

**Leicester, Leicestershire and Rutland
Anti-Social Behaviour Case Review -
'Community Trigger' Policy October
2021**

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1. What is a Community Trigger?

The ASB Case Review, often referred to as the 'Community Trigger', is a statutory safety net for victims of anti-social behaviour or hate incidents who believe they have not had a satisfactory response to their complaints. Where a locally determined threshold is met (detailed below), victims can require the relevant bodies in the local area to undertake a formal review of the case, and those bodies have a statutory duty to undertake that review.

It is designed to ensure that the police, local authorities and other relevant organisations work together to try and resolve any complaints of anti-social behaviour and hate incidents by talking about the problem, sharing information and using resources to try to reach an agreeable outcome.

Community Triggers can be raised by victims or representatives of victims (where written consent is provided by the victim), and victims can be individuals or businesses.

To provide a consistent approach to the use of the Community Trigger across Leicester, Leicestershire & Rutland (LLR), this Policy was written and agreed in partnership with all ten Local Authorities (LAs) in the subregion, Leicestershire Police and the Office of the Police and Crime Commissioner for Leicestershire.

2. Threshold for Community Triggers

A request to activate a Community Trigger can be made if, within the last six months:

- **you (as an individual) have reported to the Council, Police or a Registered Housing Provider (social landlord) three separate incidents of anti-social behaviour within your area, *or***
- **you have been a victim of a hate incident,**

and

- **you believe that no effective action has been taken.**

It should also be noted that for a Community Trigger request to be considered, you must have reported each incident within one calendar month of it having occurred.

3. How members of the public activate a Community Trigger

To activate the Community Trigger, the applicant is required to complete a Community Trigger Report Form and send it on to the single point of contact (SPOC) for Community Triggers within their LA's Community Safety Team.

Each LA website within LLR contains information about how to activate a Community Trigger in that locality, including access to an electronic report form and contact details of the SPOC to send it to. A hard copy of the report form and details of the

SPOC can also be obtained by contacting each LA's Community Safety Team via phone, or by visiting the local council offices in person.

4. What do Local Authorities do when a report is received?

Once a Community Trigger is received, the SPOC will acknowledge the application within five working days utilising the Community Trigger Acknowledgment Letter (Letter 1 on the Sentinel 'Global Documents' tab).

The SPOC will then request all agencies involved in the case to provide information of any complaints detailed within the application within a defined timeframe to confirm whether the threshold has been met. A Community Trigger Criteria Met/Not Met Letter (Letters 2a & 2b on the Sentinel 'Global Documents' tab) should then be sent to the applicant within ten working days of the date of the acknowledgement letter (in extenuating circumstances this may take longer, in which case, an update will be provided every 10 working days). This will detail whether the application meets the defined threshold and will provide details of any further action.

If the threshold is met, the SPOC will request all agencies involved in the case to provide details of any reports received and actions taken within a defined timeframe. This information will be collated in order for a review to be undertaken at a multi-agency meeting (the Youth Offending Service may be invited to attend if relevant).

The SPOC will give the victim the opportunity to provide a personal impact statement and to attend for up to thirty minutes (guide time, may be altered by chair as appropriate) of the review meeting to deliver this statement if they wish. Alternatively, there is the option for Victim First or a designated representative (as agreed in writing by the victim) to attend on the victim's behalf to provide their statement if they request this. In this circumstance, the meetings will run with open and closed sessions. The open session where victim or their representative attend, and a closed session where a full case review will be carried out, at which confidential information may be discussed.

The group will then review how the Partnership has responded and draft a report of its findings (Community Trigger Report on the Sentinel 'Global Documents' tab) and an action plan (Community Trigger Action Plan on the Sentinel 'Global Documents' tab) if required.

The applicant will be updated via the Community Trigger Review Outcome Letter (Letter 3 on the Sentinel 'Global Documents' tab) of the outcome of this meeting. This update must be within twenty working days of the date of Letter 2a (in extenuating circumstances this may take longer, in which case, an update will be provided every 20 working days).

A copy of the Community Trigger Action Plan (available on the Sentinel 'Global Documents' tab) should be included alongside Letter 3 to detail any work that will take place as a result of the review.

