

Anti-social Behaviour Strategy 2022-2028

This policy relates to Social
Housing Provided and Managed
by Dún Laoghaire-Rathdown
County Council





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Section 1

Introduction



Section 1 Introduction

This is our third Anti-social Behaviour Strategy which is presented in a plain English format to make it easier to read and understand. The focus in this strategy is to give more attention to the lesser complaints, which can become more serious if not dealt with quickly. The Anti-social Section has a new name and is now called Tenancy Management. This is a dedicated section to investigate complaints of anti-social behaviour and breaches of the tenancy agreement. The Traveller Accommodation Unit investigates complaints relating to Traveller Specific Accommodation.

There is also a focus in this Strategy on equality and human rights which staff will be mindful of when carrying out their duties. We are committed to providing a professional and impartial service in dealing with complaints and it is important to note the incidence of anti-social behaviour within our housing estates is low.

Most of our tenants live in their homes free from any difficulties from anti-social neighbours. It is only the few who cause most of the problems.

1.1 National Adult Literacy Agency¹

In keeping with the commitment in the Programme for Government to introduce a plain English requirement for Public Bodies, we have applied the National Adult Literacy Agency's (NALA) plain English guidelines to this document to make it easy to read and follow. This strategy is therefore written and presented in a different format to previous strategies with a focus on plain language and illustrations.

1.2 Reason for this Strategy

Local Authorities must have a written strategy giving details of how they deal with complaints of anti-social behaviour in estates that they own and manage. We are legally required to do this in Section 35 of the Housing (Miscellaneous Provisions) Act 2009.²



The strategy must be updated every six years and must contain the following:

- objectives to prevent and reduce anti-social behaviour,
- the co-ordination of services to prevent or reduce anti-social behaviour,
- the promotion of a multi-agency approach to deal with anti-social behaviour,
- the promotion of good neighbourliness and good estate management,

1 NALA <https://www.nala.ie/>

2 <http://www.irishstatutebook.ie/eli/2009/act/22/enacted/en/print#sec35>

- procedures to deal with complaints and
- initiatives to prevent or reduce anti-social behaviour.

Before 2009, there was little guidance for Local Authorities to deal with anti-social behaviour.

The 2009 Act required all local authorities to have a standard and co-ordinated approach in dealing with the problem. Figure 1.0 below shows the positive effect strategies have had in reducing cases of anti-social behaviour in Dun Laoghaire-Rathdown from 2010 onwards when our first statutory strategy was introduced. Cases reduced from 127 in 2010 to 100 in 2020. This is a 21% reduction. This is because the strategy guided the Council in how to deal with anti-social behaviour, to have a responsive complaints system, and a robust enforcement process.

Therefore, it is important to renew the strategy as the Council’s primary response to anti-social behaviour for the next six years to meet the ever-changing challenges in this area. In addition to being a legal requirement, it has also proved to work successfully.

While graph below (Figure 1.0) shows a steady decline in anti-social cases from 2010 when the first strategy was introduced, an increase did occur in 2020. This is when Covid-19 restrictions were in place and people were at home for longer periods of time. But overall, the trend without Covid-19 demonstrates a continuous decrease due to the direction and guidance of the Strategy and its objectives in preventing and reducing anti-social behaviour.

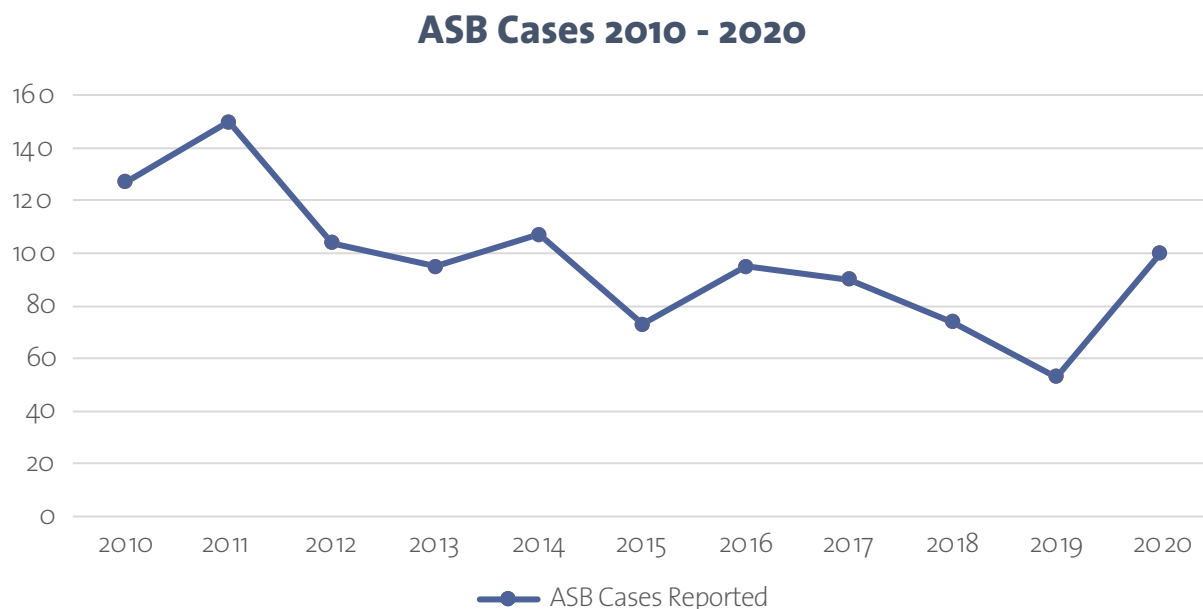


Fig. 1.0 dlr ASB Cases 2010-2020

1.3 Consultation Process

When preparing this strategy document, we consulted with the following organisations:

Name of Organisation/Body
Joint Policing Committee
An Garda Síochána
Health Service Executive
Túath Housing
Focus Ireland Tenancy Sustainment Service
Circle
Peter McVerry Trust
Southside Travellers Action Group
Drug and Alcohol Task Force
Dublin City Council
South Dublin County Council
Fingal County Council
Other Departments of Dun Laoghaire-Rathdown County Council

Fig 2.0

We also consulted with the Housing Strategic Policy Committee of the Council on 8 December 2021.

The adoption of the Anti-Social behaviour Strategy is a Reserved Function. This means the Elected Members (Councillors) vote on whether the policy is adopted or not. The strategy was approved by the Elected Members at a Council meeting held on 10 January 2022.

1.4 Equality and Human Rights

We are committed to carrying out our duties with equality and human rights to the forefront of any action or enquiries we undertake. Staff will respect the diverse cultures and beliefs of all our tenants at all times and we will provide training to ensure these principles are upheld.

We include racism in our category of complaints. Even though we have received very few complaints of this nature, all complaints of racism are treated very seriously and investigated accordingly.

This is an example of our obligations in the Public Sector Equality and Human Rights Duty in the Irish Human Rights and Equality Commission Act 2014. Our commitment is to promote equality and human rights in our housing estates and eliminate discrimination.



1.5 Legal Framework

The following are the key pieces of legislation that are relevant to this strategy.

The Housing (Miscellaneous Provisions) Act 1997³

- This Act introduced the definition of Anti-social Behaviour and Estate Management. The Act gives powers to Local Authorities to refuse or defer a letting of a property on these grounds and gives extensive powers to Local Authorities and Approved Housing Bodies to apply to the District Court for Excluding Orders. These Orders prohibit people from entering a particular house or estate with Garda powers of entry and arrest.

Section 197 of the Residential Tenancies Act 2004⁴

- This gives wider powers to Local Authorities to obtain Excluding Orders against ex-local authority dwellings.

Section 35 of the Housing (Miscellaneous Provisions) Act 2009⁵

- This requires Local Authorities to adopt an Anti-social Behaviour Strategy as mentioned before.

Part 2 of the Housing (Miscellaneous Provisions) Act 2014⁶

- This introduces measures to deal with anti-social behaviour such as statutory tenancy warnings, and new possession proceedings. Tenants are given stronger rights to defend cases taken against them in the District Court.

Section 10 of the Housing (Miscellaneous Provisions) Act 1992⁷

- This gives powers to Local Authorities to remove unauthorised dwellings on Public Land.

Section 69 Roads Act 1993⁸

- This gives powers to Local Authorities to remove unauthorised dwellings on public roads.

3 <http://www.irishstatutebook.ie/eli/1997/act/21/enacted/en/html>

4 <http://www.irishstatutebook.ie/eli/2004/act/27/section/197/enacted/en/html#sec197>

5 <http://www.irishstatutebook.ie/eli/2009/act/22/section/35/enacted/en/html#sec35>

6 <http://www.irishstatutebook.ie/eli/2014/act/21/section/6/enacted/en/html#part2>

7 <http://revisedacts.lawreform.ie/eli/1992/act/18/section/10/revised/en/html>

8 <http://www.irishstatutebook.ie/eli/1993/act/14/section/69/enacted/en/html>

1.6 Mission Statement

Our Mission Statement is:



To investigate all complaints fairly, impartially and objectively; be mindful of people's human rights and equality; provide a modern and professional service to our tenants, or any other persons who are victims of anti-social behaviour and to work towards the elimination of anti-social behaviour in all relevant Council estates



1.7 How we aim to prevent and reduce Anti-Social Behaviour

1.7.1 Design of dwellings and estates.

We will liaise with our colleagues in our Housing Construction Section and the Architects' Department to ensure all efforts are made to 'design out' infrastructural problems that could potentially contribute to anti-social behaviour. We will also liaise with the Garda Síochána's Crime Prevention Officer regarding advice and recommendations on design problems on estates, such as laneway closures and public lighting.



OBJECTIVES

1.7.2 Pre-tenancy Courses

We will continue to organise pre-tenancy courses for new tenants. The course explains the conditions or rules of the tenancy people sign with the Council. It tells them what is allowed and what is not allowed. It also tells them about the supports we give our tenants. The course also explains what anti-social behaviour is and how we investigate and deal with complaints.


1.7.3 CCTV

We have installed CCTV systems in some of our estates that have experienced high levels of anti-social behaviour. The systems are managed by the Tenancy Management Section and the Traveller Accommodation Unit who act as Data Controllers. This has proved successful in displacing anti-social behaviour in our estates and offers extra safety and security to the community.



1.7.4 Response to complaints

We recognise the negative effect anti-social behaviour can have on victims no matter how serious or small the complaint appears to be. Our experience shows even the lesser complaints can seriously affect the health and well-being of people and a quick and speedy response is required. Therefore, it is our objective to respond to all complaints within 1 working day and to start an investigation within 5 working days as resources permit. Our goal is to provide a modern and professional customer service in line with our corporate goals and objectives.



