

LEICESTERSHIRE SAFER COMMUNITIES STRATEGY BOARD

18th JUNE 2021

LSCSB UPDATE: COMMUNITY TRIGGER REVIEW/APEAL PROCESS

Background

1. The Community Trigger (CT) is a statutory process which allows members of the public to require Community Safety Partnerships (CSPs) and where relevant, Registered Housing Providers (social landlords), to review their response to complaints of anti-social behaviour if the relevant threshold is met (as detailed below).
2. Community Triggers can be raised by victims or representatives of victims, and victims can be individuals or businesses.
3. To provide a consistent approach to the use of the CT, a Policy was agreed between all 10 Local Authorities (LAs) within Leicester, Leicestershire & Rutland (LLR) and Leicestershire Police.

Threshold for Community Triggers

4. A request to activate a CT can be made if, within the last six months:
 - you (as an individual) have reported to the Council, Police or a Registered Housing Provider (social landlord) three separate incidents of anti-social behaviour within your area, *or*
 - you have been a victim of a hate incident,

And

- you believe that no effective action has been taken.
5. At the ASB Delivery Group in February 2021, it was highlighted that a review was required of the LLR CT Policy due to updates in the government guidance around the threshold for triggers. As a result, a partnership Task and Finish (T&F) Group was convened. As part of the review, the T&F Group noted that the previous policy did not detail an agreed appeals process and as such, this would need to be decided upon by the partnership.

Notable developments and challenges

6. Whilst reviewing the appeals process, the T&F Group found that in some neighbouring localities, CT appeals are managed by the Office of the Police and Crime Commissioner (OPCC). After consultation with our OPCC, it has been confirmed that this is not the intention for Leicestershire at present.

7. As such, the alternative recommendation from the T&F group is that appeals be managed by another partnership CSP chair, in order to be impartial.
8. Detailed below is an overview of the numbers of CTs received (in total) by the nine LA partners that manage CTs across LLR, along with the figure for any subsequent appeals.

In the last year:

- number of applications for ASB Case Reviews received: 26
- number of times the threshold for review was *not* met: 8
- number of anti-social behaviour case reviews carried out: 18

In the last 5 years:

- number of Community Trigger *appeals* requested: 5

Key issues for partnership working or affecting partners

9. At present, there is not an agreed partnership appeals process, meaning appeals (and as such, victims) could be managed inconsistently across LLR. To prevent this, the following proposal is being brought to the Board for consideration.
10. In some LA areas, the CSP Chair is involved in the Community Trigger *review* process within their locality. As such, it would not be impartial for them to lead an *appeal* process for that same CT. As mentioned above, the alternative suggestion from the T&F Group is a peer review appeal process.
11. It is recommended that a list of the LLR CSPs be written up so that when appeals are received, the CSP that will manage it is taken from the list in the order they appear; in order to make it fair, impartial and swift. It is also recommended that this process be co-ordinated via the Community Safety Team at Leicestershire County Council, the only LA within LLR that does not handle CTs.
12. A key point to note, is that not all CTs will go through to appeal. In fact, as can be seen from the figures above, despite there having been 18 reviews carried out in the last year, in the last *five* years, there has only been a total of five appeals across LLR.
13. If agreed at LSCSB, the proposal will also be taken to the Safer Rutland and Safer Leicester Partnerships for approval.

Recommendations for the Board

14. That Board members agree to a peer CSP led Community Trigger Appeal process.

Officers to contact

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