

REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	19th NOVEMBER 2020	CATEGORY: (See Notes) DELEGATED or RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR OF SERVICE DELIVERY	OPEN
MEMBERS' CONTACT POINT:	CHRIS SMITH EXT 5924	DOC:
SUBJECT:	REVISED COMMUNITY TRIGGER PRACTITIONER GUIDANCE	
WARD(S) AFFECTED:	ALL WARDS	TERMS OF REFERENCE: (See Notes)

1.0 Recommendations

- 1.1 That the Committee considers and approves the revised Derbyshire Community Trigger Practitioner Guidance document (Appendix 1).

2.0 Purpose of the Report

- 2.1 The purpose of this report is for the Committee to be made aware of and approve the revised Derbyshire Community Trigger Practitioner Guidance. The document was originally developed in 2014, to support the enactment of the Anti-Social Behaviour, Crime and Policing Act in October 2014.
- 2.2 The revised Practitioner Guidance will set out the criteria needed by victims of anti-social behaviour to request a formal review of their case by agencies through the Community Trigger. In addition, agencies can also activate a Community Trigger. The revised Practitioner Guidance will enable victims and witnesses of anti-social behaviour to more easily hold agencies to account in how they handle and deal with complaints of anti-social behaviour and make the review process even more victim focussed.

3.0 Detail

- 3.1 The Community Trigger gives victims the right to request a review of the response to their complaints of ASB, where they feel the problem persists and
- there has been no response from agencies
- or
- there has been an inadequate response from agencies responsible for dealing with the ASB.
- 3.2 The aim of the Community Trigger is to encourage a joined up, problem solving and victim-centred approach to the resolution of the serious and persistent problems

experienced by victims of ASB. It enables agencies to review a case and re-consider their actions objectively.

3.3 The criteria, or threshold, for submitting a Community Trigger application for agencies to undertake an ASB Case Review is:-

- Three or more 'qualifying complaints' about related incidents of ASB, that occurred on separate occasions, within the last six months.

3.4 In Derbyshire, the Community Safety Team at the appropriate District/City Council acts as the administrator, or 'Single Point of Contact' (SPOC), for the Community Trigger process.

3.5 In April 2019, national reports about the use and accessibility of the Community Trigger (*'The Community Trigger Where We Are Today', and the Victims' Commissioner, 'Anti-Social Behaviour: Living A Nightmare'*) were published by ASB Help (A national Charity that provide advice and tips on how to deal with ASB).

3.6 Based on the recommendations within the national reports, several changes to the Community Trigger process in Derbyshire were discussed and agreed at the ASB Sub-Group in June 2019

3.7 ASB Help attended the Derbyshire ASB Sub-Group meeting in December 2019 and agreed to undertake an independent review of the revised draft guidance. The Chief Executive Officer of ASB Help gave extremely positive feedback, with only very minor changes suggested to meet the criteria required to sign up to the 'ASB Help Pledge'.

3.8 The revised draft guidance was finalised and, following approval from Data Protection Officers at Derbyshire Police, Derbyshire County Council and the Office of the Police and Crime Commissioner (OPCC), circulated to wider partners for a period of consultation in May 2020. Partner responses were, in the main, positive and additional minor changes were made to the guidance, as a result of the feedback received.

3.9 The key changes to the document are summarised as follows:-

- Removal of the 'five households' threshold.
- Victims to be invited to attend the Case Review meeting.
- Clarification of information sharing and consent arrangements to comply with General Data Protection Regulations (GDPR).
- Additional templates created - ASB Case Review Agenda, Action Plan and a Perpetrator Proportionality Assessment.
- Inclusion of the option for partners to activate the Community Trigger, which would be subject to same application form and processes as for victims or other advocates.
- Clarification of the role of the Chair of the ASB Case Review Meeting.

- Annual monitoring information to be published on Safer Derbyshire and OPCC websites, as well as district/borough/city council website.
- Sign up to the ASB Help Pledge.

3.10 The ASB Help Pledge states:-

- Promote awareness: Actively encourage the use of the community trigger to residents and partner agencies.
- Legality: Confirm your organisation is legally compliant and embracing the spirit of the community trigger.
- Ensure accessibility: Publicise the community trigger so the most vulnerable know what it is and how to invoke it.
- Develop your process: Embrace the full potential of the community trigger by continually reviewing and learning from best practice.
- Generate inclusivity: Use community trigger review meetings to work collaboratively and strategically, formulating solutions to end the anti-social behaviour.
- Establish a precedent of using the community trigger to put victims first and deter perpetrators.

3.11 By 'signing up' to the ASB Help Pledge, it promotes transparency, shows that the Council is following best practice and further demonstrates the Council's commitment to victims of ASB in Derbyshire. The Council already has excellent partnership working and structures in place to tackle ASB and as a result of OPCC funding Derbyshire Victim Services delivers an excellent tailored support package for victims of ASB.

3.12 To date, the final draft guidance has been approved by:-

- Derby and Derbyshire Clinical Commissioning Group, who are a 'relevant body' for the Community Trigger, under the legislation
- ASB Sub-Group meeting on 16/7/20
- Safer Communities Core Group meeting 3/9/20
- Safer Communities Board meeting 24/9/20

3.13 Each District and Borough Council in Derbyshire is now asked to consider and approve the revised Practitioners Guidance.

4.0 **Financial Implications**

4.1 There are no financial implications with the introduction of this document.

5.0 Corporate Implications

- 5.1 The Communities Team has responsibility to respond to any Community Trigger Applications and conduct case reviews where appropriate on behalf of the South Derbyshire Community Safety Partnership.

6.0 Legal Implications

- 6.1 The Community Trigger process is a statutory requirement under the Anti-social Behaviour, Crime and Policing Act 2014.

7.0 Corporate Plan Implications

- 7.1 The continued use of Community Trigger as a mechanism for victims to review how their cases have been dealt with will impact on the Corporate Plan aim 'Help tackle anti-social behavior and crime through strong and proportionate action'.

7.0 Community Impact

- 7.1 As the Revised Guidance is for "Practitioner" use only there is no requirement to consult with the public on the key changes. Information on the Community Trigger and how to activate it is available on the Council's Webpage.

8.0 Conclusions

- 8.1 The Community Trigger introduces a right for victims, or victims' representatives, to ask local agencies to review how they have responded to previous ASB complaints and consider what further action might be taken where the behaviour persists. The aim is to offer a 'safety net' for vulnerable victims and to help avoid individuals being passed between agencies without a satisfactory resolution.

9.0 Background Papers

- 9.1 Derbyshire Community Trigger Practitioners Guidance Version 2.0