Response:
1 working
day

1.7.5 Support Services

Some families who are involved in anti-social behaviour simply cannot manage their tenancies and require intensive supports. We have a Housing Welfare Officer and Tenancy Sustainment Service available to assist these families. These services work closely with the family linking them with other local support services with a goal of tackling the behaviour and maintaining the tenancy. Suitable complaints are referred to these services which have proved successful in resolving anti-social behaviour and neighbour disputes.



1.7.6 To adopt a co-ordinated and multi-agency approach

Anti-social behaviour is a complex societal problem that cannot be solved by the Council on its own. The Good Practice Guidelines in Preventing and Combating Anti-social Behaviour (published in 2003 by the Housing Unit),⁹ suggests a multi-agency approach should be taken when dealing with the problem. This is also a requirement as outlined in Section 35 (2) (b) of the Housing (Miscellaneous Provisions) Act 2009. To this extent, we will continue to liaise with An Garda Síochána, TUSLA, the Health Service Executive, and Local Policing Fora. We will enhance the excellent multi-agency approach that has been in existence for many years.

We will also co-ordinate our response to anti-social behaviour by liaising with the Council's Parks, Roads, Community and Environment Departments, and any relevant Non-Governmental Organisations (NGO's) and local residents' groups.

We will work closely with Estate Management Fora and give advice and assistance where appropriate. We will also continue the close working relationship with Southside Travellers Action Group and Exchange House.

⁹ http://www.housingagency.ie/sites/default/files/publications/84.%20Good-Practice-Guidelines_Preventing-and-Combating-Anti-Social-Behaviour_2003.pdf

1.7.7 Enforcement

We will take legal action in serious cases where it is both proportionate and appropriate to do so. Legal action can be Possession Proceedings or Excluding Order Proceedings. We recognise that enforcement in serious cases can lead to the prevention and reduction of future anti-social behaviour within estates.



We will also issue statutory tenancy warnings and tenancy notifications where needed. These written warnings are an effective tool in the fight against anti-social behaviour and our experience shows they do change people's behaviour.

We aim to respond to complaints as a matter of urgency as we recognise this behaviour greatly affects the quality of life of our tenants and their families.

1.7.8 Deferrals and Approvals

If a housing applicant has a history of anti-social behaviour, their housing application can be refused or deferred depending on the seriousness of their history. It would undermine this policy if people were allowed to live in our estates where there is evidence of such behaviour. A housing applicant can also be refused or deferred in the interests of good estate management. Section 14 Housing (Miscellaneous Provisions) Act 1997,¹⁰ as amended, gives powers to Local Authorities to make these decisions and we will continue to conduct background checks on all our housing applicants. This is a powerful preventative measure and stops the most serious anti-social elements from getting a tenancy in our estates. This also applies to Rental Accommodation Scheme (RAS) tenancies.



The legislation also allows for the refusal or deferral of a transfer of a tenancy, permission for a person to reside in a tenancy, and the purchase or sale of a Council owned dwelling.

The Tenancy Management Section will continue to apply this legislation as a preventative measure in the fight against anti-social behaviour.

1.7.9 Communication

This policy will be available on our website www.dlrcoco.ie. Copies are also available at Council offices, including County Hall, Harbour Square, the Dundrum office, and all libraries. We can also post a copy to anyone who requests one. Frequently asked questions regarding anti-social legislation and procedures are also available through the link below.¹¹

¹⁰ <http://revisedacts.lawreform.ie/eli/1997/act/21/revised/en/html#SEC14>

¹¹ FAQ's ASB

1.7.10 Halloween Initiative

We will continue our Halloween initiative with the Council's Parks and Environment Sections to prevent the stockpiling of bonfire materials.

Illegal bonfires are dangerous and a serious threat to public safety. Every year children suffer horrific injuries, and some can be life changing. Dublin Fire Brigade attended 398 fires and responded to 202 Ambulance calls in Halloween 2020.¹² The practice is not only illegal but a threat to the safety of emergency services and a source of environmental pollution. It also increases anti-social behaviour in the area immediately before and after the event.



Therefore, we will continue to co-ordinate the Council's response and work closely with An Garda Síochána to deal with this ongoing problem.

Providing materials for burning or burning waste such as wood, pallets, furniture and tyres is an offence under the Waste Management Acts 1996-2015. Prosecutions can be brought by our Environmental Enforcement Section for these offences.

1.7.11 Schools Initiative Programme

In 2008 we began a programme of visiting local secondary schools in order to highlight to our younger citizens the negative effect anti-social behaviour can have on families and communities. Feedback from the schools has been positive, and we will continue with this initiative.

Section 2

What is Anti-social Behaviour?



Section 2 What is Anti-social Behaviour?

Anti-social Behaviour is defined in Section 1 of the Housing (Miscellaneous Provisions) Act 1997, as amended.¹³ This is a long and complex definition which can be found at Appendix 1 and the footnote below.

A brief summary of the definition is as follows:

A person:

- cannot engage in violence, threats, harassment or intimidation, towards another person
- cannot engage in criminal damage or graffiti
- cannot supply, or possess with intent to supply, illicit drugs from any dwelling owned and managed by the Local Authority (this is commonly known as “drug dealing”)

The Act goes on to state that the behaviour must be serious or persistent and includes behaviour that prevents another person from the peaceful enjoyment of their home.

Violence, threats, damage to property, persistent harassment, intimidation, obstruction, placing persons in fear, are examples of non-drug type anti-social behaviour. Behaviour which does not fall into this category are known as lesser breaches of the tenancy agreement.

Cannabis, cocaine, heroin, and illicit pills are the most common type of drug dealing complained about. All complaints of drug dealing will be treated seriously and referred to An Garda Síochána for investigation. We will liaise with An Garda Síochána and take appropriate action if there is evidence to support allegations of drug dealing. Drug dealing from Local Authority homes is a serious breach of the tenancy agreement.



13

<http://www.irishstatutebook.ie/eli/2014/act/21/enacted/en/print#sec20>

Section 3

How Anti-social
Behaviour affects
a tenancy



Section 3

How Anti-social Behaviour affects a tenancy

3.1 What is the Tenancy Agreement?

This is a legal contract between the tenant, which could be you, and the landlord, which is us (The Council). The tenancy agreement contains clauses and conditions that both the tenant and landlord agree to comply with. For example, the tenant must pay the rent, keep the home in good decorative order, and must not engage in anti-social behaviour. Likewise, the landlord is responsible to fix any structural defects, and guarantees the tenant occupation of the home if the tenant complies with the terms and conditions of the agreement. An example of the clauses relating to anti-social behaviour in our most recent tenancy agreement are included in Appendix 2.

3.2 Breaches of the Tenancy Agreement

All types of anti-social behaviour will be a breach of the tenancy agreement. As previously mentioned, other types of behaviour which are not as serious, are still classed as breaches of the tenancy agreement. Examples include noise issues, unkempt gardens, boundary disputes, unauthorised structures, parking disputes and so forth. Appendix 3 contains a sample of the clauses in our most recent tenancy agreement relating to these lesser breaches.



3.3 Types of Tenancies

Tenancy agreements have evolved over the years and there are many different types in operation. The oldest agreements pre-date the 1966 Housing Act before the term anti-social behaviour existed. These agreements usually contain a line similar to;

"you shall not be guilty of nuisance behaviour to your neighbours"

This is still enough to underpin anti-social legislation.

Throughout the years, tenancy agreements were strengthened to include more specific details of anti-social behaviour as outlined in Appendix 4. The most up to date terms and conditions are already outlined in Appendix 2 and Appendix 3.

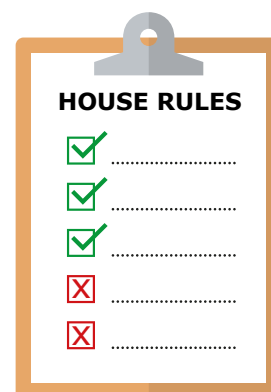
For some properties, such as apartment blocks, a Managing Agent may act on our behalf in managing the tenancies and communal areas. The agents are usually an Approved Housing Body and they will deal with the less serious complaints of anti-social behaviour and breach of the tenancy agreement. Serious cases and any potential legal

action are dealt with by our Tenancy Management Section. We are still the landlord and everybody's roles are reflected in the tenancy agreement.

Approved Housing Bodies are responsible for investigating anti-social behaviour in estates that they own and can apply for Excluding Orders to the District Court or Determination Orders from the Residential Tenancies Board.

3.4 House Rules

Properties located in apartment blocks will have Management Companies who are responsible for the upkeep of the estate and the communal areas. They usually issue a set of house rules for the complex. These house rules can form part of your tenancy agreement if there is social housing in this type of setting. A breach of the House Rules is a breach of the tenancy agreement and this is fully explained to all applicants. A sample of the house rules is outlined in Appendix 5.



House Rules can also apply to Halting Sites and a sample is outlined in Appendix 6.

3.5 Good Neighbour Agreement

An action we take to help create communities that are positive places to live is to ask all new tenants to sign our 'Good Neighbour Agreement'¹⁴. The agreement promotes being a good neighbour, tolerance, and equality for all our tenants and members of our community. This also demonstrates our commitment to equality and human rights and our Corporate Goals of enhancing quality of life for all.



3.6 Tenant's Handbook

To help our tenants understand their obligations as our tenant, and the supports we will provide to them as their landlord, we have developed a series of documents relating to the important elements of their tenancy. Each of the documents has been awarded the plain English mark by the National Adult Literacy Agency.

Every tenant receives a copy of the documents when they sign their tenancy. Appendix 8 contains the document relating to Anti-Social Behaviour.¹⁵ The full range of documents are also available on our website.¹⁶

14 https://www.dlrcoco.ie/sites/default/files/atoms/files/dlr_good_neighbour_agreement.pdf

15 https://www.dlrcoco.ie/sites/default/files/atoms/files/anti-social_behaviour_by_tenants.pdf

16 <https://www.dlrcoco.ie/en/housing-provision-tenants/tenant-handbook>

Section 4

Anti-social Behaviour Complaints



Section 4 Anti-social Behaviour Complaints

4.1 How to make a complaint

To complain about nuisance or anti-social behaviour, you can do one of the following:

- write to our Tenancy Management Section, Dún Laoghaire-Rathdown, County Hall, County Council, Marine Road, Dún Laoghaire, Co. Dublin
- phone our Tenancy Management Section on (01) 204 7258
- email tenancymanagement@dlrcoco.ie
- complete the complaints form on our website www.dlrcoco.ie
- visit the housing counter at Dún Laoghaire-Rathdown County Council, County Hall, Marine Road, Dún Laoghaire, Co. Dublin.

