 families and also referred families to other services and agencies.



Manchester City Council had developed a Respect Standard charter for housing management in Manchester which had been signed by 30 registered social landlords operating in the city. Each of these partner landlords had a nominated Respect ‘champion’ to promote the standard in their own organisation and to provide a link into city-wide anti-social behaviour strategies and procedures. The Council offered the services of its Anti-Social Behaviour Action Team to other landlords in the city on a commercial basis. The council also offered a cross-tenure first-call service to all residents including those in owner-occupied and private rented properties.

## A.6 New Forest District Council

### A.6.1 Population and housing

New Forest district covers an area of 290 square miles in south west Hampshire, and is dominated by the New Forest itself. The District had a population of approximately 170,000 people (72,000 households) according to the 2001 Census and is predominantly rural. There had been a marked change in the age structure of the population over recent years with the proportion of residents under 16 years old decreasing and those over 60 increasing. The majority of the population lived in the seven principal towns located around the periphery of the New Forest: Fawley, Hythe, Totton, Lymington, New Milton, Fordingbridge and Ringwood.

In the past thirty years the district had witnessed a huge increase in the number of houses built, the majority of which have been for owner occupation. As a result, privately owned homes had increased from 68 per cent of dwellings in 1991 to just over 80 per cent in 2001, whilst the number of council homes had fallen from 15 per cent to seven per cent, considerably below the national average. Private rented accommodation accounted for six per cent of dwellings. There were around 5,200 council homes and 2,800 registered social landlord properties. An increasing affordability gap between house prices and incomes meant that households who would not historically have done so were now seeking to access social housing due to being priced out of the owner occupation market. New Forest District Council managed a Choice Based Letting system to allocate their housing stock with the aim of developing more mixed communities and encouraging sustainability.

In 2006/07 there were on average 6,923 HB claimants per quarter. The majority of these claimants lived in Council housing, but the numbers in this sector were decreasing, while a growing proportion of claimants were now living in the private rented sector. The Council’s Tax and HBs Service was rated in the top performing quartile nationally.

### A.6.2 Types and extent of anti-social behaviour problems

The Council’s Housing Service Policy and Procedures stated that: ‘within the New Forest the majority of anti-social behaviour cases reported are of a relatively minor nature’, a view that was reflected by local stakeholders. While there was a recognition that anti-social behaviour problems occurring in the New Forest were not comparable to the more serious problems that occur elsewhere and particularly in larger urban areas, stakeholders identified ‘pockets’ within the New Forest where problems were more frequent and persistent. The most common reports of anti-social behaviour that the council dealt with involved groups of young people, noise and family feuds. The latter were said to commonly occur within gypsy and traveller communities that had an established presence in the area. In recent years, there was thought to have been an increase in anti-social behaviour involving young people and anti-social behaviour linked to drug and alcohol misuse. Approximately 60 per cent of reported anti-social behaviour cases involved adults and 40 per cent young people.

Figures provided in New Forest Community Safety Strategy 2005-2008 showed a range of numbers of anti-social behaviour incidents in each of the police sectors in 2005 from 818 in Ringwood to 1,394 in Hythe. The consultation exercise that informed the strategy indicated that 16 per cent of respondents had experienced anti-social behaviour in the previous year, with 7.1 per cent experiencing anti-social behaviour on more than one occasion.

Despite recognising that anti-social behaviour problems in the New Forest were not on the scale of those that occur elsewhere in the UK, dealing effectively with the anti-social behaviour problems that were prevalent in the district was a key priority for New Forest District Council. Indeed, the council established dedicated anti-social behaviour officers ten years ago, one of the first local authorities in England to do so.

### **A.6.3 Anti-social Behaviour Management Structures**

One aim of The New Forest Community Safety Strategy 2005-2008 was to reduce the impact of the most serious instances of reported anti social behaviour incidents in the community. Individual objectives of the strategy included targeted individuals responsible for anti-social behaviour and modifying their behaviour through a co-ordinated partnership response; encouraging reporting of incidents between partners, providing targeted out of school hours diversionary activities for young people that enabled them to use their leisure time constructively and improving parenting skills for the guardians of individuals engaging in anti-social behaviour or at risk of engaging in low level crime.

