

Dacorum Community Safety Partnership

Community Trigger Process & Guidance (DRAFT)

August 2014



Introduction

The Anti-social Behaviour (ASB), Crime and Policing Act (the act) received Royal Assent April 2014. The Act introduces new powers in regards to ASB, dangerous dogs, forced marriage, sexual harm and illegal firearms used by gangs and in organised crime. It also includes changes to improve the provision of services to victims and witnesses.

In addition to the new powers for practitioners the Act introduces two measures that focus on victims of ASB.

1. To give victims the power to ensure that action is taken to deal with persistent anti-social behaviour through a 'Community Trigger'(CT).
2. To give victims a greater say in what form of sanction an offender receives out of court through a 'Community Remedy' or 'review'. The review is to be led by the Police and Crime Commissioner (PCC) undertaking public, police and local authority consultation. This is expected to be ready to go live with the CT.

The Community Trigger was trialled in four different areas and the findings have been published. This report looks at the Community Trigger in more detail and a description of how the process will operate in Dacorum.

Summary of trials

Trials started in June 2012 in Manchester, Brighton and Hove, West Lindsey and Boston (Lincolnshire), with a further trial in the London Borough of Richmond upon Thames on 17 August 2012 .

. The key findings were:

- The community trigger helped to stop the anti-social behaviour in several persistent and difficult cases. In other cases, explaining the course of action to the victim helped increase their confidence in the agencies responding.
- Most victims who used the community trigger were impressed with how quickly positive action was taken as a result. Even where no further action was taken, victims have appreciated having more information about what has been done and what could be done.
- The number of triggers was low, but the majority were genuine, and several were long-standing difficult cases. There was not a flood of triggers from the 'worried well' or those who 'shout loudest', as many councils and others feared when the Trigger was proposed.

- Trial areas valued the flexibility in designing their own community trigger. They adapted the process and thresholds to both suit the needs of their communities and provide an effective response to victims. Trial areas felt that this flexibility allowed them to make efficient use of existing multi-agency working practices and resources.
- The community trigger empowered victims to challenge lack of action taken by agencies. It provides a mechanism for multi-agency accountability which cannot be achieved through single-agency complaints processes. In the trial, even areas with good working practices uncovered complex and long-term cases that had not been resolved by the agency they were reported to. In these cases the community trigger made agencies discuss the problem and take action to stop the anti-social behaviour and support the victim.

The full summary report can be found at:

<https://www.gov.uk/government/publications/empowering-communities-protecting-victims-summary-report-on-the-community-trigger-trials>

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Community Trigger – Dacorum CSP

The County criteria has been agreed as:

Three reports from an individual about separate incidents in 6 months or 3 individuals have separately reported similar in 6 months.

A single point of contact (SPOC) is needed to receive the initial complaints to ensure continuity and easier for the public to access. The SPOC for Dacorum Borough Council should be the ASB Team Leader, with deputising duties delegated to ASB Team members.

The process: Community Trigger received

Appendix A depicts the proposed CT process in full.

Below are the methods whereby the CT can be activated

- **Online**
A specifically designed online form has been designed (see **Appendix C**) that can be completed and submitted. The forms will be sent to the SPOC.
- **By phone**

All relevant agencies will be briefed on the process of the CT and should they receive a call from someone wishing to use the CT they should in the first instance direct the caller to the online form; if this is not possible then to the SPOC

- **In writing/Email**
CTs may be received in writing however this will not actively be encouraged as a letter may not contain the required information. Should someone prefer to make a request in writing the online form can be sent to them for completion.

Anonymous CTs will not be accepted: however the contents will be passed to relevant agencies for intelligence purposes.

Any CTs received will require the individual to consent to the information being shared with agencies. Should consent not be given then the CT will not be pursued. Existing information sharing protocols will cover any subsequent exchange of information.

Consideration / Action:

All agencies to brief their call takers on the agreed process.