Complaints relating to Traveller Specific Accommodation including halting sites and grouped housing schemes can be made by doing one of the following things;

- write to our Traveller Accommodation Unit, Dún Laoghaire-Rathdown County Council, County Hall, Marine Road, Dún Laoghaire, Co. Dublin
- phone our Traveller Accommodation Unit on (01) 205 4838
- email travellers@dlrcoco.ie
- complete the complaints form on www.dlrcoco.ie
- visit the housing counter at Dún Laoghaire-Rathdown County Council, County Hall, Marine Road, Dún Laoghaire, Co. Dublin.

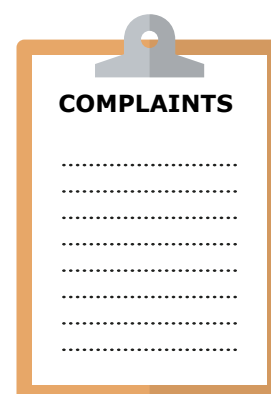
4.2 How complaints are recorded

The dedicated team in our Tenancy Management Section within the Housing Department log complaints about anti-social behaviour on a computerised complaints system.

Complaints that do not fall within the definition of Anti-social Behaviour and are not considered nuisance behaviour will be referred to the appropriate section of the Council to deal with accordingly.

The person making the complaint is known as the complainant.

The person complained about is known as the respondent.



Some complaints are complex and can involve serious allegations against neighbours. In these cases, complainants will be required to come to our offices so the complaint can be investigated further.

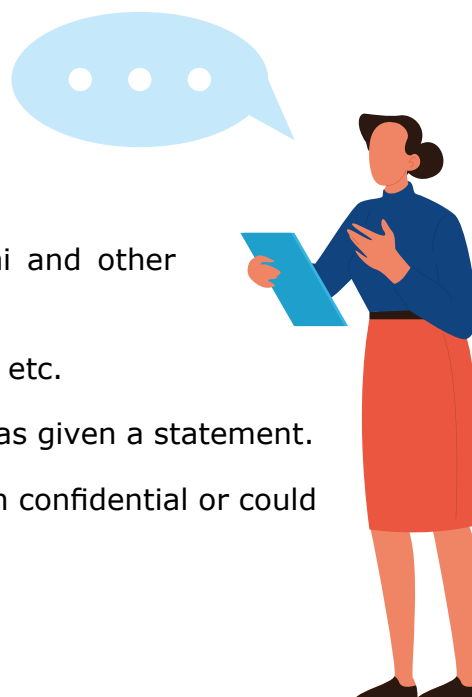
Anonymous complaints will only be investigated in exceptional circumstances where there is corroboration from other agencies and at the discretion of the Tenancy Management Section. We recognise how difficult it is for people to make complaints against their neighbours and the need for some complainants to remain anonymous. However, we must protect the integrity of the complaints system and not expose it to malicious complaints.

The investigation of complaints in some cases may make matters worse between neighbours. It can also lead to further reprisals. If this is the case the Council will consult with the complainant before proceeding.

4.3 The Complainant

Where possible, the following details will be recorded on the complaints system:

- a) Name, address and telephone number.
- b) The type of complaint.
- c) The date of the complaint.
- d) Date and location of the incident.
- e) Whether the incident was reported to Gardai and other agencies.
- f) Details of other evidence, CCTV, written notes etc.
- g) A record of the complaint if the complainant has given a statement.
- h) A record that the complainant wants to remain confidential or could be identified and advised accordingly.
- i) Details of the investigating official.
- j) Date of first contact.
- k) Date investigation commences.
- l) Details of investigation/supervision/case disposal.



4.4 The Respondent

The following details will be recorded on the complaints system:

- a) Name and address of respondent. (Telephone number if known)
- b) Risk Factors (information investigating staff should be aware of about this person)
- c) Whether the respondent is an adult or juvenile.
- d) Date and location where we first contact the respondent (home/County Hall)
- e) Date and location of interview (home/County Hall)
- f) Details of other agencies involved. (If any)
- g) Name of Garda/Social Worker/NGO/Other Professionals, if relevant.
- h) Full details of investigation.
- i) Details of case disposal and update to respondent.

4.5 Confidentiality

Our complaint system is confidential, and every effort is made to protect the identity of our complainants. However, it is important to note that confidentiality is not a right in law, and our efforts to protect the identity of our complainants can be overruled by the Courts or by the Office of the Information Commissioner.

It is also important to note that procedures are in place to identify and deal appropriately with malicious and vexatious complaints where they occur.

Access to the complaints database is restricted to authorised personnel only. All paper files are locked away and the complaints database is password protected. This complies with the Data Protection Act 2018 and General Data Protection Regulations 2018 (GDPR) which is European Union legislation.

All records are retained in accordance with the Council's Records Retention Policy, and the Data Protection Act.



4.6 Freedom of Information

We receive Freedom of Information requests from people trying to find out who made a complaint against them. However, Sections 32, 35, 37, and 42(m) of the Freedom of Information Act 2014¹⁷ allow us not to release information that could lead to a complainant being identified. Personal information is also protected from disclosure.

- Some complaints are so specific that it is impossible to protect the identity of the complainant. For example, if a person made an allegation of assault, the respondent is entitled to know who they have allegedly assaulted. Likewise, if an allegation is made that a car has been damaged, the respondent is entitled to know what car has been allegedly damaged. This is in accordance with the principles of due process, fairness and natural justice. Local Authorities, in the performance of their duties, must follow these principles.
- If the nature of the complaint is likely to compromise a person's identity, we will bring this to their attention before the complaint is investigated.
- Occasionally, we may call to the complainant's addresses to clarify any allegations made. Every effort will be made to be discreet, and we will only call if we are unable to contact you by other means.



4.7 Unidentified people involved in anti-social behaviour

It is not possible for us to investigate complaints against unidentified people. This relates to complaints such as congregating on estates. Unless we have a name or an address to begin with, we cannot progress the investigation further. The matter will be referred to An Garda Síochána and the Community Garda for appropriate action. Anti-social legislation is designed to operate within a community, and it is expected that most complainants will either know and identify persons involved or the address they reside in.

¹⁷ <http://www.irishstatutebook.ie/eli/2014/act/30/section/42/enacted/en/html#sec42>

4.8 Complaint Reference Number

Each complaint is given a unique reference number, which will be supplied to the complainant upon request.

4.9 Classification of complaints

Complaints are classified by the nature of the allegation and vary from drug dealing to an unkempt garden. The table below outlines the classification of complaints and the category of response from the Tenancy Management Section.

Complaint Category	Priority
Drug Dealing	High
Violence	High
Threats/ Intimidation	High
Criminal Damage	High
Harassment/Alarm/Distress	High
Hate Crime	High
Incitement to Commit Hate Crime	High
Noise	Low
Loitering/Nuisance	Low
Alcohol Related	Low
Dogs	Low
Unkempt Garden	Low
Other Breach of Tenancy	Low
Indiscriminate Burning	Low
Rubbish/Maintenance	Low

Fig 3.0 Classification of complaints

Fig 4.0 (on the next page) shows the complaints received in 2020. As previously stated, we will contact the complainant within one working day and commence an investigation within five working days as resources permit.

The system we use is capable of the following.

- Differentiating between individuals and addresses.
- Differentiating between current and former tenants.
- Categorising the complaints as outlined above.
- Automatically record when a complaint was updated.
- Identify the current status of the investigation.
- Producing a complete history of complaints.
- Identify trends in anti-social behaviour.
- Interface with other sections of the Housing Department.

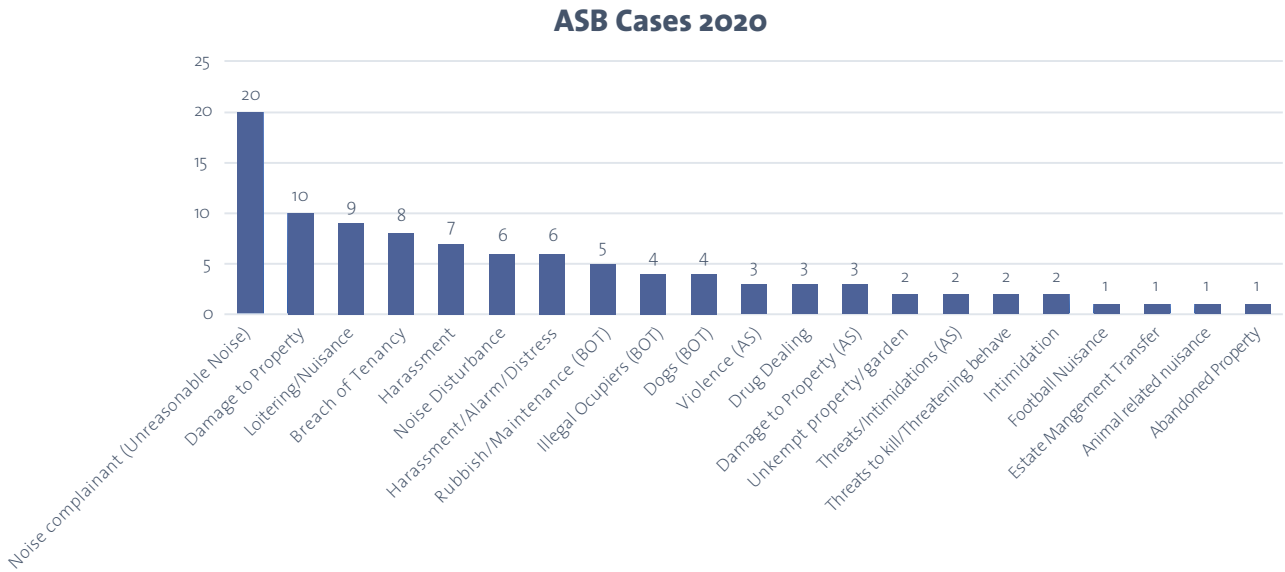


Fig 4.0 dlr Anti-Social Behaviour (ASB) Cases in 2020

4.10 Noise Complaints.

There has been a significant growth in noise complaints in the last five years with this type of complaint now making up 20% of all complaints received. We recognise these complaints cause great distress and anxiety to our tenants and their families.