Divided We Fall was the multi-agency partnership which sat under the overarching New Forest Community Safety Partnership and was tasked with identifying and tackling anti-social behaviour. The core group of the partnership consisted of New Forest District Council, the police, the Council's Social Services department, Adolescent and Adult Mental Health Teams, the youth Offending Team, registered social landlords, the Youth Service, the Probation Service and Victim Support. The purpose of the group was to: facilitate the involvement of all relevant agencies in tackling anti-social behaviour, ensure effective information sharing processes are in place, agree a range of remedies, (including both early intervention and legal measures) to address anti-social behaviour, monitor the progress and effectiveness of Acceptable Behaviour Contracts and ASBOs, and implement local training programmes.

The group had been pivotal in establishing joint working arrangements and information sharing agreements between partner agencies, together with protocols to facilitate the use of ASBOs and Acceptable Behaviour Contracts. Two dedicated anti-social behaviour co-ordinators (a social worker and police officer) were employed by the partnership to work with individuals identified as being engaged in anti-social behaviour. In addition to the core group, there were also local Divided We Fall groups operating in certain areas of the district.

The Council's Housing Services Anti-Social Behaviour Policy and Procedures had been designed to complement the strategic priorities of the Community Safety Strategy as well as New Forest District Council's Housing Strategy. The Council's Housing Department aimed to be a 'centre of excellence' in dealing effectively with anti-social behaviour and had signed up to the Respect Housing Standard. The Housing Department supported smaller registered social landlords who had less capacity to respond to anti-social behaviour problems, for example through the provision of a mediation service.

Within the Housing Department, complaints were dealt with at an early stage internally by Housing Management officers, with mediation being used where appropriate. For social housing tenants, there were a range of support services in existence in the New Forest including floating housing support (to assist vulnerable tenants to maintain their tenancy), supported accommodation (for

those with higher level support needs) funded through Supporting People and provided by small specialist registered social landlords in the locality, as well as ‘Open Doors’ (a homelessness advice service). Applicants for tenant support needs were assessed by a supported housing panel. Non-tenure related support services were also available in the locality including parenting programmes, Connexions, Prison No Way (for young people at risk of offending) and ‘LIFE’ courses delivered by the Fire and Rescue service for vulnerable and ‘at risk’ young people, as well as a range of other diversionary activities for young people. New Forest did not have a FIP. It was reported by local stakeholders that the only gap in service provision was for families/individuals with chaotic lifestyles and complex needs.

More serious cases of anti-social behaviour or cases that have not been effectively resolved with less formal measures and which required an Acceptable Behaviour Contract or an ASBO were referred (by housing or other organisations) to the Community Safety Co-ordinator. The co-ordinator then pursued the case through the relevant local Divided We Fall partnership group, at which stage an action plan was agreed between partner agencies. New Forest District Council utilised a range of tenure and non-tenure based sanctions as part of a graduated approach to tackling anti-social behaviour. Only where less formal and supportive measures were deemed to have been unsuccessful or the anti-social behaviour was of a more serious nature, were legal measures pursued, including ASBOs, injunctions, demoted tenancies and possession proceedings. ASBOs were considered as a ‘last resort’ measure and 16 were in place in the New Forest (including CRASBOs).

## A.7 Newham London Borough Council

### A.7.1 Population and housing

Newham is an Inner London Borough border with a total population of 246,200 in mid-2005. Newham was the least densely populated Inner London Borough (excluding the City of London) but its population and population density was anticipated to rise as current plans for redevelopment progress. Newham had the highest proportion of non-White ethnic groups in the country, with 61 per cent of the population drawn from Mixed, Asian or Asian British, Black or Black British, Chinese or ‘Other’ ethnic groups.

According to the 2004 Index of Multiple Deprivation Newham was the eleventh most deprived area in England and Wales and the fourth most deprived borough in London. This represented a slight improvement from the 2000 Index of Multiple Deprivation when Newham was ranked the fifth most deprived area in England and the third most deprived borough in London. The rate of economic activity of working age people in Newham was 65.9 per cent in 2005/06, lower than in both London (74.5 per cent) and England and Wales as a whole (78.3 per cent). Newham had the largest average household size (2.6 according to the 2001 Census), the highest proportion of households with dependent children aged 0-4 in England and Wales and the highest proportion of lone parent households. Newham also had the most workless households with dependent children in England and Wales.