Websites to be updated with relevant information and links to online form

Responding to the CT

Upon receipt of the CT, the following actions will be taken by the SPOC

- The victim/complainant will be written to acknowledging receipt of the CT. This will be within **2** working days of the CT being received. This is seen as an achievable timeframe as the letter will be a standard letter and there will be no investigation needed prior to the letter being sent out. Administrative processes will be established to ensure that this happens whether SPOC is on duty or not.. The letter will advise that the CT has been received and will be added to agenda of next ASBAM meeting.
- Relevant agencies will be notified of the CT that has been received and requested to have information ready for the next ASBAM where case will be discussed.
- An ICM case will be created on SafetyNet for the individual if there is not already one in existence. Findings from the trials noted the benefit in using existing procedures and shared IT systems. SafetyNet has a built in risk assessment for any ASB victims and witnesses and the capacity to save documents and allocate actions. In addition by recording on SafetyNet it will allow agencies to see if a victim/witness has requested a CT previously.

Undertaking the CT assessment

All CTs received will be taken to the next ASBAM meeting for assessment. The ASBAM meets on a monthly basis to review and discuss cases of ASB in the Borough. It is a multi-agency meeting that is attended by statutory and non-statutory CSP partner agencies.

CTs should be discussed there as

- It is an established group.
- It is unnecessary to arrange a specific sub group for CTs as agency attendance would be mirrored to the ASBAM Officers and agencies
- The meetings take place often enough to ensure that any CT received will be dealt with in an acceptable time frame. However, should an agency have a concern or case presents as high risk then a sub group meeting should be arranged.

Consideration / Action

The trial areas noted the importance of the CT not being used as a replacement for using agencies existing complaints procedures. The CT should not be used as a complaint procedure against an individual officer or agency. The CT is a process for problem solving and finding solutions for the victim(s), as well as providing a mechanism for multi-agency accountability which cannot be achieved through single agency complaints procedures.

Consideration / Action

Should the timescale of the next ASBAM be deemed as too long to wait to assess the case a specific meeting will be arranged. This may also be the case should the victim be seen as high risk (as per SafetyNet assessment)

ASBAM assessment

The ASBAM chair or deputy will go through the CTs that have been received since the last meeting, as well as reviewing any previous ones that have been discussed.

There will have to be a minimum of three agencies present to review any trigger. Wherever possible there should be an agency present which has not previously been involved in the case in order to maximise transparency of process.

Consideration / Action:

Agencies need to ensure that they have officers available to attend meetings.

Outcomes

The victim(s) will be notified of the outcome within 5 working days of the ASBAM meeting. Standard letter formats will be produced.

- **The criteria is not met**

The ASBAM may decide that the CT criteria has not been met. A letter will be sent to the victim(s) advising the outcome and the reasons as to why the criteria has not been met. Advice and guidance will be given to them on how to report any further problems and details of the appeals process provided.

- **The criteria has been met but no further action**

The ASBAM agrees that the CT criteria has been met however at present there is no further action that can be taken (e.g. awaiting Court dates, insufficient evidence for enforcement action). The case will be added to the ASBAM for monitoring. Advice and guidance will be given to them on how to report any further problems and details of the appeals process provided.

- **The trigger has been met**

The ASBAM agrees that the CT has been met and recommendations and actions will be agreed for further investigation. This may include additional actions for agencies which have previously been involved in the case, or new actions for agencies which may not previously have been involved. The review will follow problem solving methodology. A single point of contact will be agreed to lead on the case and allocated on SafetyNet. A letter will be sent to the victim(s) informing them of the proposed actions. The trigger will remain on the ASBAM agenda for discussion until a time it can be closed.

Consideration / Action:

Standard letters to be produced and agreed, and if possible uploaded to SafetyNet as standard template documents. Proposed standard letters can be found in **Appendix C**

Appeals

Guidance from all pilot areas shows that there needs to be an appeals procedure in place for when an individual(s) is/are not happy with the outcome or decision from their CT application.

It is proposed that in Dacorum the CSP Coordinator fulfils the role of managing appeals through the JAG .

