



Surrey ASB and Community Harm Reduction Strategy

Surrey Community Trigger Framework

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INTRODUCTION

What is a Community Trigger?

The Community Trigger (CT) is introduced by the Anti Social Behaviour Crime and Policing Act 2014. **It gives victims and communities the right to request a review of their anti social behaviour complaints and brings agencies together to take a joined up, problem solving approach to find a solution.** If a CT submission meets the defined threshold, a case review will be undertaken by the local Community Safety Partnership (CSP). Agencies will share information, review what action has been taken and decide whether additional actions are possible.

Who can use the Community Trigger?

- A victim of Anti Social Behaviour (ASB) or another person acting on behalf of the victim such as a carer or family member, MP or councillor or professional person.
- The victim could be an individual, a business or a community group.

Purpose:

To provide a channel to help victims of ASB to resolve their concerns and to give them a platform for their voice to be heard.

- To provide a high level multi-agency case review panel for ASB cases (once the threshold is met).
- Provide victims and witnesses of ASB with a comprehensive action plan for how the ASB will be addressed.

What is not suitable for the Community Trigger?

- If someone has reported ASB and been given a timescale for response, which has not expired. However the Community Safety Officer (CSO) will contact the supervisor(s) of the officer(s) who have received the reports detailed on the CT application to ensure they have oversight of the issue.
- If someone has reported ASB and received a service but they are unhappy with the conduct of a particular agency. They will be advised to submit a complaint under the agency's complaints procedures.

Threshold for Surrey Trigger:

1. A victim has reported three times in the last six months separate, but related, anti social incidents to agencies and the problem persists.

Please note: a qualifying complaint of ASB is a complaint which is made within one month of the incident occurring.

Definition of ASB:

- (a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
- (b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- (c) conduct capable of causing housing-related nuisance or annoyance to any person

- Attached to this guidance is an example of what is required as the minimum for the CT Form whether as a hard or on-line version. **(appendix 1)** This one form now includes the ability to add additional victims/witnesses as long as consent has been given.

Publicity of the Community Trigger Process:

- **It is the responsibility of all statutory and key partners to advertise the CT to as wide an audience as possible.**

As a minimum in Surrey it is expected that agencies' websites will have information about how to activate the CT and will signpost victims to the Surrey ASB Website <https://www.healthysurrey.org.uk/your-health/community-safety/asb> where the victim can obtain more detailed information about the CT process.

- **It is the responsibility of the districts/boroughs to process the CT and therefore they must allow victims easy access to the forms that need to be completed.**

Information on a website:

1. Should have a clear meaning that an ordinary member of the public can understand, acronyms are explained and the information is set out with subtitles and spacing.
 2. Should be accessible by providing a variety of effective ways for the victim to activate the Trigger or to seek further advice. Where possible avoid switchboard numbers and ensure links to online forms work.
 3. Should ensure the information is not hidden away on a website but is clearly linked through from pages about anti-social behaviour, on search engines and also on complaints pages.
 4. As a minimum should include the information on the attached CT Request Form within this document
- **It is a statutory requirement that the amount of CTs received to each Borough must be published once a year.**

The data must include: No: of CT received, No: that do not meet the Threshold, No: of Case Reviews carried out and No: of those Case Reviews resulted in recommendations being made.

It is expected that each district/borough will as a minimum place this on their website and on the relevant Community Safety Partnership Website.

There will also be a requirement to produce an additional report to the Community Harm Reduction Group for oversight and to highlight good practice and barriers to ensure the CT is fit for purpose.

Process for a Community Trigger

- The single point of contact (SPOC) for the CT will be the Borough Community Safety Officer (CSO), who will act as a SPOC and coordinator of the CT process.
- On receipt of a CT application the SPOC will respond to the victim within 3 working days outlining the timescales for the full response, **which will not exceed 25 working days** from receipt of the CT.
- The CSO will:
 1. Carry out an initial assessment of the CT submission, regardless of the information on the CT application, (as in isolation the information on the application may be limited or not well described or articulated by the person completing the form)
 2. Speak **directly** to the victim to get a better understanding of the issue and **arrange for a risk assessment of the victim to establish vulnerability** if not already completed.
 3. Give the victim **a named contact and details** of the person who will be dealing with their CT.
 4. Inform the CT Panel of the initial findings and level of vulnerability.
 5. Consider a referral to the ASB Victim Support Service (ASC) whether the threshold has been met or not.
- The CT Panel will consist of persons of a high enough level of seniority that they can challenge the actions already taken and authorise new actions from their cohort of staff.