5. Information Sharing

The effective operation of the ASB Case Review/Community Trigger requires the relevant bodies to share information for the purpose of carrying out the review. This may include details of previous complaints made by the victim, information about the effect the issue has had on others and details of what action has previously been taken.

Relevant bodies have agreements in place, as detailed within:

- the Anti-Social Behaviour, Crime and Policing Act 2014 (which informs partners and agencies to share information related to ASB cases, review previous actions and decide on future actions),
- Schedule 2 5 (b) of the Data Protection Act 1998, and
- Section 115 Crime and Disorder Act 1998,

for information sharing, risk assessments and a common understanding of the aims of the ASB Case Review/Community Trigger. Victims also need to give consent for information about them to be collected and shared between agencies.

The relevant bodies may request any person to disclose information for the purpose of the case review. If the request is made to a person who exercises public functions and they possess the information, they must disclose it. The only exception to that is where to share the information would be either:

- a disclosure of personal data in contravention of any of the provisions of the data protection legislation¹ which are not exempt from those provisions, or
- a disclosure which is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016.

Other than these two exceptions, disclosing information for the ASB Case Review/Community Trigger does not breach any obligation of confidence or any other restriction on the disclosure of information.

6. Appeals process

An applicant has twenty working days to request in writing that the matter be further considered from the date of being:

- advised that their application has not met the threshold for a case review, or
- advised of the outcome of a case review meeting.

Should the applicant be not content with the outcome of a threshold review or full case review, a Community Trigger **may only** be escalated to appeal where at least one of the following measures is satisfied:

1. the threshold review or full case review has failed to consider a relevant process, policy or protocol, and/or
2. the threshold review or full case review has failed to consider relevant factual information.

Community Trigger appeals will be managed by an independent partnership CSP Chair (decided by an agreed list maintained by Leicestershire County Council's (LCCs) Community Safety Team), not the Chair of the CSP in the locality where the Community Trigger has been raised.

Appeals must be made in writing and sent to the SPOC for the locality (further detail in section 3 above) by email or letter, including detail of how one or both of the above measures for appeal are met. If the applicant is acting as an advocate on behalf of somebody else, a signed consent letter from the person they are representing needs to be submitted along with the appeal.

Once an appeal is received, the SPOC will make contact with LCCs Community Safety Team (communitysafety@leics.gov.uk) to identify which partnership CSP Chair will handle the appeal. Once identified, they will then submit copies of the following documentation (as well as any other relevant information) to that individual within one working day:

- the Community Trigger Report Form,
- the ASB Case Review meeting minutes,
- chronology of events,
- the Community Trigger result letter, outcome report and action plan (if applicable) sent to the applicant,
- the request for appeal email/letter - including grounds for the appeal (i.e. why measures 1 or 2 or both have not been met), and
- a copy of the Community Trigger Appeal Acknowledgment Letter, Community Trigger Appeal Criteria Not met Letter and the Community Trigger Appeal Outcome Letter (Letters 4, 5 and 6 respectively on the Sentinel 'Global Documents' tab).

The designated CSP Chair reviewing the appeal will acknowledge the request within five working days of receipt utilising the Community Trigger Appeal Acknowledgment Letter (Letter 4 on the Sentinel 'Global Documents' tab). They will then identify whether it meets the threshold for appeal, and if so, carry out the appeal review by forming a panel of appropriate representatives to identify whether the original threshold review or full case review failed to consider a relevant process, policy or protocol, and/or failed to consider relevant factual information.

The panel may consist of:

- the victim (or a representative) who if they wish, can attend the start of the meeting for a designated time slot,
- the SPOC that carried out the original review,
- other relevant parties involved in original review, and

- relevant representatives from internal Community Safety Team to support the appeal process.

Once complete, the Chair will update the applicant and SPOC of the outcome within 20 working days of the date of the acknowledgement letter utilising the Community Trigger Appeal Criteria Not met Letter, or the Community Trigger Appeal Outcome Letter (Letters 5 and 6 on the Sentinel 'Global Documents' tab). In exceptional circumstances this may take longer, in which case, updates will be provided every 20 working days.

The organisational and procedural lessons learnt as a result of an appeal will be shared with partners across LLR at the relevant partnership meetings/Boards.

The decision of the independent CSP Chair on any grounds of appeal is final.

