

Appendix 3

Warwickshire Community Trigger Process

Notes

- The flowchart on page 3 shows the Community Trigger process for Warwickshire. This has been updated based on feedback from each District and Borough and is designed to enable local flexibility whilst keeping the process as consistent as possible
- This element of the new ASB legislation will come into force on 20th October 2014
- Each District and Borough now needs to ensure that local arrangements are in place prior to the implementation of the trigger process. In particular, the Single Point of Contact (SPOC) in each District / Borough Council for victims to contact to activate the trigger needs to be identified. Timescales for providing responses to applicants should also be agreed. The trigger process will then need to be promoted as widely as possible within each area, both to members of the public and any agencies who may become involved in reviews (e.g. RSLs)
- The relevant bodies with a statutory duty to have a Community Trigger procedure and to undertake case reviews are; District / Borough Councils, Police, Clinical Commissioning Groups and co-opted social housing providers. Discussions will need to be held locally to ensure all relevant bodies are aware of the new requirement on them to undertake and participate in case reviews.
- It is acceptable to reject trigger applications deemed malicious or vexatious. The definition of malicious / vexatious should be agreed locally, but it is suggested that no more than two requests to activate the trigger should be considered from an individual in any six month period, unless there are specific extenuating circumstances
- The trigger can be used by third parties (Councillors, carers, family members etc) on behalf of vulnerable victims. It is suggested that it should not be used as a response to anonymous reports of ASB
- Each area will need to publish data about community trigger applications and outcomes at least annually. For Districts / Boroughs signed up to use E-CINs for ASB, discussions will be held with Empowering Communities to ensure this information can be recorded and downloaded from the system.
- The trigger threshold and process should be reviewed when it has been operational for six months (April 2015). It is suggested that the countywide ASB Working Group reconvenes at that point to discuss any issues and/or amendments required to the process.

The Threshold

The trigger threshold and proposed wording to be included on websites and publicity material is shown below. Local contact details need to be added for each area.

“If you have reported Anti-Social Behaviour and you feel that **insufficient action** has been taken to resolve the matter, tell us about it under the **Community Trigger**.

Criteria for a Community Trigger:

You have reported three separate incidents relating to the same problem in the past six months to the Council, Police or your landlord, and feel that insufficient action has been taken to resolve the matter.

OR

At least five people have made reports about the same problem in the past six months to the Council, Police or your landlord and feel that insufficient action has been taken to resolve the matter.

Contact us with your name and contact details;

By phone **01926 456010** By email antisocialbehaviour@warwickdc.gov.uk;

By post: **Safer Communities, Warwick District Council, Po Box 2179, Riverside House, Milverton Hill, Leamington Spa. Cv32 5HZ**

Include any other details about the local Trigger process (e.g. information an applicant needs to provide about their case) here¹

Appeals Process

If applicants are not satisfied with the outcome of the review into their case or the decision that they didn't meet the trigger threshold, they have a right of appeal.

For cases in North Warwickshire, Nuneaton and Bedworth, Stratford and Warwick, appeals should be made to the Office of the Police and Crime Commissioner (OPCC). The OPCC's office email is opcc@warwickshire.gov.uk.

For cases in Rugby, appeals should be made to the Rugby Borough Council Customer and Performance Scrutiny Committee. Applicants should be provided with information about how to appeal when they are informed of their right to do so.

Appeals should be made to the relevant body within 28 days of an applicant being provided with the outcome of their Trigger request / case review.

¹ To qualify to use the Trigger, the applicant must have reported the ASB within one month of the alleged behaviour taking place and made their application to use the Trigger within six months of the report. This is to prevent someone reporting historical ASB in order to use the Trigger.

The Process