The panel will comprise of the following:

- community safety officer,
- senior representative of the local authority,
- senior representative from Housing Provider (if appropriate),
- Borough Commander from Surrey Police,
- Surrey County Council Community Safety representative.

But will be flexible in its constitution, as it needs relevant agencies who can deal with the situation

- It is deemed as **good practice** that at least one person on the CT Panel should be impartial/not involved in the response for tackling the ASB cited in the CT. This could be a CSO from another Borough or a locally elected member who acts as a critical friend to make sure unconscious bias is not an issue. Also, where possible, the chair should be someone who is not directly involved in tackling the ASB mentioned in the CT.
- Where necessary and for speed this may be a virtual meeting with the SPOC collating all of the feedback/evidence.

- The decision to accept or reject a CT will be fed back to the victim by the SPOC, with a clear explanation of the reason for the decision including time frames and action plan for carrying out the review and how this will be done. The outcome of the CT will be fed back to the victim within 25 working days by the SPOC.

Please note: when initial assessment of a CT takes place, you are asked to consider the harm that is being caused to the victim/s and whether they may be vulnerable. There could be occasions when a CT does not meet the threshold, but due to the nature of the ASB and the potential for harm to be caused, dealing with the issue under the CT is still the most appropriate response.

- If the decision is made that the CT does **NOT** meet the threshold, you must inform the applicant ASAP. You must give suitable advice in regards to helping them manage the issues and signpost to relevant agencies which may be able to offer support outside of the CT framework. As a minimum they should be signposted to the Surrey ASB Website at <https://www.healthysurrey.org.uk/your-health/community-safety/asb>
- If the decision is made to accept the CT, the Panel will meet to review the CT as soon as possible and an action plan put in place if applicable. **At all times it is imperative to keep the victim informed and up to date of the process.**
- The CHaRMM or the JAG can be used when/where appropriate to oversee actions arising from the Community Trigger.

Please note: There is no statutory requirement for agencies to deliver any recommendations from the CT Panel. The legislation only allows panels to recommend agencies' actions. If an agency refuses or doesn't agree with the recommendations set out in the plan, the CSO should consider escalating their concerns to the chair of the relevant Community Safer Partnership, for additional guidance and support.

- Governance of the CT process sits with the Community Safety Partnership and should be an annual standing item at the Partnership Meeting, so that submissions can be reported and scrutiny given if necessary.
- The Office of the Police and Crime Commissioner (OPCC) will provide a route for victims to query the decision on whether the threshold was met or the way the CT review was carried out, if the victim remains unhappy following the Community Safety Partnership's response.

Action Plans

Things to Consider:

Does the case review seek to actively problem solve the case to find an effective way to stop the anti-social behaviour rather than just checking procedures have been followed?

Is there a clear understanding by all agencies of the importance and value of complying with recommendations and open sharing of information?

Does the victim receive a clear action plan from the case review meeting explaining what has been done as well as recommendations, if any, and support available to them?

The OSARA problem solving model should be used to produce the action plan.