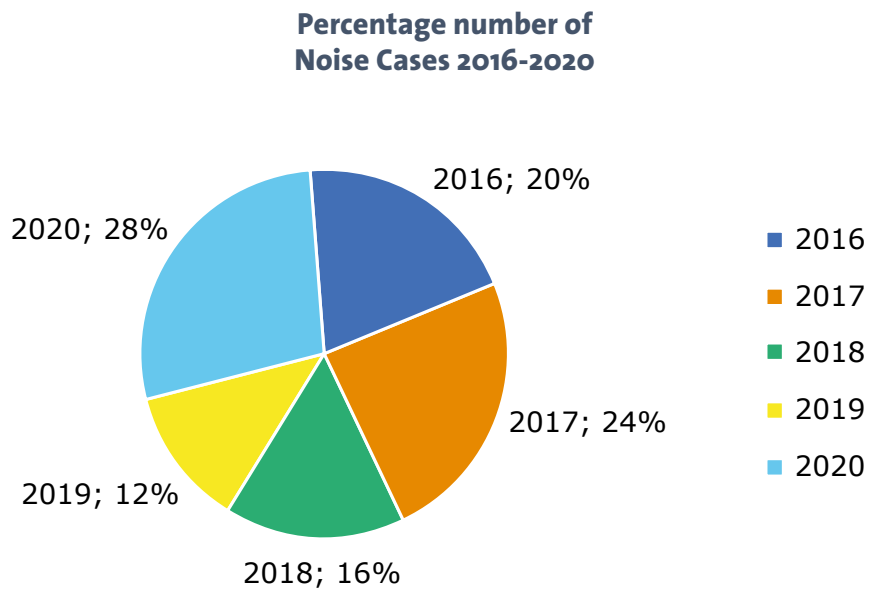


Fig 5.0 Noise Complaints from 2016 to 2020

Noise complaints are subjective and difficult to investigate as there is usually no supporting evidence. In general, Councils are unable to resolve complaints of this nature as they involve the word of one person against another. These situations can involve malicious complaints that are highly challenging to prove or disprove and do not reach the appropriate legal standard for a successful prosecution.

Noise 20%
of
complaints

Our approach in these situations is to follow accepted international practice which is to advise the complainant of the action they can take in accordance with Section 108 Environmental Protection Agency Act 1992 and the National Protocol for dealing with Noise complaints Local Authorities. (S2.2) ¹⁸

Nonetheless, we will do our best to investigate these difficult complaints and raise awareness of noise issues through our pre-tenancy courses.

4.11 Domestic Violence.

Paragraph 16 of the Department of the Environment Circular H5/97 dated 13 June 1997 states cases of Domestic Violence are different from anti-social behaviour and need to be dealt with under the Domestic Violence Act 2018. The primary agencies responsible for investigating cases of domestic violence are An Garda Síochána and Tusla.

Domestic Violence is intentionally excluded from the legislation to prevent Local Authorities from taking legal action with the matrimonial/relationship disputes of its tenants. Cases of this nature are referred to our Housing Welfare Officer who will refer the tenants to the relevant agencies.



4.12 TUSLA and Child Protection

When it comes to our attention that a child is in danger, or threat of danger, for whatever reason, we will make a referral to TUSLA via their web portal. This complies with our Child Safeguarding Statement ¹⁹ and Child Protection Policy.²⁰

18 [National Protocol For Dealing With Noise Complaints](#)

19 https://www.dlrcoco.ie/sites/default/files/atoms/files/dlr_child_safeguarding_statement_pdf.pdf

20 [Child Protection Policy](#)

4.13 Dogs/Pets/Animals

Matters relating to dogs are usually referred to our Dog Control Section. The dog pound facility and dog warden service are provided by a contractor on behalf of the Council. The warden enforces the relevant legislation with regard to control of dogs. Some of our tenancies do not allow dogs and you will be told this before you sign for the property. Animals and pets can cause a nuisance in a tenancy however, we will only investigate these complaints as resources allow and if the intervention of the dog warden is unsuccessful. We will liaise with the Control of Dogs Section accordingly. An application can be made by a complainant to the District Court under the Control of Dogs Act in relation to persistent nuisance caused by a barking dog.

Any person who keeps a dog must have a dog licence. Fines may be issued to people who do not have a licence for their dog.

Horses are prohibited in our tenancies and the Council employs a contractor for the collection and stabling of stray horses.



4.14 Stockpiling rubbish/unkempt gardens.

The stockpiling of domestic waste by a tenant in their garden is a breach of their tenancy and a health hazard as it usually attracts vermin. Cases of this type tend to occur when the tenant needs support and we usually refer them to our tenancy support service. The tenant is given a reasonable time to remove the rubbish before further action is taken.

Stockpiling rubbish and an unkempt garden are a breach of the tenancy agreement. The storage of waste in gardens is also an offence under the Waste Management Act 1996-2015. Our Environmental Enforcement Section can prosecute people who stockpile rubbish under this act. Litter fines can also be issued for littering issues in front gardens or where littering is visible from a public place.

4.15 Boundary Disputes

Sometimes, disputes arise over boundaries which can include overhanging vegetation, hedges and disagreements over boundary walls and fences. If neighbours cannot resolve the issue themselves and have already fallen out, we will mediate and try to resolve the problem.

Section 5

Investigation and Case Disposal



Section 5 Investigation and Case Disposal

5.1 How a complaint is investigated

We will investigate every complaint in a fair, impartial and objective manner. This may involve enquiries with other statutory agencies, other tenants/residents and resident committees. We may carry out house to house enquiries in estates to identify witnesses. In some cases, we may deploy CCTV systems to get evidence of anti-social behaviour.



5.2 Juveniles

Juveniles will not usually be interviewed unless necessary. Permission of the juvenile's parent/guardian is required, and the parent/guardian must be present.

5.3 Drug Dealing

Drug dealing will not be tolerated in our homes or in our estates. The primary agency responsible to investigate drug dealing is An Garda Síochána. All complaints will be referred to them immediately and we will liaise accordingly. Our response is a Civil Process and any criminal action taken by An Garda Síochána takes precedence. This means sometimes we must wait for a conviction before our case proceeds through the Courts. If the drug dealing is persistent and includes a significant amount of drugs we can proceed directly to Court without warnings to apply for a Possession Order or Excluding Order. The Tenancy Management Section works closely with the local Drugs Squads in the different Garda Districts.



5.4 Violence and Threats to Kill

With serious complaints of this nature, complainants will be encouraged to report the matter to An Garda Síochána. However, we understand that some people for whatever reason do not want to involve Gardaí. This will not prevent us from investigating the complaint, as violence, threats to kill, threats to commit arson, and serious allegations towards the person will not be tolerated on our estates.

5.5 Interviews

The respondent may be interviewed at his/her home, or in some cases in our offices. If the respondent fails to respond to calling cards, they will be notified in writing that we have received an allegation of anti-social behaviour against them. They will be requested to contact us. All allegations will be presented to the respondent and the complaints database will be updated with any comments made. The respondent will be advised that he/she may be accompanied by a friend or other representative at the interview. However, it will be explained that any friend or representative present must identify themselves with their name and address and must not interfere with the interview in any way. Their presence is to facilitate any difficulties in communication between the interviewer and the interviewee. Any responses will be fully investigated and considered as appropriate.



Every effort will be made to get a response to the allegations and allow due process and fair procedures.

In serious cases the respondent will be interviewed at County Hall. We will make every effort to facilitate persons with disabilities and will ensure appropriate adults/interpreters are present at the interview. The respondent will be advised of his/her rights and the notes of the interview will be offered for signature.

5.6 Decisions and the Balance of Probabilities

Any person who fails to respond to an investigation, who willfully and purposefully avoids contact with us, can have a complaint upheld against them. In these cases, we can make a determination based on all the facts and information available to us. This decision or determination is made on the balance of probabilities and the principles of Civil Law.

5.7 Case Disposal

When we have completed an investigation into a complaint, we can carry out one or more of the following actions:

5.7.1 No Further Action

If we have reasonable grounds for believing that the complaint is unfounded or malicious, then no further action will be taken against the respondent.

5.7.2 Advice Given

We usually give advice to both parties where they are both in the wrong and/or the complaint is of a trivial nature. We also give advice if the complaint involves very young children under the age of criminal responsibility and it is more appropriate to offer advice or a referral to other appropriate agencies. The age of criminal responsibility is generally under 12 years of age.

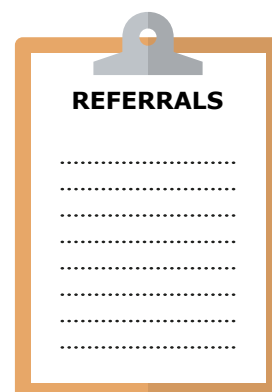


5.7.3 Referral to Housing Welfare/Tenancy Sustainment Service

Some cases involve families with complex welfare needs, mental health issues, addiction problems or domestic violence. These cases usually require support and assistance. These cases will be referred to the Housing Welfare Service or the Tenancy Sustainment Service for appropriate help and advice. We also make referrals to the HSE, TUSLA, Mental Health Services, NGOs and Voluntary Housing Bodies for specialised help and support.

5.7.4 Referred to other Departments

Some cases will be referred to other Departments within the Council for appropriate action. These can include referrals to Dog Control, Litter Control, Environmental Enforcement, and Planning Control.



5.7.5 Referral to other Agencies such as Gardai/TUSLA/HSE

Some complaints are so serious the complainant is immediately referred to An Garda Síochána and/or TUSLA (Child and Family Agency). This usually involves complaints of drug dealing on our estates and child protection issues. Referrals can also be made to the Primary Care Team of the HSE who provide support for older people.



5.7.6 Dispute Resolution

We have trained mediators available to assist with neighbour disputes. This has proved successful in the past and is available for willing participants. It is especially useful for boundary disputes; however, it is resource intensive and will be used only as resources permit.

5.7.7 Formal Undertaking or Acceptable Behaviour Contract

This applies where we reach an agreement with the respondent that all reported behaviour will stop. This agreement is in writing and will be witnessed by a Council Official.

5.7.8 Verbal Warning

This is a verbal warning to stop the nuisance or anti-social behaviour. It is usually reserved for first offences or behavior of a trivial nature. When we give a verbal warning, we record it on the person's tenancy file.

5.7.9 Tenancy Notification letter

This is a written warning to stop the nuisance or anti-social behaviour. It is usually reserved for more serious offences. It gives the tenant prior notice that he/she (or a member of his/her household) is breaching the Tenancy Agreement and is running the risk of receiving a Tenancy Warning.



5.7.10 Tenancy Warning

This is a legal written warning asking to stop the nuisance or anti-social behaviour immediately.

If the behaviour persists, a Statutory Tenancy Warning may be issued. The Tenancy Warning informs the tenant(s) that the Council is of the opinion that he/she or a member of their household has breached the tenancy agreement. The document specifies the terms that have been breached and warns the tenant(s) what actions should be taken in order to avoid the risk of eviction.

If the behaviour repeats within 12 months, we can begin the eviction process.