In order that JAGs are fully aware of the CT process within the Borough, CT will be a standing agenda item.

Communication, publicity and existing processes

During the trials the CT was publicised in a variety of ways. However, the focus for agencies needs to be ensuring that communications meet the needs of communities, especially the most vulnerable.

The following publicity activity has been suggested:

- Comms Team to be briefed on CT and produce appropriate briefing material
- Partnership press release)
- Links on partnership websites to relevant ASB page
- CSP staff in all agencies within the CSP to be briefed on the CT, so those who interact with members of the public can offer advice where necessary

Processes

DBC "Vexatious Complaints Procedure" needs to be reviewed to ensure that it ties in with CT

It is vital that reporting of Noise Nuisance aligns with ASB and CT procedures.

Peer Reviewing of CT Processes – It is proposed that ASB Team Leader at St Albans District Council will coordinate an independent peer review of DBC procedures.

Consideration / Actions

Training / briefing to be arranged for CSP staff and elected members .This would be via electronic memo in the first instance.

Partnership press release

Timescales

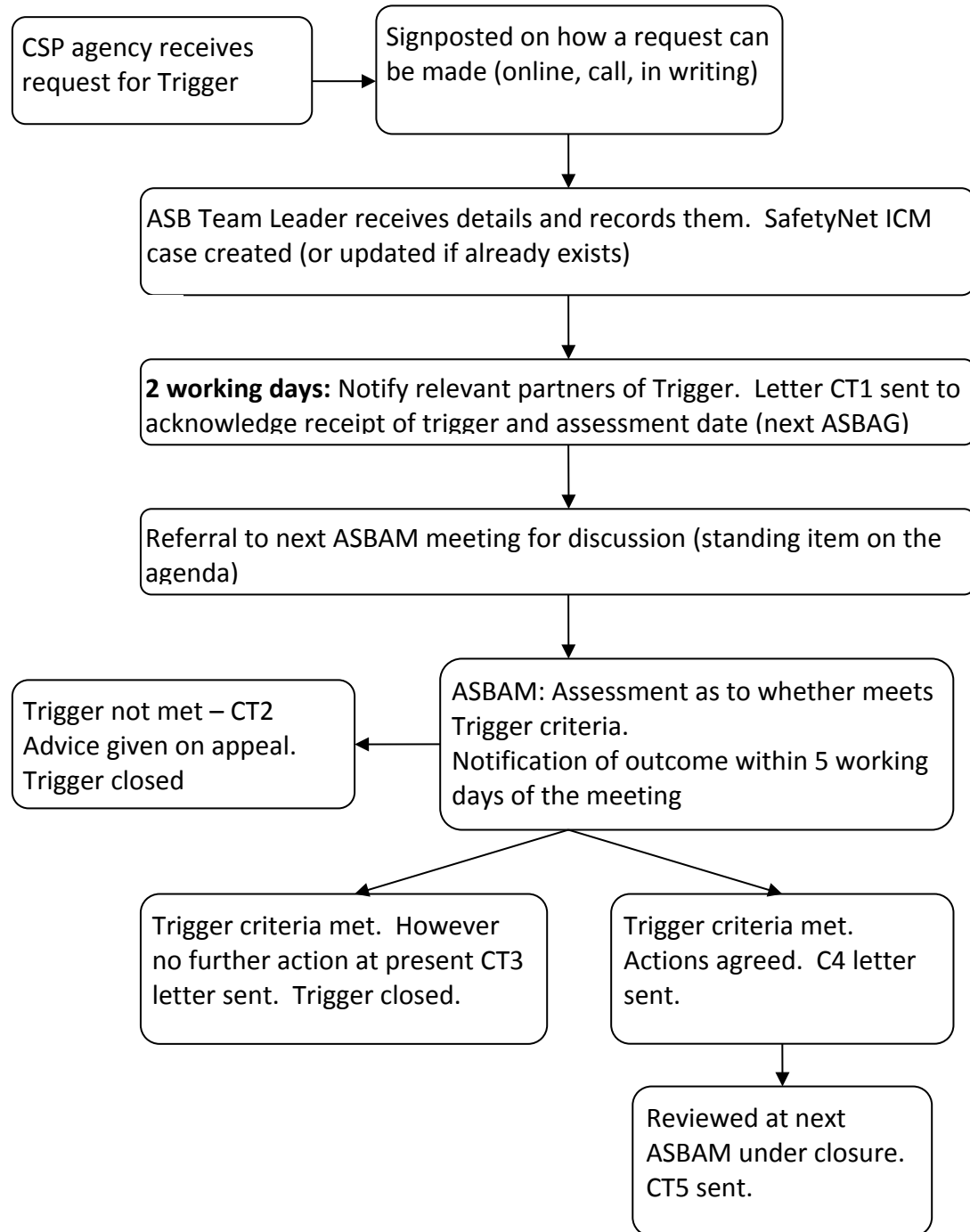
May 14th to July 15th has been designated as the start date for what is known as the commencement period of the Act.

