

Anti-Social Behaviour Case Review ('Community Trigger') procedure

Introduction

The Anti-Social Behaviour, Crime and Policing Act 2014 sets out the requirement for relevant bodies in a unitary council area to make arrangements for and to carry out Anti-Social Behaviour Case Reviews – otherwise known as the 'Community Trigger'.

The focus is to bring agencies together to jointly review an anti-social behaviour case, and by taking a joined-up approach, consider what other action could be taken to find a solution for the victim or complainant.

The review is not intended to act as a complaints procedure that examines how a particular agency or agencies have tackled a problem in the past; but instead it focuses on the existing situation and what more can be done, enabling agencies to re-consider their actions quickly and objectively.

Who are the relevant bodies?

The relevant bodies in Central Bedfordshire are:

- Bedfordshire Police
- Central Bedfordshire Council
- NHS Bedfordshire Clinical Commissioning Group
- Social housing provider(s): Aldwyck Housing Group, Aragon Housing, Bedford Pilgrim Housing Association and Jephson Housing Association

An Anti-Social Behaviour Case Review will involve a representative(s) or specific point of contact (SPOC) from each of the above agencies.

What is meant by anti-social behaviour?

Anti-social behaviour means behaviour causing harassment, alarm, or distress to members or any member of the public.

Qualifying complaints

Where an agency or agencies receive a complaint (report) of anti-social behaviour they will seek wherever possible to find a satisfactory resolution. Sometimes such a resolution is not easily or quickly achieved, resulting in further complaints being made.

The case review process allows a complainant to have their case reviewed, where despite having made at least three separate complaints to one or more relevant bodies, the issue has still not been resolved to their satisfaction. It is not intended to review historical cases, or those only recently reported that agencies have not had a reasonable opportunity to respond to.

To meet requirements for the case review procedure complaints will have to meet the following criteria to qualify:

- they must be made within one month of the behaviour occurring; and
- a complaint made to several agencies at or around the same time will only count as one.

The completion of diary sheets as part of an investigation process will not be considered a qualifying complaint.

What is the criteria for a case review to be carried out?

An application for a case review to be carried out needs to meet the following criteria:

- three separate qualifying complaints reported by an individual in a twelve month period; and
- the application for review has been made within six months from the date of the most recent qualifying complaint.

In any other case where a case review application is received that does not meet the above criteria, the relevant bodies may still consider the threshold for a case review is met, by taking account of any the following factors:

- the persistence of the anti-social behaviour about which the original complaint was made; or
- the harm caused, or the potential harm to be caused, by that behaviour; or
- the adequacy of the response to that behaviour.

Who can make an application for a case review?

A complainant can make an application for a case review, or with their consent another person can make it on their behalf e.g. friend, relative, carer, councillor, or Member of Parliament. An application will normally only be accepted if submitted using the 'Application for Anti-Social Behaviour Case Review' form.

Which relevant body will co-ordinate the case review process?

The local authority for each unitary authority area will have responsibility for co-ordinating and administering the case review process.

Information sharing

Information shared between partner agencies during the case review process will be in accordance with existing information sharing agreements and protocols.

What is the case review process?

The case review process is set out as below:

- A case review application is received by the local authority specific point of contact (SPOC).
- The local authority SPOC will within 5 working days contact the SPOC's of the other relevant bodies to determine whether the application meets the threshold.
- If the threshold is met, the local authority SPOC will advise the applicant of the details of the case officer their application has been allocated to, on what date, their contact details, and will be advised that contact will be made by that officer within the next 5 working days detailing the next steps.
- Case review application is referred by the case officer to the next Anti-social Behaviour Risk Assessment Conference (ASBRAC) or equivalent monthly multi-agency meeting; the target is for the review meeting to take place within 28 days of receipt of the initial review application.
- The case officer will within 2 working days following the review meeting, advise the applicant of the outcome of the review and in particular provide details of any plan that was agreed.
- If an application does not meet the threshold, the local authority SPOC or nominated case officer will advise the applicant of the position, but also consider what other reasonable steps could be taken to resolve the issue.

How can a decision about not meeting the threshold for a case review or the actual outcome of a review be challenged?

An applicant for a case review has 28 days 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,

to request that the matter be further considered.

A request for a further review within Bedford Borough Council area will be passed to the Head of Regulatory Services at Bedford Borough Council, who will have 21 days from receipt of the request to carry out a review and advise the applicant of the outcome. Reviews within Central Bedfordshire Council and Luton Borough Council areas', will be passed to a Community Safety Partnership (CSP) manager from the authority area that is not dealing with the actual case review.

The Head of Regulatory Services or CSP manager may make recommendations to the relevant bodies in order to find a successful resolution, although these are not binding.

Assessment and revision of review procedures

The effectiveness of this procedure will be reviewed six months after its commencement and annually thereafter. It will be reviewed jointly by representatives of the relevant bodies across Bedfordshire. The Police and Crime Commissioner will be consulted during each review.

Publishing of data

At the end each fiscal year the relevant bodies for each area will publish the following data:

- the number of applications for case reviews;
- the number of times it was decided that the threshold for a review was not met;
- the number of case reviews carried out;
- the number of case reviews carried out that resulted in recommendations being made.