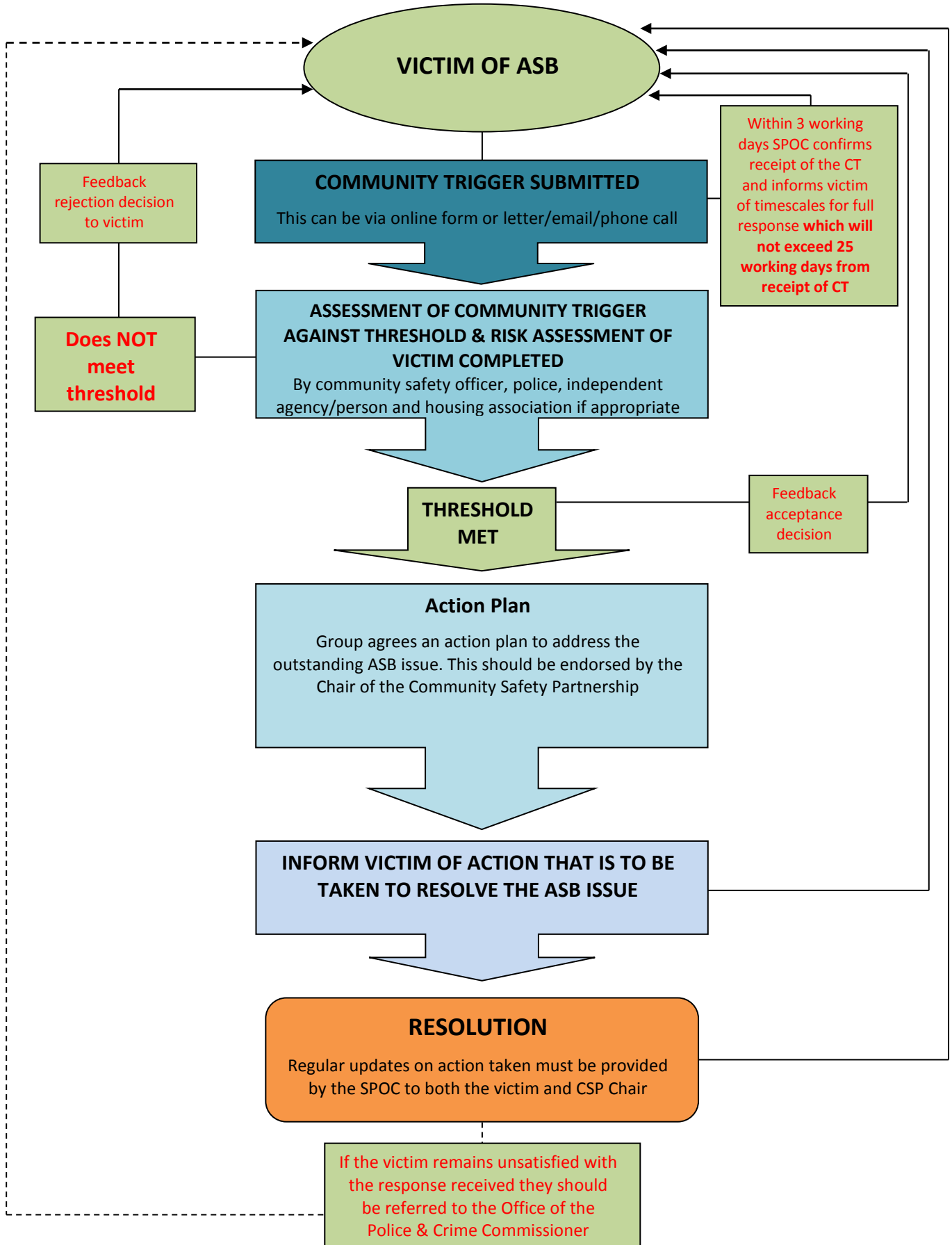
The use of ECINS should be considered to case manage the CT process and to:

- Log copies of the CT Request
- Log rationales for acceptance or rejection of the CT
- Log Action Plans and Feedback from key agencies involved

If not using ECINS then the attached action plan should be used managed the CT response
(Appendix 2)

Further guidance can be found in the “CT Chairs” Pack (Appendix 3)

Surrey Community Trigger Process



EXAMPLE TRIGGER REQUEST FORM:

Your contact details	
Name:	
Address:	
	Postcode:
Telephone:	
Mobile:	
Email:	
Incident details	
Incident One:	
Date:	
What happened?	
Where did it take place?	
How has it affected you?	
Who did you report it to?	
Were you given a reference number? If yes, what is it?	
What response did you get to this first report?	
Incident Two:	
Date:	
What happened?	
Where did it take place?	
How has it affected you?	
Who did you report it to?	
Were you given a reference number? If yes, what is it?	
What response did you get to this second report?	
Incident Three:	
Date:	
What happened?	
Where did it take place?	
How has it affected you?	
Who did you report it to?	
Were you given a reference number? If yes, what is it?	
What response did you get to this third report?	

Additional Information

Please use the space below to provide any additional information you feel relevant.