Summary of considerations & actions

- All agencies to brief their call takers on the agreed process.
- Websites to be updated with relevant information and links to online form
- The trial areas noted the importance of the CT not being used as a replacement for using agencies existing complaints procedures. The CT should not be used as a complaint procedure against an individual officer or agency. The CT is a process for problem solving and finding solutions for the victim(s), as well as providing a mechanism for multi-agency accountability which cannot be achieved through single agency complaints procedures.
- Should the timescale of the next ASBAM be deemed as too long to wait to assess the case a specific meeting will be arranged. This will also be the case should the victim be seen as high risk (as per SafetyNet assessment)
- Agencies need to ensure that they have officers available to attend meetings. These officers should have authority/delegated authority to make decisions.
- Standard letters to be produced and agreed, and if possible uploaded to SafetyNet as standard template documents.

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Appendix A: CT Process



Letters

CT1: Acknowledgement of Trigger and date of next ASBAG given where case will be assessed.

CT2: Trigger has not met criteria. Advice given on case and details of appeal.

CT3: Trigger has met criteria however all possible action has already been undertaken. Details on appeal given.

CT4: Trigger has met criteria. Outline actions agreed and contact of lead officer

CT5: Trigger has been closed. No further action.

Appeals

All appeals should be in writing to the Chair of the CSP Board for their investigation.

Appendix B: Referral Form

Your contact details

Please provide your details so that we can contact you. If you are completing this form on behalf of a friend or a client of your service, please provide details of the person affected by this situation. We will use this to ask any further questions or provide feedback on your referral as necessary.

Your details will not be shared with agencies outside of the Community Safety Partnership but will be stored in line with Data Protection principles. Please confirm you are willing for disclosure to agencies in order for the Trigger to be investigated (**TICK BOX**)

Anonymous Community Trigger referrals will **not** be accepted, however details recorded and shared with agencies.

Name:

Address (including postcode)

Contact number

Email address

Preferred method of contact: Email / Phone / Writing (please delete)

Which of these best describes you?

Private tenant / Owner occupier / housing association / other (please specify)

Where applicable please provide details of your landlord / housing association

Equalities Monitoring (Optional questions)

Gender

- Male
- Female
- Transgender

Age

Sexual orientation

- Heterosexual
- Gay / Lesbian
- Bi-sexual
- Other (please state below)

Religion - please state

Please give details of any disability

Ethnicity

Details of incidents

The Community Trigger criteria is as follows:

Three reports from an individual about separate incidents in 6 months or 3 individuals have separately reported similar in 6 months.

1) Please describe what has happened or is happening?

(Text box with the following advice: How do you meet the above criteria? Please provide as much information as possible)

2) To Whom and how have you reported these problems previously?

(Text box with the following advice: Please provide details of agencies and any reference numbers you have been given)

3) How have the incidents affected you?

(Text box)

4) What outcome would you like from the Community Trigger?

(Text box)

Keeping you informed

We will keep you informed about progress.

We will acknowledge receipt of your referral within two working days.