In 2006 there were 18,408 local authority dwellings, 11,524 registered social landlord homes, 115 ‘other’ public sector and 21,241 private rented sector dwellings. The rate of owner occupation (47 per cent) was comparatively low for London and much lower than the national average. Just over 11 per cent of dwellings in Newham were considered unfit with the majority of these dwellings in the private rented sector. There had been a significant improvement in the quality of local authority homes, with no properties being classified as unfit. The condition of private sector properties had also improved while there had been a significant increase in the number of unfit registered social landlord dwellings. Average house prices had more than doubled since 2000

compared to an increase of 73 per cent in London but average rent costs were cheaper in Newham than in London as a whole. In 2005–06 there were 25,000 households on the housing waiting list (ten per cent of the Borough's population) and 5,000 in temporary accommodation. The total number of homeless households in need of temporary accommodation had increased while the number of households accepted as homeless and in priority need had fluctuated (between 1,495 and 1,519) since 2000/01 and stood at 1,422 in 2005/06.

In 2005 Newham Council established an Arms Length Management Organisation Newham Homes, which took over the management, maintenance and improvement of Newham's former council housing stock which comprised 23,013 properties (representing 91 per cent of Newham's Council stock). Just over 17,000 of these were tenanted properties and the remainder were leasehold. The remainder of Newham's council stock was managed by two Tenant Management Organisations and a Private Finance Initiative. Most of the housing stock (74 per cent) was flats.

### **A.7.2 Types and extent of anti-social behaviour problems**

The types of offences recorded by the Police included disturbance, community problems, drunkenness, noise nuisance and other unlisted disorder. In 2004/05 the Council received a total of 16,331 calls to the Anti-social Behaviour hotline, and increase of 7.4 per cent on 2004. Most calls came from a small number of hotspot areas in the borough. The most common type of anti-social behaviour was fly tipping although noise nuisance was a significant problem and accounted for 5,549 complaints, an increase of 20 per cent from 2004/05. Local stakeholders explained that residents living on estates tended to complain about children playing football and 'young people congregating' at night. These young people may or may not have been doing anything wrong but local residents often felt intimidated by them. Stakeholders also identified more complex problems, including alcohol and drugs, domestic violence, mental health issues and disturbances caused by large numbers of visitors to some properties.

### **A.7.3 Anti-social Behaviour Management Structures**

The Newham Crime and Disorder Reduction Partnership comprised organisations including, amongst others, Newham Council, Newham Police, London Fire Brigade, Her Majesty's Court Service, Youth Offending Team, Partnership for Victims and Vulnerable People and the Anti-Social Behaviour Partnership. The Anti-social Behaviour co-ordinator was based within the Community Safety Unit.

Newham had a common anti-social behaviour service and respondents explained that the borough has a relatively large staff working on anti-social behaviour. Newham had a case work investigation team managed by an Interim Enforcement and Investigation manager. An information sharing protocol had been agreed between key stakeholders including the police, probation services, health authorities and registered social landlords. A variety of organisations have signed up to the scheme, including the police, probation services, health authorities and registered social landlords associations. The protocol provides partners with a legal framework and a common standard for sharing information.

Complaints about anti-social behaviour from or about Newham Homes' tenants were dealt with initially by front line housing officers who completed an initial anti-social behaviour incident form and investigated the case, which involved interviews with the complainant and alleged perpetrator/s. If the behaviour continued housing officer consulted with managers about further action. Serious cases which required enforcement action were dealt with by the Interim Enforcement and Investigation manager in the Crime and Anti-social Behaviour Service, who reviewed cases monthly to ensure that they were dealt with quickly. Newham had an ASBO panel and held case panels in eviction cases if the household was deemed to be vulnerable (e.g. where

there were children or mental health issues). Newham used Injunctions but there were few evictions for anti-social behaviour as many anti-social tenants were actually evicted for rent arrears. More single people were evicted for anti-social behaviour than families but the Crime and Anti-social Behaviour Service attempted to intervene and support tenants before the Possession stage.

Some registered social landlords in the borough had their own anti-social behaviour teams whilst others were more reliant on the council. Landlords did attempt to provide supportive interventions for tenants, but would use evictions on the grounds of anti-social behaviour if necessary. Newham had a number of support services such as youth programmes and a Family Support Project but there were no specific anti-social behaviour rehabilitation services for single adults and it was extremely difficult to access other services such as mental health, drug and alcohol agencies. The demand for services was very high and very few perpetrators of anti-social behaviour would meet all the criteria for support.

