

# Nottingham City Council

## Community Trigger Procedure

Version 2 May 2022

# Nottingham City Council Community Trigger Procedure

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**Author(s):** Melanie Fretwell –  
Principal Enforcement Officer  
**Team:** Nottingham City Council ASB Team  
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## Reviews

| Date | Issue prompting review | Outcome |
|------|------------------------|---------|
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# THE COMMUNITY TRIGGER REVIEW PROCESS

## 1. Introduction

- 1.1 The Anti-social Behaviour, Crime and Policing Act 2014 states that the relevant bodies in each local government area must produce a Review Procedure which describes the arrangements for carrying out ASB case reviews by those bodies and to ensure that the Review Procedure is published.
- 1.2 The Act stipulates a number of specific requirements that the ASB Review Procedure must:-
- Specify the point of contact for making applications
  - Ensure that the applications made to that point of contact are passed on to all the relevant bodies in the local government area
  - Determine the thresholds (minimum thresholds set out in the Act must apply)
  - Who must be consulted on the Review Procedure
  - Include provision of what is to happen where a complainant is dissatisfied with the way relevant bodies have dealt with the application or carried out the ASB case review
  - Include provision about the effectiveness of those procedures
  - The revision of those procedures
- 1.3 The end to end process for undertaking an ASB Review has been prepared and is split into two stages:
- Stage 1: Community trigger report received/reviewing against the threshold.
- Stage 2: Undertaking a full case review
- 1.4 The process map (detailed in **appendix A**) provides a one page view of the step by step approach to be followed for undertaking a Review.
- 1.5 Finally the Review Procedure highlights who has been consulted and arrangements in place for reviewing the effectiveness and revision of the procedures to meet the requirements as set out above.

## 2. STAGE 1 Receiving a Request

- 2.1 The guidance details that a complainant (individual, business or community group) of anti-social behaviour (ASB) or another person acting on behalf of the complainant such as a carer or family member, Member of Parliament, Councillor or agency can use the Community Trigger and request a review of an ASB case.

- 2.2 Any third party requesting a review on the complainant's behalf will need to obtain their consent to order to instruct a review of the case and to receive copies of information/correspondence sent to the complainant. A consent form template is prepared in **appendix B**. If consent is not provided, the Administrators will write to advise the complainant that the request has been received from a third party and initiate the procedure. Unless consent is provided by the third party they will not receive any further correspondence.
- 2.3 To request a Community Trigger Review, citizens and/or those acting on behalf of a citizen or agency can complete the online form available on the Nottingham City Council website at [Community Triggers - Nottingham City Council](#)
- 2.4 Currently the ASB service sitting within the Community Protection Department at Nottingham City Council the Administrators for Nottingham City Council.
- 2.5 Members of the public and/or those acting on behalf of a citizen or agency requesting an ASB review may directly contact the Administrators for Nottingham City or any local area officer who can commence the procedure from this stage by completing the online form above.
- 2.6 The administration of the Review request will:-
- Ensure that requests can be made via all appropriate communication channels to facilitate all citizen needs
  - Maintain a central record of all requests received
  - Communicate with the complainant to confirm receipt of the Review request
  - Advise the relevant agencies on receipt of a Review request and provide a copy of that request
  - Collate all responses from the relevant bodies
  - Communicate with the complainant to confirm whether the Review request meets the threshold for a Review to be carried out
  - Publish statistical data on Nottingham City Council's website

### **3. Single Point of Contact for Relevant Bodies**

- 3.1 A Single Point of Contact (SPOC) at local government level within Nottingham City will be determined by the Administrators with the consent of the relevant bodies (these agencies are referred to as 'relevant bodies' from hereon in) i.e.:
- The relevant district council or unitary authority (unitary includes the county council),