5.7.11 Appeal/Review Tenancy Warning

The tenant(s) has a right to seek a review of the decision to issue a Tenancy Warning if he/she does not accept that there was a breach of the tenancy agreement. The request for a review must:

- a. outline the grounds upon which the tenant disputes the basis for the Tenancy Warning and
- b. state whether the tenant or a member of his or her household wishes to make oral representations as part of the review.

The request for a review must be received by the Housing Department within 10 working days. The Chief Executive may extend this time by a maximum of 10 more working days in certain circumstances which are prescribed in legislation.

The Review Officer, who will be appointed by the Chief Executive, will not have been involved in the decision to issue the Tenancy Warning. The Review Officer will be senior in rank to the person who issued the Tenancy Warning.

All requests for a review must be addressed to the Chief Executive, Dún Laoghaire Rathdown County Council, County Hall, Marine Rd. Dún Laoghaire, Co. Dublin.

5.7.12 Case Conference

A Case Conference is held to discuss options in relation to serious cases. This usually involves a decision on whether to pursue legal action. It is attended by the Senior Executive Officer of the Housing Department and on occasion other senior staff in the Housing Department. The Tenancy Management Section presents its case and makes a recommendation. The matter is discussed, and the following decisions can be made:

- **Referred back** – the matter may be referred back to the Tenancy Management Section for further enquiries
- **Make an application for an Excluding Order** - where a targeted approach is more appropriate, we may decide that an Excluding Order should be sought. If this happens, the tenant will be told. However, if the tenant, through violence, threat or fear will not apply for an Excluding Order, or for whatever reason, we may apply for such an order after notifying the tenant (See 6.2.1). This option is also available to owners of former Local Authority dwellings under certain conditions.
- **Initiate Possession Application to District Court** – we may decide to move to terminate the tenancy under Housing (Miscellaneous Provisions) Act 2014 or by alternative legislation where appropriate.

Section 6

Legal Proceedings



Section 6 Legal Proceedings

6.1 Legal Action

Legal action will be considered in cases involving drug dealing in one of our properties or on the estate. In other serious cases, factors such as the number of complaints, letters issued including Tenancy Warnings, the effect on victims, different types of behaviour, the views of An Garda Síochána and the HSE will be taken into account.

The Council will seek the assistance of An Garda Síochána in all legal cases involving anti-social behaviour. It is also important to note the legislation allows the Council to instigate legal action in serious cases without warnings.

The two types of legal action available to us to deal with anti-social behavior are:

- Excluding Orders and
- Possession Orders



6.2 Excluding Orders

An Excluding Order is an Order granted by the District Court to a Housing Authority to stop a person from entering a particular property or entire estate. It must be proven that the person was involved in anti-social behaviour and it is in the interests of good estate management. Tenants, Voluntary Housing Bodies, and Local Authorities can apply for these orders. This prevents an entire family from eviction if only one person is involved in the behaviour.

Excluding Orders can be valid for three years and the application is made in accordance with Section 3 Housing (Miscellaneous Provisions) Act 1997.²¹

6.2.1 Excluding Order Procedure

The procedure we will follow to secure an excluding order is as follows:

- a) A decision will be made following a Case Conference.
- b) It will be made in the interest of good estate management.
- c) The respondent will be consulted and allowed to make a submission on the proposed order in writing.
- d) The Garda Síochána will be consulted in some cases.
- e) The tenant will be notified in writing.

²¹ <http://www.irishstatutebook.ie/eli/1997/act/21/section/3/enacted/en/html#sec3>

- f) A Chief Executive Order will be drafted and signed by the relevant members of staff authorising the legal proceedings.
- g) An Garda Síochána, Council Officials and, in some cases, relevant witnesses will give evidence in Court.
- h) If granted by the Courts, the Order will be for three years except in cases of less significance.
- i) Any breaches of the Order will be referred to An Garda Síochána for enforcement.

6.3 Possession Orders

A Local Authority can make an application to the District Court to repossess one of its dwellings on the grounds of anti-social behaviour. This is known as Possession Proceedings but is sometimes called eviction proceedings.



The application is made in accordance with Section 12 of the Housing (Miscellaneous Provisions) Act 2014.²² The tenant is entitled to be present in court to defend the case.

Council officials can give evidence on behalf of complainants under strict conditions and at the discretion of the Court. However, complainants can also be required to give direct evidence of the behaviour they witnessed. The Judge of the District Court grants the Possession Order if they believe it is appropriate and proportionate to do so. The tenancy is terminated the day the tenant is evicted.

6.3.1 Possession Order Procedure

The procedure we will follow to secure an excluding order is as follows:

- a) A decision will be made following a Case Conference.
- b) It will be made in the interests of good estate management.
- c) A Chief Executive Order will be drafted and signed by the relevant members of staff authorising the making of a Possession Application to the District Court or the termination of the tenancy by other lawful means.
- d) The tenant will be served with a Notice of Intended Proceedings.
- e) The tenant will be given an opportunity to defend the case at the District Court.
- f) An Garda Síochána will be consulted in some cases.
- g) The tenancy is terminated on the date that the Council recovers possession under the Order in accordance with the Housing (Miscellaneous Provisions) Act 2014.
- h) However, where possession is sought under alternative legislation, termination of the tenancy will happen by serving of a 'Notice to Quit'. Alternative legislation includes Civil Ejectment proceedings or applications directly to the Circuit Court.

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<http://www.irishstatutebook.ie/eli/2014/act/21/section/12/enacted/en/html#sec12>

6.4 Squatters

We will immediately request An Garda Síochána to assist with the removal of squatters who are engaging in anti-social behaviour. A member of An Garda Síochána will be requested to direct such a person to leave the dwelling or face arrest and prosecution. This is in accordance with Section 20 of the Housing (Miscellaneous Provisions) Act 1997 as amended. Squatters are distinct from illegal occupiers as they usually break into abandoned properties and generally have no connection to the property itself. They are trespassing and if they engage in anti-social behaviour An Garda Síochána have immediate powers of arrest upon complaint from the Local Authority.



6.5 Illegal Encampments

We will investigate illegal encampments as they arise throughout the County. Various lawful powers are available to the Council under Section 10 of the Housing (Miscellaneous Provisions) Act 1992 and Section 13 and 69 Roads Act 1993. This gives power to Local Authorities to move families on.

In these cases, we will liaise with Southside Travellers Action Group and endeavor to provide relevant support to the people in the illegal encampment.

An Garda Síochána have powers to assist private landowners to move on illegal encampments under the Public Order Act.

Section 7

Supports



Section 7 Supports

7.1 Housing Welfare Officer

The Housing Department employs its own Welfare Officer to assist tenants with any welfare issue they may have. We recognise that some tenants require supports, most commonly due to mental health and addiction issues. The Housing Welfare Officer will link in with the tenant and assist them with accessing local support services. Referrals to the Housing Welfare Officer have proven to reduce anti-social and nuisance behaviour.

Assistance and support are also provided to older tenants and disabled persons.

7.2 Tenancy Support Service

We also provide a Tenancy Sustainment Service that works alongside the Housing Welfare Officer. The service is offered to tenants who are struggling to manage their household and maintain their tenancy. Tenancy Sustainment Officers will support tenants who have rent arrears, welfare issues and problems with anti-social behaviour.

The service is sub-contracted to service providers.

7.3 Southside Travellers Action Group

Southside Travellers Action Group (STAG) is a local organisation that provides a wide range of programmes and services to meet the needs of Travellers. STAG advocates for the inclusion of the Traveller community as a recognised and valued ethnic group within Irish society. Our Traveller Accommodation Unit works closely with STAG to deal with any issues involving Travellers and has found the local organisation to be an invaluable resource by providing outreach staff, advice, and supports to Travellers residing within our County.



Section 8

Background Checks - Refusals/Deferrals



Section 8 Background Checks - Refusals/Deferrals

8.1 Background Checks.

We have legal powers to obtain specific information from An Garda Síochána. This information is used to determine if the person has a history of anti-social behaviour. It applies to a housing applicant, tenant, a member of their household, or any person seeking permission to reside in a council dwelling. We can also request this information from other Local Authorities, Health Service Executive, Department of Social Welfare, Criminal Asset Bureau and Voluntary Housing Bodies.



8.2 Deferrals/Refusals

If a person has a history of anti-social behaviour, they may be asked to attend an interview in the Housing Department. This is to confirm the history is correct and to get their response. A decision is then made on whether to allow, defer, or refuse the person from getting an offer of social housing.

8.3 Decision

A decision to refuse or defer an offer of social housing is made on the grounds of anti-social behaviour or in the interests of good estate management. The decision is made by a Senior Inspector or authorised person and can be appealed to an Administrative Officer in writing within 21 days. The decision will be given in writing and will consider the following.

- The seriousness of the history
- The number of offences
- Recent or old offence
- Addiction issues if relevant
- Evidence of addressing anti-social behaviour
- History of previous tenancies, capability of maintaining a tenancy
- Estate management risk, a danger to other residents



8.4 Interview

The purpose of the interview is to ensure due process and fair proceedings. It will be an opportunity for the applicant to give his/her side of the story and to discuss the history in detail. The applicant is entitled to bring a person for support. This can be a key worker, advocate, family member or friend. The person they bring is not to interfere, obstruct, or impede the interview in any way and are present for support and to assist with any communication difficulties. The Deciding Officer (the member of staff carrying out the interview) will make any necessary additional enquiries after the interview and if necessary, consult with An Garda Síochána. All available facts will be considered and the reason for the decision will be issued in writing.

8.5 Good Estate Management²³

Good Estate Management is defined in law. It broadly means the prevention and avoidance of anti-social behaviour in Council estates and promoting the interests of tenants in the enjoyment of their homes. We have a duty of care to our existing tenants and communities and can refuse social housing in the interests of good estate management. The same process as above will apply, and the applicant will be interviewed and given every opportunity to respond.

We are mindful of the fact that some housing types and tenures are not appropriate for some applicants due to their specific needs or history, and some applicants will be refused housing until the appropriate location and estate becomes available. This is an example of good estate management and how we balance the individual person's need for housing with the wider interests of existing tenants and homeowners in the County.

Other examples of good estate management are as follows.

- We will avoid allocating too many members of the same family or extended family in the same estate.
- We will not house previously evicted applicants in the same estate from which they were evicted.
- We will be mindful of social integration in allocations of dwellings with a view to encouraging sustainable communities.
- We will ensure members of the Travelling Community are given the necessary supports upon request



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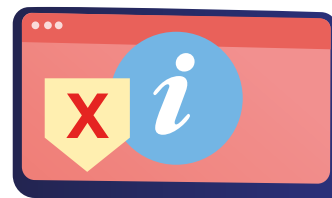
<http://www.irishstatutebook.ie/eli/1997/act/21/section/1/enacted/en/html#sec1>

when offered tenancies in standard housing estates. This will ensure a successful tenancy and move from Traveller accommodation to the settled community.