## A.8 South Gloucestershire Council

### A.8.1 Housing and population

South Gloucestershire is a mixed urban and rural local authority. The area includes urban communities, market towns and small villages and has experienced considerable population growth and new residential development. Over half of the districts' population reside in the urban areas adjoining Bristol and a further 19 per cent live in the towns of Yate, Chipping Sodbury and Thornbury. The district was ranked about 300th out of 534 in the English Indices of Deprivation, there were no neighbourhoods in South Gloucestershire ranked in the most deprived 20 per cent in England and the district's unemployment rate is considerably below regional and national averages. The Black and Minority Ethnic population of South Gloucestershire is 2.4 per cent, and is primarily located in the urban areas of the district.

Research underpinning the South Gloucestershire Council Housing Strategy 2004-2009 identified problems of housing affordability, accessing owner occupation and the lack of social housing in the district. There were a total of 103,555 total dwellings in the district in April 2003 of which 84,562 were in owner occupation. A 2003 housing needs study found that the cost of purchasing a home in the private sector was very high and that there had been an average 90 per cent increase in house prices between 1999 and 2003. The private rented sector comprised only 4.2 per cent of the housing stock, scattered across the district and private sector rent levels were high.

There were 8,099 local authority dwellings in April 2003 and 2,407 registered social landlord dwellings. Turnover in the social rented sector was low and there was no major problem with vacant properties or re-letting. There were 5,159 applicants on the housing register in May 2003, including 576 current homelessness cases. The 2004-2009 Housing Strategy estimated an annual increase of applicants on the register of 240. In February 2007 South Gloucestershire Council transferred its stock to the newly established Merlin Housing Society. Merlin is the district's largest social housing provider, with over 8,000 properties. Merlin manages a number of hostels that may accommodate individuals who have been evicted from previous tenancies. The 2004-2009 Housing Strategy identified a further 24 registered social landlords with properties in the district.

Each year the council accepted 500-550 applicants as homeless, with lone women with children comprising 45 per cent of these applications. There were increasing numbers of people with drug and alcohol dependency problems being accepted as homeless and the main causes of homelessness had been identified as parental/family eviction (21.7 per cent) and loss of assured short hold tenancies (17.9 per cent).

### **A.8.2 Types and extent of anti-social behaviour problems**

An audit of crime, disorder and drugs revealed that South Gloucestershire had some of the lowest crime rates, both regionally and nationally. A 2002-2004 audit estimated that anti-social behaviour cost South Gloucestershire approximately £11.3m per annum. The audit suggested that many offenders were young males aged between 16-19, including those who lived outside the district. A survey undertaken during this audit of approximately 1,000 respondents revealed that addressing anti-social behaviour was the top priority, cited by 71 per cent of respondents.

Twenty-eight out of the 35 wards in the district recorded a reduction in recorded crime between 2001 and 2004. During this period, there was a significant decrease (15 per cent) in the number of people reporting feeling unsafe at night. Reducing local disorder and anti-social behaviour was a priority theme of the 2005-2008 Crime, Disorder, Drugs and Alcohol Misuse Reduction Strategy and was the number one strategic priority for the Police District.

### **A.8.3 Anti-social Behaviour Management Structures**

The Community Safety Partnership and Drugs Action Team had been merged into a single Community Safety and Drugs Partnership. A dedicated Anti-social Behaviour co-ordinator has been appointed to lead the South Gloucestershire Anti-social Behaviour Team and to co-ordinate the response of all council departments, the police and other anti-social behaviour strategy partner agencies and organisations. The South Gloucestershire Anti-social Behaviour Team included the co-ordinator, a dedicated police officer, two early intervention officers, a Court Officer, Criminal Damage Officer and a part-time Legal Officer. In addition to this, the Fire and Rescue Service had dedicated an officer to the team on a part-time basis. Early intervention was prioritised in the anti-social behaviour and community safety strategies.