- The Chief Officer of Police for the police area which that local government area is within,
  - Each clinical commissioning group established under section 14V of the National Health Service Act 2006 whose area is wholly or partly within that local government area
  - Any local providers of social housing (means a private registered provider that a. grants tenancies or b. manages houses, in that area) who are among the relevant bodies by virtue of the co-option arrangements made in relation to that local government area.
- 3.2 A SPOC is assigned by the Administrators with 48 hours of the decision to uphold the Community Trigger request. If the SPOC assigned is unable to proceed with the process as detailed and is unable to locate a suitable replacement, the Administrators must be notified within 48 hours by the SPOC.
- 3.3 Whilst Youth Offending is not prescribed as a relevant body, it is suggested within the guidance that they are specifically invited to attend a review if the alleged perpetrator is under the age of 18. Therefore Youth Offending should be incorporated on a case by case basis.

#### 4. Deputies

- 4.1 The SPOC for Nottingham City must ensure deputies are in place to deal with any requests in their absence. All relevant bodies in Nottingham City who will be involved in the process must also arrange for a deputy/secondary contact.
- 4.2 For Nottingham City the primary and secondary nominated representatives for the relevant bodies are named as per table 1

| Relevant Body                | Primary Lead                  | Secondary  |
|------------------------------|-------------------------------|--|
| Nottingham City Council      | Principal Enforcement Officer | Send to 'asbteam@nottinghamcity.gov.uk' for allocation to an Enforcement Officer in case of Principal Enforcement Officer's absence. |
| ASB Service – North          | Melanie Fretwell              | Suzanne Francis  |
| ASB Service – South          | Laura Bland                   | Alex Cox   |
| Police                       | Local NPI                     | Local Chief Inspector  |
| Nottingham City Homes        | Heather Fry                   | Ellie Ashworth   |
| Clinical Commissioning Group | Sandra Morrel                 |  |

#### 5. Thresholds

- 5.1 Whilst the Administrators receive the review request they do not have sole responsibility for undertaking a review of whether the threshold has been met. The legislation highlights that the relevant bodies must

decide that the threshold for a review is met upon an application for an ASB case review being made where:

- at least three qualifying complaints have been made about the anti-social behaviour to which the application relates within a period of six months prior to the request having been received

5.2 This is line with the minimum requirement the threshold.

5.3 Where a person makes two or more complaints about anti-social behaviour which meets the requirements (as above), the question of which complaint is, or which complaints are, qualifying complaints is to be decided by the nominated relevant bodies who will determine whether the threshold has been met on a case by case basis.

5.4 However, the following are reasonable not to accept as qualifying complaints.

unrelated ASB complaints made at separate intervals i.e. one complaint of noise, one complaint of leaving a bin on the street and one complaint of nuisance parking by a neighbour (unless these complaints are all made at the same time, on three separate occasions).

ASB complaints made against three different perpetrators on the same street i.e. noisy parties at number 18, with a separate complaint of noise emanating at number 22 and a separate noise complaint at number 30. Such complaints could be handled by an agency's internal complaints procedure should the need arise.

A previous Community Trigger has been held within the past 12 months if an action plan is still being progressed according to the previous meeting's outcome.

5.5 The legislation also states that :-

*In any other situation where an application for an ASB case review is made, the question whether the threshold for a review is met must be decided by the relevant bodies in accordance with the review procedures; and the procedures may, in particular, include provision for this purpose which is framed by reference to any of these matters—*

*(a) the persistence of the anti-social behaviour about which the original complaint was made;*

*(b) the harm caused, or the potential for harm to be caused, by that behaviour;*

*(c) the adequacy of the response to that behaviour.*

- 5.6 As Section 104(5) of the Act above allows the procedure to also take account of the persistence of the anti-social behaviour, the harm or potential harm caused by the anti-social behaviour and the adequacy of the response to the anti-social behaviour. Given that the minimum threshold is established, these factors will be incorporated into a full review process.
- 5.7 The inclusion of Hate Crime to activate the review process is discretionary. It should be noted that Hate Crime is not included within the anti-social behaviour trigger process at this stage.