The appeal process will be subject to review every two years to ensure that victims interests are adequately considered.

7. Complaints

The Community Trigger does not replace the existing complaints procedure. Anyone has the right to complain to the Ombudsman or Independent Office for Police Conduct if they are unhappy about the service they have received.

8. Information for Partnership Webpages

Get a review of an anti-social behaviour or hate incident case

A review is known as a Community Trigger

If you are reporting an anti-social behaviour incident for the first time, [please report it via the ASB webpage](#).

The ASB Case Review, often referred to as the 'Community Trigger', is a statutory process for victims of anti-social behaviour or hate incidents who believe they have not had a satisfactory response to their complaints. Where a locally determined threshold is met (detailed below), victims can require the relevant bodies in the local area to undertake a formal review of the case, and those bodies have a statutory duty to undertake that review.

It is designed to ensure that the police, local authorities and other relevant organisations work together to try and resolve any complaints of anti-social

behaviour and hate incidents by talking about the problem, sharing information and using resources to try to reach an agreeable outcome.

Community Triggers can be raised by victims or representatives of victims (where written consent is provided by the victim), and victims can be individuals or businesses.

When to report

A request to activate a Community Trigger can be made if, within the last six months:

- **you (as an individual) have reported to the Council, Police or a Registered Housing Provider (social landlord) three separate incidents of anti-social behaviour within your area, or**
- **you have been a victim of a hate incident,**

and

- **you believe that no effective action has been taken.**

It should also be noted that for a Community Trigger request to be considered, you must have reported each incident within one calendar month of it having occurred.

How to report

The Community Trigger is not a first port of call. If you are reporting an incident of anti-social behaviour for the first time, then please use this link [INSERT LINK TO WHERE TO REPORT ASB](#)

To activate the Community Trigger, please complete a Community Trigger Report Form below and forward it on to the single point of contact for Community Triggers within the Community Safety Team (contact details below).

[INSERT LINK TO ONLINE COMMUNITY TRIGGER REPORT FORM HERE](#)

Alternatively, you can download your copy here [INSERT DOCUMENT TO DOWNLOAD](#), contact [INSERT SPOC CONTACT DETAILS – INC. PHONE NUMBER](#) providing your name and address for a hard copy to be sent to you, or visit the council offices to pick one up.

Hard copies should be returned to:
[INSERT SPOC CONTACT DETAILS](#)
[POSTAL ADDRESS](#)
[EMAIL ADDRESS](#)
[PHONE NUMBER](#)

Applications can and will be rejected if they are identified as prejudicial, discriminatory, malicious, unreasonable, vexatious or frivolous. In such a case details of this decision will be provided including any appeal options.

What happens next

Once you have submitted the Community Trigger report form, **INSERT NAME OR TITLE OF THE SPOC** will acknowledge your request, review all related reports and evidence and confirm whether or not you meet the criteria for a formal review.

If your application does not meet the threshold for a full review, you will be provided with the rationale for this decision and information regarding what you can do next.

If the threshold is met, you will be informed, and the review will take up to 28 days from the date of that decision. You will be provided with further details of what this entails at that time.

In the meantime, if you need to report any further anti-social behaviour or hate related incidents please report it using this link **INSERT LINK TO WHERE TO REPORT ASB** or call:

NAME OF COUNCIL ASB TEAM on INSERT TELEPHONE NUMBER

Or:

Leicestershire Police on 101 or 999 in an emergency.

Appeals

For full details of the appeals process, please see the Leicester, Leicestershire and Rutland Anti-Social Behaviour Case Review Policy document below.

INSERT COPY OF LLR COMMUNITY TRIGGER POLICY DOC. HERE

The decision of the independent CSP Chair on any grounds of appeal is final.

Complaints

The Community Trigger does not replace the existing complaints procedure. You still have the right to complain to the Ombudsman or Independent Office for Police Conduct if you are unhappy about the service you have received.

Local Community Trigger Data

INSERT LOCAL AUTHORITY DATA AS DETAILED BELOW

The legislation states that at least annually relevant bodies must publish:

- the number of applications received,

- the number of times threshold not met,
- the number of community trigger reviews carried out, and
- the number of community trigger reviews that resulted in recommendations being made.