Since the appointment of the anti-social behaviour co-ordinator, the 2005-2008 Crime, Disorder, Drugs and Alcohol Misuse Reduction Strategy and Safer South Gloucestershire's Annual Reports reported that 48 Acceptable Behaviour Contracts were signed and seven ASBOs were obtained in 2005. Two premises were closed due to drug dealing, using new legislation on drugs-related property closures. In 2006, 32 Acceptable Behaviour Contracts were signed, eight ASBOs were obtained and four Dispersal Orders were implemented. In 2007, 84 Acceptable Behaviour Contracts were signed, 13 ASBOs were granted, three Dispersal Orders implemented and one Closure Order granted.

A multi-agency Anti-social Behaviour Review Panel was established to co-ordinate action on specific cases, along with the use of individual case conferences to address the most serious, protracted or complex cases of anti-social behaviour. In 2005, 74 cases were referred to the Panel, with 68 referrals made in 2006 and 79 in 2007. The Anti-Social Behaviour Review Panel Team's membership included representatives of the Council's Legal, Community Care, Children and Young People, Education and Environmental and Health Services departments, the Fire and Rescue Service, the police, Merlin Housing Society and the Youth Offending Team. Any agency could refer a case to the panel. The case would be reviewed and, if appropriate, an action plan would be developed to address a wide range of issues, such as truancy from school or the need for further social services support. Each case remained with the panel and was subject to regular review, with agencies accountable for the actions that they took. If the case was not resolved a further multi-agency case conference would be held. Twenty-five such case conferences were held in 2006. There was also a panel overseeing Common Assessment Frameworks. If there was a subsequent need (for example because of a lack of engagement by individuals with support services) then the case would be referred on to the Anti-social Behaviour Review Panel.

An anti-social behaviour practitioner’s tool kit and guide had been developed and disseminated to police, housing staff and other relevant agencies. A specialist anti-social behaviour database (Flare) recorded incidents of anti-social behaviour for the Safer South Gloucestershire Partnership, and was used for case management and hotspot analysis and interventions. Anti-social behaviour initiatives had been widely publicised in the district, including the production of newsletters for local communities experiencing higher levels of anti-social behaviour.

Merlin Housing Society had created a dedicated anti-social behaviour team, comprising a manager, two anti-social behaviour officers and a solicitor. The team co-ordinated the anti-social behaviour work of Merlin’s area housing offices. Since its establishment the team had two obtained injunctions against individuals. Merlin Housing Society’s anti-social behaviour manager had been fully involved in the development of the HB sanction pilot scheme.

A tiered response was utilised to tackle complaints about anti-social behaviour in South Gloucestershire. Complaints and police data were collated, and where necessary, a first and then second early warning letter were issued. If required, a visit to the alleged perpetrator was then conducted. If the case was still not resolved then some further action, such as an Acceptable Behaviour Contract, was considered. If this further action did not resolve the case then it was be referred to the Anti-social Behaviour Review Panel where enforcement action and/or referral to further support services were explored. Early intervention and multi-agency working were key themes of the approach to tackling anti-social behaviour in South Gloucestershire. For example, there was a rule that Acceptable Behaviour Contracts must involve at least two agencies.

## A.9 Wirral Metropolitan Borough Council

### A.9.1 Population and housing

Wirral is a Metropolitan Borough with a population of 313,000. It originally developed as an engineering and manufacturing area but the decline in these traditional industries created significant pockets of social deprivation with unemployment in the borough above national averages. In 2004 (using Wirral’s former ward boundaries), Bidston, Birkenhead, Leasowe, Seacombe and Tranmere were within the five per cent of most deprived wards in England. The borough comprises a variety of neighbourhoods, ranging from these more disadvantaged communities to areas of affluence, giving rise to a diverse and polarised housing market. Neighbourhoods in the west of Wirral had experienced rapid house price increases to the extent where affordability problems had emerged. This contrasted with the neighbourhoods in Wirral’s main urban areas on its eastern coast where housing market decline was clearly evident.

The size of the housing stock across the borough was significantly lower than in most Merseyside authorities, with a total of 143,422 properties located in Wirral. Social housing accounted for 15.5 per cent (22,258) of the total housing stock, compared to the average for Merseyside of 24 per cent and 21 per cent for the North-West region. There were 118,526 private sector properties of which around ten per cent were privately rented, with a high proportion of this sector located within the inner area of Wirral. Wirral had the highest rates of intentional homelessness in the North-West, although most of this was not classified as being related to anti-social behaviour, partly because anti-social behaviour issues were less likely to be identified in cases involving private landlords.