## **6. Informing the Complainant of the decision**

- 6.1 Section 104(6) of the Act highlights that after the relevant bodies have decided whether or not the threshold for the review is met, they must inform the applicant of their decision. This requirement will be undertaken by the Administrators for Community Trigger process.
- 6.2 Schedule 4(3) details that the Review Procedure must include provision about what is to happen where an applicant is dissatisfied with the way in which the relevant bodies have dealt with an application for an ASB Case Review. The Policing and Crime Commissioner (PCC) will be responsible for undertaking a review if the complainant queries the decision on whether the threshold was met.

## **7. Timescales**

- 7.1 On receipt of a Review request, the time scale for responding to the complainant (and any third party) is two working days.
- 7.2 This response should be confirmed in writing to the complainant (and third party if consent is provided). Please note – instead of a letter, this may be a different form of communication in response to meeting the individual's needs/reasonable adjustments.
- 7.3 On receipt of a Review request by the relevant bodies, the time scale for responding to the Administrators for the Review request is 10 working days.
- 7.4 On receipt of all information from the relevant bodies, the time scale for agreeing on the decision whether to hold the Review or not based on the thresholds detailed above is 2 working days.
- 7.5 On confirmation of the decision to hold a Review or not, the Administrators for the Review process will inform the complainant of the decision within 2 working days



- 7.6 The Review meeting must be held within 20 working days of the decision to hold a Review. It is the responsibility of the SPOC to arrange the meeting, inform all relevant bodies and facilitate the venue.
- 7.7 The outcome of the Review must be communicated in writing by the SPOC to the complainant and the relevant bodies within 5 working days of the Review meeting.
- 7.8 The responsibility for ensuring the stage 1 timescales are met is carried out by the Administrators for the Review process. They are responsible for:-
- Circulating Review requests to the SPOC (and deputies) of the relevant bodies
  - Ensuring the decision is made within the timescale with agreement from relevant bodies.
  - Communicating the decision in writing back to the relevant bodies including detailing what grounds the review met/did not meet the threshold.
  - Communicating the decision back to the complainant (and third party if consent is provided) detailing what grounds the review met/did not meet the threshold
  - If the decision is not to proceed to a full review support should be offered i.e. Victim Support and the complainant (and third party where applicable) should be advised how the complainant can query the decision on whether the threshold was met.
  - If the decision is to proceed with a full review, the complainant (and third party where applicable) should be advised of the next steps including timescales set out i.e. 20 working days to hold a full review panel.
  - Recording the decision appropriately detailing what grounds the review met/did not meet the threshold

## **8. Stage 2 - Undertaking a full case Review: Chair arrangements**

- 8.1 If the decision is made to proceed to a full case review the relevant bodies within Nottingham City must establish who will be the lead agency/agencies to arrange/conduct the review panel including administrative and chairing arrangements.
- 8.2 The SPOC for the Community Trigger Review are responsible for the following
- Administrative arrangements including organising the venue, meeting room, minute taker, date and time.
  - Inviting the appropriate attendees
  - Sending out the Terms of Reference (TOR) for the Panel meeting
  - Sending out the pro-forma
  - Chairing the meeting

- Informing the applicant of:
  - a. The outcome of the review
  - b. Any recommendations made as per above
  - c. Advise of the process if they are dissatisfied with the way in which the relevant bodies have carried out an ASB Case Review.
- Sending the outcome details to the relevant bodies at both NCC and local government level to ensure this information is centrally recorded

## **9. Attendees of the full case Review.**

- 9.1 It is mandatory for a representative from the relevant bodies to attend a Community Trigger meeting. Where the appointed representative or deputy are unavailable, the representative must appoint a substitute representative who has knowledge of the case and who are able to take recommendations from the Chair.
- 9.2 The attendees of the review should include any stakeholders that have been involved in the case for instance Victim Support or any other support agency requested as per the views and wishes of the complainant.
- 9.3 Victim Support may also be asked to be the advocate for the complainant; in other words meet the complainant where appropriate and be their voice at the panel meeting.
- 9.4 All relevant bodies and key stakeholders with past involvement in the case must be contacted and prepare their data/case information for the panel. A copy of the pro-forma is attached at **appendix C**
- 9.5 It may be possible to carry out the Review as part of an existing group that already meets on a regular basis however this will need to comply with the timescales as set out in this procedure and the requirement for the mandatory relevant bodies to be present. All processes and procedures must be adhered to above in all circumstances.

