



SAFER COMMUNITIES MEMORANDUM OF UNDERSTANDING (MoU)

Introduction

The One Staffordshire Information Sharing Protocol describes the aims of partners throughout Staffordshire (including Stoke-on-Trent) and it should be read in conjunction with this MoU.

The parties to this MoU are convinced that the approach set out in this MoU will lead to effective action against those individuals who disrupt the life of our communities, and in so doing will both improve the quality of life for residents and reduce the cost to the community of anti-social behaviour.

Definition

Throughout Staffordshire (including Stoke-on-Trent), the vast majority of individuals in the community are respectable law-abiding people.

Antisocial behaviour can be split into three main categories depending on how many people are affected:

- **Personal antisocial behaviour** is when a person targets a specific individual or group.
- **Nuisance antisocial behaviour** is when a person causes trouble, annoyance or suffering to a community.
- **Environmental antisocial behaviour** is when a person's actions affect the wider environment, such as public spaces or buildings.

Not all anti-social behaviour involves criminal activity, but the behaviour is such that it is detrimental to the quality of people's lives affected by it. It is a problem which has many causes and which manifests itself in many different ways and thus, by necessity, it is one which requires a wide range of responses if it is to be successfully tackled.

If we do not successfully address the issues of anti-social behaviour some of these areas will become stigmatised as areas where nobody wants to live. Substantial areas of housing although physically fit and habitable will be rejected and unlettable to people in housing need.

The answer lies, not in the hands of any single body, but in a broad concerted effort by all partners working together - supporting each other with a common aim - to make our community a better place in which to live. Acting independently none of us can achieve the success we desire. If we are to have any realistic hope of tackling what are in fact problems of society, then we must act in partnership, all play our part and support each other.

All partners will work within the terms of the One Staffordshire Information Sharing Protocol. Those making regular requests for information will be required to sign up to the One Staffordshire Information Sharing Protocol.

This MoU does not give partners an automatic right to receive police information, it is a process for providing information where it is relevant and legally justified to do so. Information that may prejudice an ongoing investigation or criminal court case will not be shared unless there is an overriding safety requirement. Any information shared will only be used for the purpose for which it has been provided.

The Information Security Team within Staffordshire Police will, as required and in agreement with Partners, carry out third party security reviews to assess security arrangements of Partners to ensure that information shared is held in accordance with the One Staffordshire Information Sharing Protocol.

Local Arrangements

Issues will be identified by lead Partners to the Safer Communities MoU. In each case the important issues and problems will be identified by local staff that will identify key parties involved. A strategy to tackle them will be jointly agreed by the Partners and discussed at agreed localised meetings. These meetings can take the form of conference calls, virtual methods or face to face. These meetings will be attended by any relevant partners to the matter in discussion. Relevant information may be exchanged between Partners at these meetings in line with the appropriate legislation (as described in the One Staffordshire Information Sharing Protocol).

The responsibility for minuting the meeting, however held, will fall to the partner organising the meeting. The minutes should be retained by that party and in line with their retention schedule.

Partners who attend any of the meetings and are not signed up to the One Staffordshire Information Sharing Protocol will be required to sign a confidentiality agreement which will be supplied by the partner organising the meeting (see Appendix A). If any partner wishes to take any formal action based upon the information discussed then the process below needs to be applied.

Formal requests for police information

- Requests made under the Safer Communities MoU must be made by email attaching the correct form completed in a word format (see Appendix B). Responses will be sent by email. Requests should be emailed to; information.exchange@staffordshire.pnn.police.uk.
- All requests received will be considered routine. Where a requester considers the request to be urgent they are required to provide information to support this, in all cases it is the responsibility of the requester to highlight the email as urgent. The request will then be considered. Without Notice Injunctions are urgent by exception.
- Staffordshire Police will endeavour to respond to requests within 10 working days. However, it must be recognised that where a high volume of requests are received, this time frame will be extended and requests will be responded to in order of receipt.
- The Safer Communities MoU relates only to the provision of information and not documents. The completed Safer Communities form can be used as evidence in court proceedings without the need to seek prior permission from Staffordshire Police.
- Any requests for community impact statements to be written, original documents, for example original statements, crime reports, incident logs etc., will follow the civil proceedings process by sending a request to: family.civil@staffordshire.pnn.police.uk, standard National Police Chief Council guidelines on charging for these documents will apply.

Requests Specific to Housing (including temporary housing e.g. university managed accommodation);

- In cases where the housing provider has carried out an investigation, received complaints or made a self-assessment and there is evidence to suggest that the tenant or their visitors are considered to be 'anti-social' consideration will be given by the Police to disclose any relevant information.
- Information shared may include; incident number, crime number (if applicable), outcomes, bail conditions if relevant to housing, Modus Operandi (M.O. method of the incident).