Since 1991, the overall stock of social housing has fallen by 12 per cent, partly as a result of the council’s active demolition programme to tackle poor quality and/or low demand accommodation. Following stock transfer, former council properties are now owned and managed by Wirral Partnership Homes and Beechwood and Ballantyne Community Housing Association. These two registered social landlords now manage approximately 14,500 properties throughout Wirral.

### **A.9.2 Types and extent of anti-social behaviour problems**

One aim of the Wirral Crime and Disorder Reduction Strategy 2005-2008 was to ‘reduce anti-social behaviour in all its forms’. Underpinning this are seven targets: As at December 2007, Wirral had demonstrated a reduction in anti-social behaviour reported by all agencies and all measures, including 95 per cent of referred anti-social behaviour cases being resolved by a cessation or satisfactory reduction of the anti-social behaviour, a 15 per cent reduction in anti-social behaviour involving young people since 2003-04 and surveys indicating that respondents perceived youth disorder to have reduced and 98 per cent of respondents feeling ‘safe’ or ‘very safe.’

### **A.9.3 Anti-social Behaviour Management Structure**

Wirral Anti-Social Behaviour Team was the dedicated multi-disciplinary service tasked with tackling anti-social behaviour in the borough and focused its work upon the themes of prevention, enforcement and resettlement. The team is part of the Joint Community Safety Team, the delivery arm of Wirral’s Crime and Disorder Reduction Partnership. It was created in January 1998, initially to take enforcement action against the perpetrators of serious or persistent nuisance related to council properties and was formerly known as the Neighbour Nuisance Team. In July 2003, the team expanded into the private sector and began to deal with anti-social behaviour related to owner-occupied and privately rented properties. In early 2006 the team’s remit further expanded to focus not only upon enforcement, but also preventative and resettlement work. The team had 27 staff members, comprising officers from the Council’s Regeneration Department, Education Services, Social Welfare Services and Youth Services and seconded officers from Merseyside Police, Merseyside Fire and Rescue Service and Family Support Unit, supported by a dedicated Community Safety solicitor.

Complaints relating to anti-social behaviour occurring amongst properties managed by Wirral Partnership Homes and Beechwood and Ballantyne Community Housing Association were, in the first instance, made directly to a local area housing office after which a warning may be issued or referral to mediation made. More serious cases occurring in properties managed by both landlords were referred to the Wirral Anti-Social Behaviour Team for further investigation and enforcement action, where appropriate.

Eighteen registered social landlords in Wirral had signed up to the Respect Standard for Housing Management as part of a Wirral Consortium. The consortium of registered social landlords and Wirral Anti-Social Behaviour Team shared information and best practice relating to anti-social behaviour and sought to develop combined activities and initiatives. The consortium also aimed to provide support to smaller landlords with less resources available to them to tackle anti-social behaviour. Wirral Partnership Homes (through the Wirral Anti-Social Behaviour Team) always considered seeking an ASBO in cases where the eviction of a Wirral Partnership Homes’ tenant was being sought. This was to ensure that the new community to where the evicted tenant may move would have some protection in place should the individual’s anti-social behaviour continue. It was estimated that there were between 10-12 evictions a year, with the majority of these involving registered social landlords.

Once a case (referred from either the social housing sector or directly from the private sector) had come to the attention of the Anti-social Behaviour Team, an initial assessment was made and if the case was accepted it was allocated to an anti-social behaviour enforcement officer who carried out an investigation and took appropriate action. Legal action would not usually be taken without first issuing the perpetrator with a warning, making a referral to another organisation if appropriate, or utilising mediation and/or an Acceptable Behaviour Contract. In cases where these tools failed to stop the anti-social behaviour or in serious cases (e.g. involving the threat of, or actual



use of violence) legal action would be considered. In all cases where the issuing of an Acceptable Behaviour Contract or an application for an ASBO was being considered, an anti-social behaviour case conference would be convened, involving representatives from relevant agencies. An anti-social behaviour case conference was used as a mechanism for drawing agencies together to consider other cases where a multi-agency input was required.

Particular localities within Wirral were also designated as Anti-Social Behaviour Watch Schemes by the Director of Regeneration. Anti-Social Behaviour Watch Schemes included local lettings agreements (involving enhanced checks on housing applicants), signs designating the area as within a scheme, regular meetings between residents and agencies and encouraging residents to establish their own neighbourhood watch systems.