## **10. Involvement of the complainant in Review meetings**

- 10.1 It is good practice to include the complainant in the Review panel meeting.
- 10.2 There will be a need for the first half of the meeting to be undertaken by the relevant bodies only, where discussions can be undertaken with regards to confidential information.
- 10.3 It is good practice to invite the complainant to the second half of the meeting where they can be provided with a platform to air their concerns and ensure that all relevant bodies hear first-hand, what their

complaints are with regards to the anti-social behaviour they have been experiencing.

- 10.4 It is also good practice to include the complainant in the development of the action plans created as part of the meeting which are designed to work towards dealing with the anti-social behaviour. By including the complainant in this process, they are able to ask questions to learn and understand what actions the relevant bodies can and cannot take and why.
- 10.5 Empowering complainants in this manner build confidence and works towards increasing knowledge and understanding which is often shared in the community and builds stronger relations between communities and relevant bodies.

## **11. Terms of Reference**

- 11.1 Terms of Reference (TOR) for each panel meeting should be circulated so partners are clear of the purpose, information sharing (detailed in the guidance) and expectations of the meeting. The TOR have been prepared at **appendix D**

## **12. Outcome of the case Review**

- 12.1 The relevant bodies that carry out the review may make recommendations to a person who exercises public functions (including recommendations to a relevant body) in respect of any matters arising from the review; and the person must have regard to the recommendations in exercising public functions. The Chair of the panel will be responsible for communicating all recommendations to partners formally.
- 12.2 The Chair of the panel (as the relevant body) who carried out the ASB review must inform the complainant of:
  - a. The outcome of the review
  - b. Any recommendations made as per above
  - c. Advise of the process if they are dissatisfied with the way in which the relevant bodies have carried out an ASB Case Review.
- 12.3 Once again, schedule 4 (part 3) details that the Review Procedure must include provision about what is to happen where an applicant is dissatisfied with the way in which the relevant bodies have carried out an ASB Case Review. The PCC will be responsible for undertaking a review if they are dissatisfied with the way in which the relevant bodies have carried out an ASB Case Review.
- 12.4 The current Police and Crime Commissioner is Caroline Henry. Email [carolinehenrypcc@nottinghamshire.pnn.police.uk](mailto:carolinehenrypcc@nottinghamshire.pnn.police.uk)

### **13. Reviewing the effectiveness of the procedure, revising the procedure and publishing the information**

- 13.1 Schedule 4 (part 4) details that the review procedure must include provision for:
- assessing the effectiveness of the procedure and
  - the revision of this procedure.

Also, when making and revising the review procedures Schedule 4 (Part 1) details that:

- The relevant bodies in a local area must consult with the local policing body for the relevant police area.
- The relevant bodies in a local government area must consult local providers of social housing in making and reviewing the procedure that they consider appropriate.

- 13.2 Community Protection in Nottingham City Council will lead on reviewing the Community Trigger procedure.

- 13.3 The Community Trigger procedure will be reviewed bi-annually, establish any best practice developed and share this across all relevant bodies.

- 13.4 The relevant bodies for each local government area must make arrangements for reviewing the Review Procedure on a bi-annual basis.