Pre-Tenancy/ Vetting checks

Staffordshire Police will not, within this MoU, undertake routine pre-tenancy checks, except where these are;

- Linked to a Homelessness Act application (It is accepted that this agreement will cover the disclosure, with the consent of the data subject, of relevant information from the police where this is not available directly from previous landlords, to deal with the provision of evidence for the exclusion of applicants due to previous anti-social behaviour or where the applicant is seeking accommodation due to the risk of violence.)
- Required to evidence that an applicant for a tenancy has deliberately failed to provide information relating to previous offences. In these cases the requester should indicate what information they have asked for and what response they have received, with regards to criminal convictions/cautions, from the applicant.

Requests linked to individuals who declare themselves as, or who are suspected of being a Registered Sex Offender are not within the scope of this MoU. These are to be undertaken under the MAPPA Protocol.

Other requests;

The Safer Communities MoU will also allow for the sharing of information to facilitate other formal action e.g. injunctions under the broader definition of anti-social behaviour.

Antisocial behaviour falls into one of 13 different types:

This could include;

1. **Vehicle abandoned:** This covers vehicles that appear to have been left by their owner, rather than stolen and abandoned. It includes scrap or 'end of life' vehicles and those damaged at the scene of a road traffic collision that have been abandoned and aren't awaiting recovery.
2. **Vehicle nuisance or inappropriate use:** This relates to vehicles being used in acts such as street cruising (driving up and down the street causing annoyance and bothering other road users), vehicle convoys and riding or driving on land other than a road. It also covers the misuse of go-peds, motorised skateboards and electric-propelled cycles, and the unlicensed dealing of vehicles where a person has two or more vehicles on the same road within 500 metres of each other.
3. **Rowdy or inconsiderate behaviour:** This refers to general nuisance behaviour in a public place or a place to which the public have access,

such as private clubs. It does not include domestic-related behaviour, harassment or public disorder which should be reported as crimes.

4. **Rowdy or nuisance neighbours:** This covers any rowdy behaviour or general nuisance caused by neighbours, including boundary and parking disputes. It also covers noise nuisance from parties or playing loud music.
5. **Littering or drugs paraphernalia:** This includes fly posting and discarding litter, rubbish or drugs paraphernalia in any public place.
6. **Animal problems:** This covers any situation where animals are creating a nuisance or people's behaviour associated with the use of animals is deemed as antisocial. It includes uncontrolled animals, stray dogs, barking, fouling and intimidation by an animal.
7. **Trespassing:** This is any situation in which people have entered land, water or premises without lawful authority or permission. It ranges from taking an unauthorised shortcut through a garden to setting up unauthorised campsites.
8. **Nuisance calls:** This covers any type of communication by phone that causes anxiety and annoyance, including silent calls and intrusive 'cold calling' from businesses. It does not cover indecent, threatening or offensive behaviour which should be reported as crimes.
9. **Street drinking:** This relates to unlicensed drinking in public spaces, where the behaviour of the persons involved is deemed as antisocial. It also covers unplanned and spontaneous parties which encroach on the street.
10. **Prostitution-related activity:** This relates to any activity involving prostitution such as loitering, displaying cards or promoting prostitution. It may also refer to activities in and around a brothel that impact on local residents. It does not include 'kerb-crawling' which should be reported as a crime.
11. **Nuisance noise:** This relates to all incidents of noise nuisance that do not involve neighbours (see 'Nuisance neighbours' above).
12. **Begging:** This covers anyone begging or asking for charitable donations in a public place, or encouraging a child to do so, without a license. Unlicensed ticket sellers at or near public transport hubs may also fall into this category.
13. **Misuse of fireworks:** This will include the inappropriate use of fireworks, the unlawful sale or possession of fireworks and noise created by fireworks.

The Safer Communities MoU will also allow for the sharing of police information for the prevention or detection of crime.

This could include, but is not exhaustive;

- Local authority fraud investigations e.g. fraudulent use of the blue badge scheme

- Local authority prosecutions e.g. fly tipping, illegal eviction whereby a Police National Computer previous convictions print will be provided for onward supply to Magistrates/Crown Court.
- Trading Standards investigations
- Royal Mail criminal investigations e.g. employees receiving injury through dog bites
- RSPCA investigations
- Rogue Landlords – investigations and injunctions

Appendix A;



Confidentiality-Agreement-template.pdf

Appendix B;



Draft Safer Communities formal

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