- Great care will be taken to ensure the most appropriate estate is allocated.
- This will involve an interview with the applicants to respond to any cultural concerns.
- The same principles apply to other vulnerable groups and ethnic minorities where necessary.
- This is part of the Council's commitment to equality and human rights for all.

8.6 Failure to provide information

We also have powers to refuse to provide social housing where the applicant fails to provide relevant information. The person's application will be refused until the information is provided. This decision will be issued in writing explaining the decision and why the requested information is considered relevant. The same appeal process applies.



This can apply to applicants who have resided in another jurisdiction. Local Authorities do not have legal powers to request information from other Police Forces. In this regard the applicant will be requested to provide this information. Failure to do so could result in the Council refusing the application under this legislation.

8.7 Legislation Refusal/Deferrals

The legislation that allows for the above refusal/deferrals is Section 14 of the Housing (Miscellaneous Provisions) Act 1997,²⁴ as amended. The Council is determined to apply this legislation on all social housing lettings as a good preventative tool in reducing anti-social behaviour.

8.8 Threats / Intimidation of Council Employees

We will not tolerate any assaults, threats, intimidation, obstruction, harassment or interference with our employees who are involved in the implementation of this policy in accordance with the provisions of the Housing Acts 1966 to 2014. We will consider legal proceedings against any person engaged in such activity. Assaults against employees will be reported to An Garda Síochána.

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<https://revisedacts.lawreform.ie/eli/1997/act/21/revised/en/html#SEC14>

8.9 Transfer on Estate Management Grounds

Requests to transfer on the grounds of good estate management will be considered in exceptional cases whereby there is a serious threat to life or a threat of serious damage to property. The behaviour must be significant and persistent, and any relocation must be in the interests of good estate management. This type of transfer is rare in Dún Laoghaire-Rathdown.

The following conditions will apply to a transfer on estate management grounds:

- The request will be investigated by the Tenancy Management Section.
- We will look for information from An Garda Síochána supporting the move
- The Senior Inspector/Authorised Person will make a recommendation.
- If the request is refused, the applicant will be notified in writing with the option to appeal.
- If the request is approved, great care will be taken in the allocation of the new property.
- Any relocation will be as far as possible from the existing tenancy to minimise and reduce future risks.



Section 9 Evictions



Section 9 Evictions

Our protocol for referring a case to the County Sheriff for eviction is as follows:

- a) Once the Council obtains a Possession Order a case conference will be arranged.
- b) A decision will be made to consider if the eviction will be carried out.
- c) Consideration will be given to ongoing complaints, the seriousness of the history, the effect on the community, and other relevant factors.
- d) If a decision is made to evict, the matter will be referred to the County Sheriff.
- e) This decision will be authorised by Order of the Chief Executive.
- f) A media statement will usually be prepared.
- g) The Senior Inspector/Authorised Person will organise the eviction and liaise with the Sheriff and An Garda Síochána.
- h) Members of the Tenancy Management Section will attend the eviction.
- i) Protective clothing will be available on Health and Safety grounds.
- j) A risk assessment will be conducted in all cases.
- k) All properties subject to repossession whether by surrender or eviction will be flagged to ensure other households with a history of anti-social behavior do not get allocated the property.
- l) Tenants evicted for anti-social behaviour can apply to join the Council's Housing waiting list and will be subject to the background vetting process.
- m) Tenants and their families will be referred to the homeless services.
- n) Any property left at the address will be disposed of by the Council.



Section 10

Multi-agency and Inter-department



Section 10 Multi-agency and Inter-department

10.1 An Garda Síochána

The administrative area of the Council is policed by two Garda Divisions. A small area in Rathfarnham is policed by the Rathfarnham Sub-District Station which is a part of the Dublin Metropolitan Region South Division. The rest of the County is policed by Dublin Metropolitan Region East Division which has the following District Stations.

Blackrock Station
 Dundrum Station
 Cabinteely Station
 Dún Laoghaire Station
 Shankill Station



We have built up close relations with An Garda Síochána over the years and adopt a multi-agency approach in dealing with anti-social behaviour. This involves the exchange of information in accordance with the Housing Acts and working closely with Community Gardai, Drugs Squad, and Detective Units. This inter-agency approach is key in tackling anti-social behaviour and An Garda Síochána is the primary statutory agency the Council engages with in this regard.

10.2 Joint Policing Committee Local Policing Fora

Joint Policing Committees (JPC's) and Local Policing Fora (LPF) were established under the Garda Síochána Act 2005. These committees allow public representatives, community representatives, residents associations, and other stakeholders to have a say in policing in their area. There are currently four LPF's operating within the county covering Central Dún Laoghaire, Loughlinstown / Ballybrack, Sandyford / Stepside, Dundrum / Stillorgan. These are chaired by An Garda Síochána and administered by the Local Authority. They meet five to six times a year and have one public meeting.

The LPF's report to the Joint Policing Committee. The Joint Policing Committee represents the administrative area of the council and meets four times a year.

Our Tenancy Management Section is a member of the Dún Laoghaire and Loughlinstown / Ballybrack LPF's. We will respond to community needs and any issues raised that involves anti-social behaviour and estate management. This is a useful and important forum to co-ordinate responses from the Council and Gardaí to deal with anti-social behaviour. It has proved highly successful. The Tenancy Management Section is committed to membership of these fora.

Section 11

Customer Service



Section 11 Customer Service

11.1 Our Official Complaint Procedure²⁵

Anti-social behaviour and estate management is very challenging in modern society. This is especially true with neighbour disputes which can be very difficult to resolve. We acknowledge that some people will not be satisfied with the outcome of their complaint. In this regard any person dissatisfied with the service can use the Council's official complaints procedure. All customer service complaints must be in writing and sent to.

Complaints Officer,
Dún Laoghaire Rathdown County Council,
County Hall,
Marine Road,
Dún Laoghaire,
Co. Dublin.
email info@dlrcoco.ie

People also have the right to bring their complaint to:

The Office of the Ombudsman
Earlsfort Terrace,
Dublin 2
Tel:016395600
Email: complaints@ombudsman.ie
Website: www.ombudsman.ie



Appendixes



11.2 Useful Telephone Numbers

Name	Phone Number	Extension of the relevant Department/Section
Dun Laoghaire-Rathdown County Council main number	(01)2054700	
Tenancy Management:	(01)2047258	4117/4112
Tenancy Management 24 Hour	(01)2054807	
Travellers Accommodation Unit:	(01)2047091	4124/4534/3528
Housing Maintenance:		4116/4149/4034/4399/4118
Homeless:		4793/4194/4833/4143/4107
Control of Dogs		4404
Control of Horses		4856
Litter Warden		4582/4042/4084/4465
Abandoned Cars		4686/4465
Unauthorised Waste disposal		4134
Environmental Noise Pollution		4134
Parks:		4485/4328/4393/4463
Road Control & Public Lighting		3802
Road Maintenance		4651/4090
Road Cleansing		4858
Garda Stations:		
Dun Laoghaire	(01)6665000	
Blackrock	(01)6665200	
Dundrum	(01)6665600	
Cabinteely	(01)6665400	
Shankill	(01)6665900	
Rathfarnham	(01)6666500	
Emergency Services:	999/112	
Hospitals:		
St. Columcille's Hospital, Loughlinstown	(01)2825800	
St. Michael's Hospital, Dun Laoghaire	(01)2806901	
St. Vincent's Hospital, Dublin 4	(01)2638000	

Appendix 1

Definition of Anti-social Behaviour

Section 1 Housing (Miscellaneous Provisions) Act 1997 as amended.

'anti-social behaviour' includes either or both of the following, namely—

- a.** the manufacture, production, preparation, importation, exportation, sale, supply, possession for the purposes of sale or supply, or distribution of a controlled drug (within the meaning of the Misuse of Drugs Acts 1977 to 2007),
- b.** any behaviour which causes or is likely to cause any significant or persistent danger, injury, damage, alarm, loss or fear to any person living, working or otherwise lawfully in or in the vicinity of a house provided by a housing authority under the Housing Acts 1966 to 2014 or Part V of the Planning and Development Act 2000 or a housing estate in which the house is situate and, without prejudice to the foregoing, includes—
 - i.** violence, threats, intimidation, coercion, harassment or serious obstruction of any person,
 - ii.** behaviour which causes any significant or persistent impairment of a person's use or enjoyment of his or her home, or
 - iii.** damage to or defacement by writing or other marks of any property, including a person's home;”,

Appendix 2.

Sample Tenancy Agreement Anti-social behaviour

7. Nuisance and Anti-Social Behaviour

- 7.1** The Tenant must not do anything or cause or commit or allow any Member of the Tenant's Household or any person visiting the Dwelling to cause, commit or engage in Anti-social Behaviour at the Dwelling or in the vicinity of the Dwelling.
- 7.2** The Tenant must not do anything or cause or commit or allow any Member of the Tenant's Household or any person visiting the Dwelling to cause or commit any form of nuisance likely to cause nuisance, annoyance or disturbance to any other tenants, members of other tenants' households, visitors, neighbours, Council officials, agents, contractors or any other member of the general public living or working in or in the vicinity of the Dwelling.
- 7.3** For the purpose of this Letting Agreement the phrase 'nuisance, annoyance or disturbance' is any behaviour which interferes with the peace and comfort of other tenants, members of their households, visitors, neighbours, the Council including its employees and contractors or any other member of the general public living or working in the vicinity of the Dwelling and is conduct which is capable of causing offence, danger, injury, damage, loss or fear and which directly or indirectly relates to the Council's management functions and, without prejudice to the foregoing, includes (but is not limited to)
- (i)** harassment on the grounds of age, gender, sex, appearance, race, colour, ethnic origin, national origin, religion, culture, lifestyle, sexual orientation, medical health, marital status, disability, family circumstances or otherwise
 - (ii)** offensive drunkenness
 - (iii)** writing graffiti and graffiti which is abusive threatening or insulting
 - (iv)** playing or allowing to be played any radio, television, record, sound system, tape recording, loudspeaker, musical instrument or other mechanical or other noise making machine of any kind so loudly that it causes a nuisance or annoyance to other persons in the neighbourhood
 - (v)** making unnecessary or excessive noise by any means whatsoever including using equipment or machinery as to cause disturbance
 - (vi)** using or allowing the Dwelling or any part of the Dwelling to be used for prostitution and or for the keeping of unlicensed firearms

- 7.4** The Tenant must not knowingly permit any person against whom an Excluding Order or an Interim Excluding Order has been made in respect of the Dwelling to enter the Dwelling in breach of the Excluding Order or Interim Excluding Order as the case may be at any time when any such Order is in force.