Empty space for providing additional information.

If other people you know are experiencing the same anti-social behaviour, you can add their details (if known) below BUT please ensure you have their consent before doing so and get them to sign their consent below their details.

Name:		
Address:		
		Postcode:
Telephone:		
Mobile:		
Email:		
<i>“As a victim of the incident/s indicated on this form, I give consent for the Community Safety Partnership to request information from relevant organisations including the local council, police, health providers and housing associations about the case, and to share that information with appropriate agencies in order to determine if a case review meeting should take place. I also understand I may be contacted for further information”</i>		
Signature:		
Date:		

2nd Additional Victim/Witness	
Name:	
Address:	
	Postcode:
Telephone:	
Mobile:	
Email:	
<i>"As a victim of the incident/s indicated on this form, I give consent for the Community Safety Partnership to request information from relevant organisations including the local council, police, health providers and housing associations about the case, and to share that information with appropriate agencies in order to determine if a case review meeting should take place. I also understand I may be contacted for further information"</i>	
Signature:	
Date:	
3rd Additional Victim/Witness	
Name:	
Address:	
	Postcode:
Telephone:	
Mobile:	
Email:	
<i>"As a victim of the incident/s indicated on this form, I give consent for the Community Safety Partnership to request information from relevant organisations including the local council, police, health providers and housing associations about the case, and to share that information with appropriate agencies in order to determine if a case review meeting should take place. I also understand I may be contacted for further information"</i>	
Signature:	
Date:	
<p>If you are the victim and requesting the case review, please sign the below declaration. If you are acting on behalf of a victim involved in this case, please ask them to sign the below declaration before submitting the case review request form.</p>	
<i>"As a victim of the incident/s indicated on this form, I give consent for the Community Safety Partnership to request information from relevant organisations including the local council, police, health providers and housing associations about the case, and to share that information with appropriate agencies in order to determine if a case review meeting should take place."</i>	
Victim's Name:	
Signature:	
Date:	

Thank you for submitting this information. You will be contacted within 3 working days to confirm receipt of your submission.

For impartial advice on how to report ASB and tips to secure best evidence visit ASB Help:

<https://asbhelp.co.uk/how-to-report-anti-social-behaviour/>

Surrey Community Trigger Action Plan

To be completed for all accepted CT which will then be used to keep the victim informed of your actions and progress

Objective: *The intension of this problem solving initiative is to.....*

Scanning: *What is the problem? Identify problem using local knowledge, community intelligence and other supporting information such as ICAD history or hot spot analysis of crime and incident demand*

Analysis: *underlying causes and effects or harm*

Response: *How are we going to resolve the problem? Devise a long term and sustainable solution to the problem, working with the public and partner agencies wherever possible. What action can be taken? Make sure actions are SMART*

Action	By Who	By When	Completed

Assessment: *Did you make a difference? Review the problem to determine whether the solutions have worked or been successful, and any lessons that can be learned for the future. Where solutions have not been successful the process begins again.*



ASB Trigger – ASB Help Chairs Pack

The information contained in this pack is designed to assist the Chair of the Community Trigger meeting. The overarching purpose is to facilitate a collaborative strategy inclusive of all agency representatives to bring an end to the anti-social behaviour reported by the victim(s). The needs of the victim(s) should remain central to this process.

The Community Trigger process is not about apportioning blame. The Chair should emphasise this at every opportunity by fostering a positive culture of identifying where policies and procedures have not been followed but using the forum as a learning outcome.

1. Has the character of the anti-social behaviour been determined?

Defining the type of anti-social behaviour is fundamental to identifying principal agencies who can actively participate in implementing a strategy to bring it to an end. For example, if the anti-social behaviour is noise nuisance, its character should be identified. If the noise is because of multiple visitors to a property throughout the day and night, this should prompt the panel to consider if there is a crack house and organised crime group activity. This will necessitate a response from multiple agencies. If the noise is from music being played loudly and excessively by a social housing tenant for example, while a multi-agency response should be invited for intelligence purposes, in all likelihood, such a case will be dealt with by the landlord as the lead agency with the LA environmental protection team in support.