### **14. Publishing information**

- 14.1 Section 104(9) of the Act details that as soon as practicable after the end of the reporting period, the relevant bodies in the local government area must publish information about the following matters which relates to that period –

- The number of applications for ASB case reviews made to those bodies.
- The number of times those bodies decided that the threshold for a review was not met
- The number of ASB case reviews those bodies have carried out
- The number of ASB case reviews carried out by those bodies that have resulted in recommendations being made

- 14.2 The Administrators for the Community Trigger process are responsible for undertaking the requirements detailed above

14.3 The Administrators for the Community Trigger process are responsible for:-

- Preparing and publishing the following on appropriate websites:
  - a. The number of applications for ASB case reviews made to those bodies
  - b. The number of times those bodies decided that the threshold for a review was not met
  - c. The number of ASB case reviews those bodies have carried out
  - d. The number of ASB case reviews carried out by those bodies that have resulted in recommendations being made
- Reporting this to the monthly Multi agency tasking and tension survey meeting.

14.4 Community Protection are responsible for:-

- Undertaking a review of the previous 12 months cases and sharing best practice to the relevant bodies at the local government level.

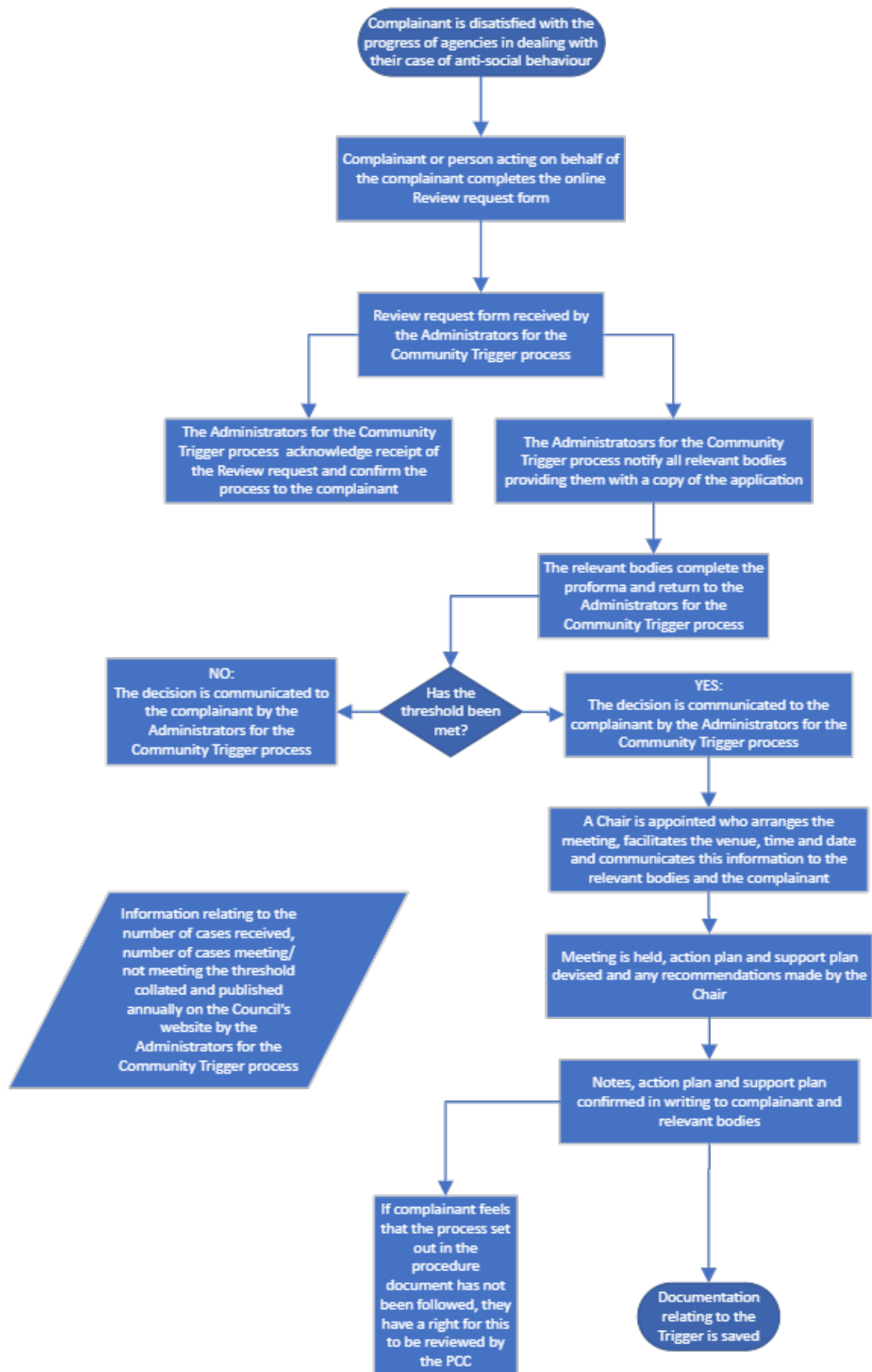
## **15. Communications**

Each of the relevant bodies in Nottingham City are responsible for implementing the communication plan (appendix E).

## **16. Consultation**

The Review Procedure has been developed in consultation with all appropriate relevant bodies.

## Appendix A – Community Trigger Process Map



**Appendix B – Consent Form**

**Authorisation/Consent Form for the Sharing of Personal information**

Name: .....

Address: .....  
.....  
.....  
.....

D.O.B: .....

Matter: .....  
.....  
.....  
.....  
.....

I, being the person detailed above, hereby authorise

.....

to request an Anti-social Behaviour Review / Community Trigger Meeting on my behalf in respect of the above listed matter and I give consent

1. To copy all correspondence, sent to me, to the authorised person in respect of the above matter;
2. To disclose and share personal information about me in respect of the above listed matter;