Appendix 3

Breaches of the Tenancy Agreement

(That do not come within the definition of anti-social behaviour)

6.23 Prohibitions

- (a) The Tenant must not be absent from the Dwelling without the prior written consent of the Council for a period or periods in the aggregate exceeding 6 weeks in any calendar year.
- (b) The Tenant must not use the Dwelling as a shop, workshop or factory or for any purpose whatever other than as a dwelling.
- (c) The Tenant must not permit any person who is not a Member of the Tenant's Household to reside in the Dwelling without first obtaining the prior written consent of the Council.
- (d) The Tenant must not use the dwelling for any illegal or immoral purpose or for the commission of an Arrestable Offence.
- (e) The Tenant must not, at any time, invite or allow to remain on any part of the Dwelling or garden, any persons in respect of whom the Council has notified the Tenant that they should not enter or remain on the property.
- (f) The Tenant shall not assign, subdivide or part with the possession of the Dwelling or any part of the Dwelling or without the consent of the Council sublet or allow any part of the Dwelling to be occupied by any person not a member of the Tenant's Household.
- (g) The Tenant must not make any additions, alterations (including changing the exterior colour scheme), improvements or other works in, or in relation to, the interior or exterior of the Dwelling (including the erection of any yard, shed, animal shelter, garage, out-office or other building) without the Council's prior written consent which will not be unreasonably withheld and if such consent is given, to complete such works within a reasonable time to the standard of workmanship and in accordance with any conditions contained in the Council's consent. All additions, alterations, improvements made by the Tenant shall become landlords fixtures, that is to say that they shall become the property of the Council and must not be removed by the Tenant at the termination of the Tenancy nor is any compensation allowable in respect of such works.
- (h) The Tenant must not make any additions, alterations, improvements or carry out any other works to, or in relation to, any Natural Gas Fitting provided in the Dwelling.

- (i) The Tenant must not erect, display, post or place any posters signs or notices of any description on or about the exterior of the Dwelling without the prior written consent of the Council.
- (j) The Tenant must not erect or permit to be erected on any external part of the Dwelling any aerial or satellite dish for the reception of radio or television signals or any other fitting without the prior written consent of the Council.
- (k) The Tenant must not cause any damage to the Dwelling and must keep the Dwelling in a clean and proper state. The Tenant must not cause or allow household refuse, any offensive matter or any materials or articles to be stored other than in a refuse bin in the garden or on any portion of the Dwelling or on any pavement or roadway adjoining the Dwelling.
- (l) The Tenant must not pour deposit or dispose of grease and cooking oil in solid or liquid form into any drain, gully trap, sink or other sanitary fitting on the Dwelling.
- (m) The Tenant must not cause or allow household refuse, any offensive matter or any materials or articles to be stored in the Dwelling or in the vicinity of the Dwelling or store any hazardous or dangerous waste or materials other than domestic rubbish.
- (n) The Tenant must not keep or store, or permit to be kept or stored, any flammable dangerous or explosive goods, materials or substances in the Dwelling or in any part of the Dwelling apart from those required for general household use.
- (o) The Tenant must not use the Dwelling or carry on any activity in the Dwelling or in any part of the Dwelling that will give rise to an environmental nuisance or endanger human health.
- (p) A caravan or mobile home must not be placed or kept within the curtilage of the Dwelling otherwise than in accordance with the Planning and Development Act 2000 and the regulations made thereunder.
- (q) The Tenant must not use the parking area (if any) of the Dwelling for parking or keeping of any end-of-life vehicle.
- (r) The Tenant must not block any entrances, exits, driveways, pavements, local roadways or other vehicular access or park vehicles on any green areas in the vicinity of the Dwelling.
- (s) The Tenant must not plant any trees, hedges or shrubs in the garden or on lands adjoining the Dwelling which are likely to create a nuisance or be or become injurious to the Dwelling or adjoining property.
- (t) The Tenant must not keep any horses, poultry, pigs, wild birds or other animals (other than domestic pets which are not likely to damage or create a nuisance or become a source of annoyance) at the Dwelling.

Appendix 4

Sample Tenancy Agreement

Neither the tenant nor any member of his/her household or any household or any subtenant or visitor shall engage in anti-social behaviour as defined in the Housing (Miscellaneous Provisions) Act 1997

Section 1 of this Act as amended defines Anti-social behaviour as either or both of the following:

- a. the manufacture, production, preparation, importation, exportation, sale, supply, possession for the purposes of sale or supply, or distribution of a controlled drug (within the meaning of the Misuse of Drugs Acts, 1977 and 1984),
- b. any behaviour which causes or is likely to cause any significant or persistent danger, injury, damage, alarm, loss or fear to any person living,

working or otherwise lawfully in or in the vicinity of a house provided by a housing authority under the Housing Acts 1966 to 2002 or Part V of the Planning and Development Act 2000, or a housing estate in which the house is situate and without prejudice to the foregoing includes

- i. violence, threats, intimidation, coercion, harassment or serious obstruction of any person
- ii. Behaviour which causes any significant or persistent impairment of a persons use or enjoyment of his or her home, or
- iii. damage to or defacement by writing or other marks of any property , including a person's home.
- c. Any breaches of the above conditions will be deemed a serious breach of the tenancy agreement and may lead to the Council terminating the tenancy by service of a notice to quit.
- d. Tenants must abide by the House Rules (if any, attached).
- e. Neither the tenant nor any member of his/her household or any household or any subtenant or visitor shall cause any nuisance or be guilty of or permit any conduct likely to cause annoyance or disturbance to any neighbours, their children or visitors or Council staff or approved agents staff as more particularly outlined in paragraph 20 hereunder.
- f. The term "neighbours" in this Agreement means persons living or working in the vicinity of the tenant's dwelling.

- g.** For the purposes of this Agreement the phrase “nuisance, annoyance or disturbance” shall include the use by the tenant of the dwelling for the commission of a criminal offence and without prejudice to the generality of this expression shall include all or any of the following:-
- i.** harassment;
 - ii.** violence or threats of violence against the person or property;
 - iii.** threats, abuse or harassment of any kind or any act or omission causing disturbance, discomfort or inconvenience;
 - iv.** obstructions of any of the common areas, doorways and other exits and entrances in the block and in the estate;
 - v.** making an unreasonably loud noise by shouting, screaming, playing any musical instruments or sound reproduction equipment (including television, radio and hi-fi) or using other machinery;
 - vi.** any act or omission which creates a danger to the well-being of any neighbour or to his/her belongings.
 - vii.** The tenant must not, at any time, invite or allow to remain on any part of the dwelling or garden, any persons in respect of whom the Council has notified the tenant that they should not enter or remain on the property.
 - viii.** A tenant evicted for a breach of this condition or part of it or any condition will be deemed for the purpose of re-housing to have deliberately rendered himself/herself homeless within the meaning of Section 11 (2)(b) of the Housing Act, 1988 and may not be provided with another home by the Council until such time as the Council is satisfied that the evicted tenant and his/her family are capable of living and are agreeable to live in the community without causing a further breach of this condition or any other condition of this agreement.
 - ix.** The above conditions include nuisance behaviour and any breaches will be deemed a serious breach of the tenancy agreement and may lead to the Council terminating the tenancy by service of a notice to quit.
- c.** 18. The tenant shall not be at liberty to erect any aerial or hang or place any fixtures on the exterior of the premises without the written consent of the Council.
- d.** 19. The tenant of a flat/duplex flat/house dwelling within a complex of multiple dwellings shall not keep or store, or permit to be kept or stored, bottled gas containers, petrol cans, motor spirits or any flammable or explosive material in the dwelling, the staircase, landing or any part of the building including carpark and terrace areas.

- e. 20. The Rent or Revenue Collector, Engineer, Health Inspector and other authorised Council Officers and servants and/or approved agent(s), and the Council and/or approved agent(s)'s Contractors may enter and inspect the dwelling hereby let at all reasonable times and The Tenant shall allow the Council and/or approved agent(s) to carry out on the premises any necessary works.

Appendix 5

Sample House Rules

HOUSE RULES

1. The following House Rules are part of your tenancy agreement. Any breach of these House Rules will be a breach of your tenancy agreement, Clause 6.24(t)
2. All Tenants and Residents shall comply with and observe these House Rules and regulations concerning your apartment, and all internal and external common areas.
3. Tenants and Residents must not engage in any anti-social behaviour, nuisance behaviour, or any behaviour that causes harassment, alarm or distress, or behaviour which adversely affects the quality of life of other residents.
4. Tenants are responsible for the behaviour of all visitors to their apartment.
5. Tenants and Residents must not damage the common areas or interfere with any fire safety equipment, including fire doors, stairwells, signage, or do any act or omission which creates a danger to the well-being of any resident or to his or her belongings.
6. All stereo, radio and TV appliances must be kept at a volume which will not interfere with your neighbours' quiet enjoyment of their apartment. There must be no unreasonable noise audible from any apartments at any time in particular after 10pm.
7. In the interests of quiet enjoyment for all residents, noise in the common areas is to be kept to a minimum.
8. To prevent a trip hazard and ensure clear fire escape routes no obstruction of any kind shall be placed in the common areas e.g. Bicycles, Prams/Buggies, Baggage etc. Common areas include halls, stairs, and landing. Bicycles/Prams/Buggies must not be chained to banisters, railings or left in the internal or external common areas.
9. In accordance with Clause 6.16 of your tenancy agreement with the Council no horses, poultry, pigs, large birds, reptiles dogs or cats or other animals likely to create a nuisance or become a source of annoyance are permitted. (an exception to this will be registered dogs for the visually impaired and certified companion dogs with supporting documentation. Permission must be obtained from the Council).
10. No trade or business whatsoever may be carried out from any apartment, including room rentals.
11. Loitering or allowing others to loiter or create nuisance is not permitted.