2. Have all victims and all alleged perpetrators been identified?

If not, the most appropriate agencies should be tasked with identification. For example, in the previous crack house example, have the visitors been identified? They may be victims or perpetrators', but they should be identified to ensure they are adequately assessed, and any support requirements identified and implemented. Additionally, canvassing neighbours to ascertain if they are victims, or if they would be willing to provide witness evidence, even anonymously is advantageous to facilitate a solution to the case.

3. Have risk and vulnerability assessments been completed for the victim(s), alleged perpetrator(s) and agencies?

Ascertaining this information from the outset is fundamental to ensuring the victim(s) is adequately supported until the anti-social behaviour ends. Completing a risk and vulnerability assessment of the perpetrator(s) is crucial to measuring if proposed interventions are fair, reasonable and proportionate. This will also mitigate against a successful Public Sector Equality Act Defence where legal action is taken. Likewise, conducting a vulnerability assessment for the victim(s) and wider community, is essential to demonstrate any proposed legal action is a proportionate means to achieve a legitimate aim.

Showing the detrimental impact of the ASB on agency resources and capacity is also important, especially where it has impaired their ability to carry out normal business function.

4. Is there an identifiable lead agency?

If either the alleged perpetrator(s) or victim(s) are tenants of a social landlord, that landlord will ordinarily be the lead agency. However, the ethos of the community trigger is to work collaboratively, inviting stakeholders to be part of the solution and utilising their powers which may be different to those available to the lead agency. For example, a case involving a suspected crack house owned by a social landlord requires the participation of multiple agencies: the Police or LA to apply for a Closure Order, drug or alcohol service to assist in identifying and offering treatment to individuals using the crack house, including the tenant. The service may also be able to assist with facilitating positive requirements where a Part 1 injunction on the tenant is deemed appropriate. The landlord, or multiple landlords, including the LA where the neighbourhood is mixed are required to work with other residents to obtain witness evidence, and assist with risk and vulnerability assessments. The LA or Police may be able to deploy mobile CCTV but will be integral to the enforcement of the Closure Order. Where such interventions fail, the Landlord may feel possession proceedings are the only option and will require statements from other agencies to evidence the interventions attempted prior to taking that course of action, thereby showing a fair, reasonable and proportionate response. Consultation with support services for both the victim(s) and alleged perpetrator(s) should be a continual process to ensure the emotional wellbeing of all parties involved is proactively managed.

5. Is a fair, reasonable and proportionate response identifiable?

Where there is a HATE offence or the threat or act of violence, low lever interventions such as warnings or acceptable behaviour contracts are unlikely to be a reasonable response and a formal approach is required.

Incidents that seem minor to a practitioner may not be to a victim(s) and the cumulative impact of incidents must be considered along with a profile of the victim(s) to establish any exacerbating factors.

6. Should a criminal investigation take precedence over civil proceedings?

These are not mutually exclusive. Care should be taken not to take a blanket view that unsuccessful criminal action will render civil action impossible.

A charge or conviction is not required to pursue civil legal action. However, consultation with the Police should be undertaken out of courtesy and to ensure that a civil investigation does not compromise a criminal investigation. Where a criminal investigation results in no further action, this does not mean civil action cannot be pursued. The civil standard of proof is lower and hearsay evidence can be used in civil matters. The same principle applies to a statutory noise nuisance case. Not meeting a statutory threshold does not mean civil action cannot be taken. If upon hearing sound recordings panel members find it amounts to a nuisance and annoyance, the likelihood is that a civil court would make the same finding.

7. Where anti-social behaviour is secondary to another issue, is the anti-social behaviour still being managed?

Care should be taken to ensure that a victim(s) is not given explanations such as 'a criminal investigation is underway so no further action can be taken while this is on-going' or that actions are delayed because another agency is managing a different dimension of a case. A typical scenario may be a case of domestic abuse. This may be dealt with by the Police, but their approach will be focused on offences against the person. However, if the abuse is overheard by neighbours, causing them distress or nuisance, this is anti-social behaviour which should be managed. This type of case must be managed sensitively so that any proposed resolution does not unduly escalate the risk to the victim(s) of the abuse. Nevertheless, the nuisance must be addressed.

Good conscience should be exercised throughout the community trigger process and meaningful actions identified and implemented which will have a positive impact on the victim(s) life.