I fully understand that I can withdraw my consent at any time by contacting the officer in conduct of the case at Nottingham City Council or by writing to Nottingham City Council, ASB Team, Community Protection, Byron House, Maid Marian Way, Nottingham, NG1 6HS.

I fully understand what I am providing consent for:

**Signed:** .....



**Full Name:** .....

**Date:** .....



## Appendix C – Request for Information Pro-Forma - Appendix 2

### Guidance

Under s.104 of the Anti-Social Behaviour, Crime and Policing Act 2014, where a request to Review a case of anti-social behaviour is made a Community Trigger Review meeting must be arranged incorporating all the relevant bodies for the local government area involved in the case.

The Community Trigger Review should seek to determine what the relevant agencies and individuals involved in the case have done so far to attempt to resolve the case of anti-social behaviour for the complainant and plan actions going forward which have been identified to support in resolving the case going forward. The plan must also incorporate actions designed to support the complainant throughout the case.

| <b>Subject information</b>        |  |
|-----------------------------------|--|
| <b>Name of complainant</b>        |  |
| <b>Date of Birth</b>              |  |
| <b>Address</b>                    |  |
| <b>Other relevant individuals</b> |  |
| <b>Name</b>                       |  |
| <b>Relationship</b>               |  |
| <b>Date of Birth</b>              |  |
| <b>Address</b>                    |  |

|  |   |
|--|---|
| <b>Name of Agency:</b>   |   |
| <b>Name &amp; contact details of agency representative completing pro-forma</b>                  |   |
| <b>Has your agency had <u>previous</u> involvement with this case of anti-social behaviour</b>   | <b>No/Yes*</b><br><br>* please delete as applicable |
| <b>Does your agency have <u>current</u> involvement with this case of anti-social behaviour?</b> | <b>No/Yes*</b><br><br>* please delete as applicable |

Please provide a brief chronology of relevant agency involvement / issues arising:

Please provide a brief summary of any relevant issues identified and details of action already taken or planned in respect of these identified issues

## Appendix D

### NOTTINGHAM CITY COMMUNITY TRIGGERS PANEL

#### TERMS OF REFERENCE

##### 1. Purpose

The purpose of a Community Trigger is to empower citizens through greater transparency and visible multi-agency action planning approaches to effectively manage repeat complaints of anti-social behaviour in order to reduce risk of harm, build stronger inter-partnership working approaches and improve community relations with the relevant bodies.