12. Residents shall not hang or permit to be hung or exposed any clothes or other articles on balconies or any external area of the development.
13. Residents shall not erect any external wireless or television aerial, satellite dish or other like instrument on the Demised Apartment or the External or Internal Common areas.
14. Windows should always be kept in good repair and clean.
15. Sub-letting is prohibited.
16. Sub-letting of allocated parking spaces is prohibited. Residents shall not place refuse in any area of the development other than the bin stores in the basement. All refuse should be contained in a manner which does not result in spillage during transport to the refuse area.
17. Residents shall not permit any water or liquid to soak through the floor of the apartment.
18. No alterations or building work of any nature is allowed inside the unit or on the balcony of each unit.
19. Cars should be parked carefully in your allocated spaces. Caravans, and Trailers are prohibited. Only vehicles of an appropriate size are allowed i.e. that only occupy one car parking space at any given time.
20. The Council has the right to remove any abandoned cars.
21. Tenants must ensure that they dispose of their waste using an authorised waste provider as set out in the Council's 'Segregation, Storage and Presentation of Household and Commercial Waste Bye-Laws 2019'

These House Rules are specifically designed to ensure the quiet and peaceful enjoyment of apartments by all residents. If you have any queries on the House Rules or you want to report any breaches of the House Rules or the Tenancy Agreement you can do so in writing, by phone, or by e-mail as listed below.

**Tenancy Management Section,
Dún Laoghaire Rathdown County Council,
Marine Rd.,
Dún Laoghaire,
Co. Dublin.**

01 2054700 ext. 4112/4117.

tenancymanagement@dlrcoco.ie

Appendix 6

Sample house rules for halting site

XXXXXXXXXXXX Halting Site, XXXXXXXXXXXXXXX, Co. Dublin

HOUSE RULES

1. The following House Rules are part of your tenancy agreement Clause 7.4. Any breach of these House Rules will be a breach of your tenancy agreement.
2. All Tenants and residents shall comply with and observe these House Rules and regulations concerning your Bay, and all internal and external common areas.
3. Tenants and Residents must not engage in any anti-social behaviour, nuisance behaviour, or any behaviour that causes harassment, alarm or distress, or behaviour which adversely affects the quality of life of other residents.
4. Tenants are responsible for the behaviour of all visitors to their Bay.
5. Tenants and Residents must not damage the common areas or interfere with any fire safety equipment, including fire extinguishers and signs, or do any act or omission which creates a danger to the well-being of any resident or to his or her belongings.
6. All stereo, radio and TV appliances must be kept at a volume which will not interfere with your neighbours' quiet enjoyment of their Bay. There must be no unreasonable noise audible from any Bay at any time in particular after 10pm.
7. To prevent a trip hazard and ensure clear fire escape routes no obstruction of any kind shall be placed in the common areas
8. In accordance with Clause 6.24 (s) of the tenancy agreement domestic pets can be kept as long as they do not cause a nuisance, therefore there will be a limit to the amount of dogs and domestic pets allowed which will be decided on a case by case basis.
9. No trade or business whatsoever may be carried out from any Bay.
10. Burning of materials is prohibited.
11. Storage of materials on the Bay or communal area is prohibited unless permission is granted by the Council.
12. Parking of vehicles to the entrance of the site or the vicinity of the entrance to the site is prohibited and this includes visitors to the site.
13. Loitering or allowing others to loiter or create nuisance is not permitted.

14. Tenants are to keep their Bays in a clean and tidy state and abide by fire regulations and ensure cars are parked a minimum of 3 metres from any dwelling unit. Vehicles should not be parked in any area that will prohibit access or movement of emergency services.
15. Sub-letting is prohibited.
16. Residents shall not place refuse in any area of the site other than the allocated bins. All refuse should be contained in a manner which does not result in spillage during transport to the refuse area.
17. No alterations or building work of any nature is allowed on the Bay.
18. The Council has the right to remove any abandoned cars.
19. Tenants will not be allowed place caravans, campervans, mobiles or any other dwelling or structure that are substandard on the Bay and the permission of the Council is required in this regard and the Council's decision will be final.
20. It is the tenant's responsibility to maintain his/her caravan/mobile/campervan/ other dwelling at all times and to keep in good and safe condition and to ensure they do not cause any fire hazard.

These House Rules are specifically designed to ensure the quiet and peaceful enjoyment of XXXXXXXXXXXX Halting Site by all residents. If you have any queries on the House Rules or you want to report any breaches of the House Rules or the Tenancy Agreement you can do so in writing, by phone, or by e-mail as listed below.

**Traveller Accommodation Unit
Dún Laoghaire Rathdown County Council
Marine Rd.,
Dún Laoghaire,
Co. Dublin.**

01 2054700 ext. 4133/4535

travellers@dlrcoco.ie

Appendix 7

Good Neighbour Agreement



Good Neighbour Agreement

We are committed to creating communities that are positive places to live in. We need your help to do so. We ask you to treat your neighbours with respect, particularly more vulnerable neighbours. Being a good neighbour will help to stop nuisance and anti-social behaviour.

What is anti-social behaviour?

By law, anti-social behaviour is any behaviour that is significant or persistent and negatively affects the quality of life of your neighbours, including:

- drug dealing
- violence
- harassment
- intimidation



Dún Laoghaire-Rathdown County Council,
County Hall, Marine Road,
Dún Laoghaire, Co. Dublin, A96 K6C9

Tel: (01) 205 4700
Email: info@dlrcoco.ie
Web: www.dlrcoco.ie

Plain English
Approved by NALA

How can I contribute to quality of life in my neighbourhood?

There are many ways you can prevent nuisance and anti-social behaviour, and we list some of these actions below. Tick each box to show you agree.

Respect your neighbours and their property.

Be fair in dealing with any problems that may come up.

Accept that we are all different – be tolerant of the lifestyles of others. Pay special attention to keeping noise levels reasonable at all times.

Be responsible for your children’s behaviour and that of any visitors to your home.

Respect the rights of children and young people to play in a supervised, safe and happy environment.

Respect the area you live in by keeping it tidy and free from anti-social behaviour.

Know that a good community spirit means talking and supporting each other to deal with local problems.

Follow the requirements in your tenancy agreement (and any house rules).

Please give us your address**Please sign this agreement to show you agree**

I promise to respect the rights of my neighbours in the community and to keep to the actions above.

I understand that if I, or any member of my household or visitors to my home, act in a way that is anti-social, this is a breach (violation) of my tenancy agreement.

Your signature:

Today’s date:

Appendix 8

Anti-Social Behaviour leaflet from the Tenant Handbook



Anti-social and nuisance behaviour by tenants



Dún Laoghaire-Rathdown County Council,
County Hall, Marine Road,
Dún Laoghaire, Co. Dublin, A96 K6C9

Tel: (01) 204 7258
Email: tenancymangement@dlrcoco.ie
Web: www.dlrcoco.ie

Plain
English
Approved by NALA

About this leaflet

This leaflet explains:

- what anti-social behaviour is;
- what nuisance behaviour is;
- what will happen to your tenancy if you, a member of your household, or a visitor engages in either or both of these behaviours; and
- how to complain if you experience these behaviours.

How might anti-social or nuisance behaviour affect my tenancy?

Your tenancy agreement is a legal contract between you (the tenant) and us, Dún Laoghaire-Rathdown County Council (the landlord). It includes rules relating to anti-social behaviour and nuisance behaviour which you must follow. If you break these rules, you could lose your home and become homeless.

If you are evicted for anti-social or nuisance behaviour, you can be refused housing in the future.

Does this apply to all council tenancies?

Yes. There may be some minor differences depending on the property you live in. For example, there are specific rules for developments with shared communal spaces that do not apply to standard council housing.

What is anti-social behaviour?

This is serious or persistent behaviour which includes:

- drug-dealing;
- distributing drugs;
- possessing drugs with intent to supply;
- growing cannabis;
- using council homes for any of the above;
- violence, harassment and intimidation of anyone in your estate;
- threatening to assault, kill or commit arson; and
- criminal damage.

If you take part in these or other anti-social behaviour, you are in breach of your tenancy agreement. This means you are not following its rules.

What is nuisance behaviour?

This is behaviour that is not as serious or persistent as anti-social behaviour but is still a breach of your tenancy agreement. This means you have broken the rules of your tenancy agreement.

Examples of nuisance behaviour include:

- making unreasonable noise;
- obstructing a driveway;
- trespassing;
- parking disputes; and
- boundary disputes.

What is the difference between nuisance behaviour and anti-social behaviour?

Nuisance behaviour is behaviour which is not as serious or significant as anti-social behaviour. It can develop into anti-social behaviour if the nuisance behaviour persists, but it is still a minor breach of the tenancy agreement.

Anti-social behaviour is generally very serious. It is defined in law and is a serious breach of the tenancy agreement.

How does the council deal with this behaviour?

We have a policy that outlines how we deal with nuisance and anti-social behaviour. Our response must be reasonable and in proportion to the level and extent of the behaviour. When we get a complaint of anti-social or nuisance behaviour, we usually first speak with the people involved. If the behaviour doesn't stop, our response goes through the stages outlined below.

To people who suffer from these behaviours, we:

Give advice

We can give advice to people when they report nuisance or anti-social behaviour.

To people who engage in these behaviours we do the following:

Give a verbal warning

This is a warning to stop the nuisance or anti-social behaviour. When we give you a verbal warning, we record it on your tenancy file.

Issue a tenancy notification

This is a written warning to you to stop the nuisance or anti-social behaviour.

Issue a tenancy warning

This is a legal written warning asking you to stop the nuisance or anti-social behaviour immediately. If the behaviour repeats within 12 months, we can begin the process to evict you.

Issue a possession order

This is commonly known as an eviction order and is granted by the District Court. It gives us the power to remove you from your home and to take back possession of the property.

Issue an excluding order

This is a court order to stop you entering a house or an entire estate for anti-social behaviour.

We do not always follow this order of stages when we issue warnings. In very serious cases, we can apply to the District Court for a possession order or excluding order without giving you either a verbal or a written warning first.

How do I make a complaint?

To complain about nuisance or anti-social behaviour, you can do one of the following:

- write to the Tenancy Management Section, Dún Laoghaire-Rathdown County Council, Marine Road, Dún Laoghaire, Co. Dublin;
- phone our Tenancy Management Section on (01) 204 7258;
- email tenancymanagement@dlrcoco.ie;
- complete the complaints form on www.dlrcoco.ie;
- visit the housing counter at Dún Laoghaire-Rathdown County Council, Marine Road, Dún Laoghaire, Co. Dublin.

Will my complaint be kept confidential?

In most cases, your details will be kept private. However some complaints, such as assault, are so specific that it will not be possible to keep your identity private. We will talk to you in cases like this.

Some people will try to find out who made a complaint against them through Freedom of Information or Data Access requests. We are allowed to keep your identity private when dealing with these requests. However, you should know that our refusal to identify you can be overruled by the courts. It can also be overruled by the Office of the Information Commissioner or the Data Protection Commissioner. If our decision is overruled, we must reveal your identity to the enquirer.





Dún Laoghaire-Rathdown County Council,
County Hall, Marine Road,
Dún Laoghaire,
Co. Dublin, A96 K6C9.

www.dlrcoco.ie
Tel +353 1 205 4700