# Appendix B

## Further information about the research participants

### B.1 Blackburn with Darwen

- Anti-social Behaviour Co-ordinator, Blackburn with Darwen Community Safety Team.
- Anti-social Behaviour Manager, Twin Valley Homes (a).
- Anti-social Behaviour Officers (6), Twin Valley Homes.
- Benefit Client Manager and Claims Checker, Customer Services, Blackburn with Darwen Borough Council.
- Family Intervention Project Manager, NCH (b).
- Head of Operations, Children’s Services and Social Care, Blackburn with Darwen Borough Council.
- Project Development Officer, Housing and Neighbourhoods, Blackburn with Darwen Borough Council.
- Senior Solicitor, Legal Services, Blackburn with Darwen Borough Council.

### B.2 Blackpool

- Anti-social Behaviour Co-ordinator, Blackpool Borough Council.
- Anti-social Behaviour Manager, Blackpool Coastal Housing.
- Anti-social Behaviour Officer, Blackpool Borough Housing.
- Assistant Director, Assessment, Prevention and Support, Adult Social Care and Housing, Blackpool Borough Council.
- Housing Benefit Manager, Blackpool Borough Council.

### B.3 Dover

- Community Safety and Anti-social Behaviour Manager, Dover District Council.
- Head of Revenues, Benefits and Customer Services, Dover District Council.
- District Manager for Children’s Social Services and Chair of Dover Anti-social Behaviour Action Group.
- Housing Benefit Manager, Dover District Council.

## B.4 Manchester

- Deputy Manager for Tenancy Support Plus, Manchester City Council.
- Head of Anti-social Behaviour Services, Manchester City Council.
- Housing Benefit Manager, Manchester City Council.

## B.5 New Forest

- Assistant Director of Environment and Health (which includes Community Safety) New Forest District Council.
- Head of Public Health and Community Safety, New Forest District Council.
- Assistant Director of Housing, New Forest District Council.
- Estates Manager, New Forest District Council.
- Housing Manager, New Forest District Council.
- Senior Neighbourhood and Tenancy Management Officer, New Forest District Council.
- Tax and Benefits Manager, New Forest District Council.

## B.6 Newham

- Anti-social Behaviour Co-ordinator, Newham London Borough Council.

## B.7 South Gloucestershire

- Anti-social Behaviour Manager, Merlin Housing Association (c).
- Anti-social Behaviour Manager, Safer South Gloucestershire.
- Benefit Service Manager, South Gloucestershire Council.
- Fraud, Welfare and Visiting Manager, South Gloucestershire Council.
- Housing Needs Accommodation Manager, South Gloucestershire Council.

## B.8 Wirral

- Wirral Anti-social Behaviour Enforcement Team Officers (3), Wirral Metropolitan Borough Council.
- Anti-social Behaviour Team Enforcement Co-ordinator, Wirral Metropolitan Borough Council.
- Anti-social Team Manager, Wirral Metropolitan Borough Council.
- Family Intervention Project Manager, Wirral Metropolitan Borough Council.
- Homelessness and Re-housing Manager, Wirral Metropolitan Borough Council.
- Housing Benefit Co-ordinator, Wirral Metropolitan Borough Council.

- (a) Twin Valley Homes is the successor housing organisation managing the former local authority housing stock in Blackburn with Darwen, following stock transfer.
- (b) NCH is a children’s charity.
- (c) Merlin Housing Society is the successor housing organisation managing the former local authority housing stock in South Gloucestershire following stock transfer.

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This report presents the findings from an evaluation of the sanction of Housing Benefit commissioned by the Department for Work and Pensions (DWP). The sanctions were piloted in eight local authority areas in England from 1 November 2007 to 31 October 2009.

The sanction of Housing Benefit was introduced in the Welfare Reform Act 2007 and could be applied in circumstances where individuals or households had been subject to an order of possession on the grounds of anti-social behaviour and had subsequently refused to engage with an appropriate package of support.

No sanctions were used during the pilot period. The report provides details of the background to and the aims of the sanction and the local contexts of the pilot areas and identifies why the sanction was not used and the views of stakeholders about the potential use of a sanction.

If you would like to know more about DWP research, please contact:  
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