##### 2. Aims

The Community Trigger Review meeting provides a welcoming environment facilitating the sharing of information between local government agencies and organisations to enable the creation of an action plan to be established which aims to resolve a case of anti-social behaviour.

The aim of the meeting is to empower citizens by giving them a platform to share their complaints in respect of the anti-social behaviour they have been experiencing in the community, understand first-hand, the multi-agency framework involved in dealing with their complaint and be a part of planning actions going forward which are designed to work towards resolving their case of anti-social behaviour

##### 3. Objectives

- Facilitate the Review meeting
- Share relevant confidential information with partner agencies
- Share relevant non-confidential information with partner agencies and complainants/representatives for complainants
- Provide an understanding and knowledge of the tools and powers each agency has that can be utilised to deal with the complaints of anti-social behaviour
- Create an action plan designed to resolve the issues
- Create a support plan designed to support the complainant
- Make any recommendations relevant.
- Confirm the agreed plans in writing to all present.

##### 4. Membership

Meetings will be held on an ad-hoc basis when Review requests are received that meet the threshold for a Review to be carried out.

The Statutory members of the Review include:-

- The relevant District Council or Unitary Authority (unitary includes the county council),
- The Chief Officer of Police for the policing area which that local government area is within,
- Each Clinical Commissioning Group established under section 14V of the National Health Service Act 2006 whose area is wholly or partly within that local government area
- Any local providers of social housing (means a private registered provider that a. grants tenancies or b. manages houses, in that area) who are among the relevant bodies by virtue of the co-option arrangements made in relation to that local government area
- Other agencies may be invited to attend meetings based on the cases being discussed and other agency involvement.

## **5. Governance**

The Administrators for the Community Trigger process will maintain a central record of the Review request on file alongside details as to whether the request met the threshold, pro-formas returned by the relevant agencies and copies of the outcome letter plus any other pertinent information.

The Administrators will publish relevant statistical data on Nottingham City Council's website on an annual basis

## **6. Meetings**

Meetings will be held on an ad-hoc basis when a request for a Community Trigger Review is received and the threshold is met

Meetings will be convened by the appointed SPOC who will Chair the meeting and ensure that the relevant bodies are invited and in attendance as per legislative requirements

## **7. Expectations**

The relevant bodies will attend all meetings and where the appointed representative is not available, they will appoint a suitably briefed substitute.

The relevant bodies are expected to present a detailed report to enable the panel members to jointly develop a robust risk management plan, identify appropriate actions for agencies and share accountability for decision-making

Case management continues outside of the meetings by the agencies identified within the risk management plan and not by the panel itself

The relevant bodies are responsible for carrying out their own actions and providing an outcome to the complainant. Any actions assigned from the meeting will be carried out in a timely fashion by the relevant body appointed to carry out the action

Meetings will be conducted in the spirit of mutual respect and accountability towards the shared objectives or safeguarding citizens and reducing anti-social behaviour

## **8. Confidentiality and Equalities**

Members of the relevant bodies will utilise the first half of the meeting to discuss any confidential matters where the complainant and/or their support network are unable to be present for. This section must be kept confidential with respect to all matters disclosed.

Panel members are to give appropriate consideration to confidentiality and information sharing throughout the meeting.

All information discussed during a Community Trigger meeting is to be treated in a confidential manner with respect to the rights of all citizens regardless of their age, gender, ethnicity, religion, sexual orientation or disability. Additional support will be considered where appropriate for individuals with additional needs such as interpreters and / or specialist advice.

## **9. Communication**

The Chair of the meeting is accountable for communicating all outcomes, action plans and support plans in writing to the complainant and all relevant bodies