An initial assessment of your situation will be carried out at the next Anti-social Behaviour Agency Meeting (ASBAM). You will be notified of the outcome of the assessment within 5 working days of the ASBAM meeting. If your referral meets the criteria, an officer from an appropriate lead agency (in discussion with you) will review your situation and advise of the next steps.

Do you wish to be informed about the progress of your referral?

Yes, please keep me informed

No, I do not wish to be kept informed

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Appendix C: Letters

Your
contact:
Tel:
Fax:
Our ref: CT/
Date:

Dear

Re: Community Trigger Referral

Your referral to the Dacorum Community Trigger has been received and recorded. Your reference is CT???.

To confirm your details are as follows:

(Contact details)

Should the above be incorrect please contact me on .

Your case has been referred to the next Anti-social Behaviour Agency Meeting (ASBAM) for review. At the meeting partner agencies will assess whether the criteria has been met and subsequent actions agreed. The date of this meeting is ??? you will be notified within 5 working days of the meeting of the outcome.

To report any further incidents of ASB please contact:

- Herts Police on 101 (non emergency) or 999 (emergency only)
- Housing Association contact details (where applicable)
- Complete the enclosed incident diary

Further details of the Community Trigger are enclosed.

Yours sincerely

Appendix C: Letters

Your
contact:
Tel:
Fax:
Our ref: CT/
Date:

Dear

Re: Community Trigger Referral

Following your referral to the Watford Community Trigger, the case was discussed at the Anti-social Behaviour Agency Meeting (ASBAM) on ???.

Having reviewed your case in full, we do not feel that your case meets the trigger criteria. To meet the criteria there needs to have been three reports from an individual about separate incidents in 6 months or 3 individuals have separately reported similar in 6 months.

If you wish to discuss this decision in more detail please do not hesitate to contact (insert allocated lead officer and details).

If you are not happy with this outcome you have the right to appeal to the Chair of the Joint Agencies Group . Further information on appeals can be found in the enclosed leaflet.

To report any further incidents of ASB please contact:

- Herts Police on 101 (non emergency) or 999 (emergency only)
- Housing Association contact details (where applicable)
- Complete the enclosed incident diary

Further details of the Community Trigger are enclosed.

Yours sincerely

Appendix C: Letters

Your
contact:
Tel:
Fax:
Our ref: CT/
Date:

Dear

Re: Community Trigger Referral

Following your referral to the Dacorum Community Trigger, the case was discussed at the Anti-social Behaviour Agency Meeting (ASBAM) on ???.

Having reviewed your case in full, we do feel that your case meets the trigger criteria. However, after reviewing your case thoroughly it has been agreed that at present there is no further action that can be taken. Agencies have responded to incidents that have been reported and taken appropriate action based upon the available evidence.

If you wish to discuss this decision in more detail please do not hesitate to contact (insert allocated lead officer and details).

If you are not happy with this outcome you have the right to appeal to the Chair of the Joint Agencies Group. Further information on appeals can be found in the enclosed leaflet.

To report any further incidents of ASB please contact:

- Herts Police on 101 (non-emergency) or 999 (emergency only)
- Housing Association contact details (where applicable)
- Complete the enclosed incident diary

Further details of the Community Trigger are enclosed.

Yours sincerely

Appendix C: Letters

Your
contact:
Tel:
Fax:
Our ref: CT/
Date:

Dear

Re: Community Trigger Referral

Following your referral to the Dacorum Community Trigger, the case was discussed at the Anti-social Behaviour Agency Meeting (ASBAM) on?

Having reviewed your case in full, we do feel that your case meets the trigger criteria. The following actions have been agreed:

- (Insert name and agency) has been allocated the lead officer in your case. Their contact details are (insert contact details). They will make contact with you within 5 working days.
- List other actions

To report any further incidents of ASB please contact:

- Herts Police on 101 (non-emergency) or 999 (emergency only)
-
- Housing Association contact details (where applicable)
- Complete the enclosed incident diary

Further details of the Community Trigger are enclosed.

Yours sincerely