

**Buckinghamshire Council
Community Trigger Procedure and Guidance
For Residents
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Community Trigger Procedure and Guidance for Residents

Introduction

This procedure accompanies the Community Trigger application form and process map and provides a framework to ensure that all residents of Buckinghamshire receive a response fairly and properly if they activate the Community Trigger. The Community Trigger was introduced in the Anti-Social Behaviour, Crime and Policing Act 2014. This Act places a duty on relevant bodies to make arrangements for and to carry out reviews in relation to the Community Trigger process.

In Buckinghamshire, the relevant bodies are:

- Buckinghamshire Council
- Thames Valley Police
- Clinical Commissioning Group

Other invited partner agencies who may be co-opted to the Community Trigger process include:

- Bucks Fire and Rescue
- National Probation Service
- Community Rehabilitation Company
- Mediation
- Registered providers of social housing

The Community Trigger is not a complaints procedure; each individual organisation will have their own complaints procedure should you be dissatisfied with the quality of service that you have received from them. The Community Trigger process is part of the wider changes that the government have made to how organisations can tackle anti-social behaviour and allows victims of persistent anti-social behaviour (ASB) that meet a certain threshold the means to request a formal review of the case. This allows the agencies involved to reconsider their actions and to look at recommendations of any further action that can be taken.

What is Anti-Social Behaviour?

ASB is a definition for a wide range of issues from crime and serious nuisance to less severe but frequent and annoying behaviour. For the purposes of the Community Trigger in Buckinghamshire, the meaning of the term anti-social behaviour is as described in the Anti-Social Behaviour, Crime and Policing Act 2014 as: "behaviour causing harassment, alarm or distress to members or any member of the public".

Who can activate the Community Trigger?

The Community Trigger can be activated by an individual (or a third party with written permission of the individual), a business or a group of individuals from a local community affected by persistent ASB, by completing and submitting the Community Trigger application form. Anonymous or incomplete forms will not meet the threshold. Incomplete forms will be referred back to the applicant and re-considered when completed and re-submitted.

Anonymous information will be referred to the relevant bodies for their information, but will not be reviewed for the purpose of the Community Trigger.

In order to complete the application form and submit a Community Trigger request, you will be required to provide the following information:

- Dates on which you made a complaint about ASB to Aylesbury Vale, Wycombe, Chiltern or South Bucks District Councils prior to 1st April 2020, or Buckinghamshire Council on or after 1st April 2020, the Police or your housing provider
- Who you reported the incidents to
- Incident or reference numbers that you have been given
- Further information about the incidents reported

You will also have the opportunity on the application form to tell us about the background to the ASB and the impact that this is having on you. The requested information is important to enable us to carry out a thorough case review and to consider a way forward; please ensure that you give as much information as possible on the application form.

The Community Trigger is not intended to review historically resolved cases nor cases which have recently been reported where a reasonable response time for the relevant body to investigate has yet to elapse. Some cases of anti social behaviour by nature are not easily resolved and may result in further complaints being made. These complaints may have been made to one of more of the relevant bodies.

Community Trigger Threshold

In order to meet the Community Trigger threshold, the following qualifying criteria applies:

Three separate anti-social behaviour incidents within the past six months must have been reported to the police, the council or the housing provider if applicable and the applicant is of the opinion that no action has been taken.

All reports must have been reported within one month of the incident occurring.

If the above qualifying criteria are not met for the Community Trigger, the relevant bodies will take into account the following factors which may also lead to the threshold being met:

- The persistence of the ASB
- The potential harm or harm caused by the ASB
- The adequacy of the response to the ASB by the relevant bodies

Qualifying Complaints

S104 (11) of the Anti-Social Behaviour, Crime and Policing Act 2014 defines a 'qualifying complaint' (referred to here as an incident) as one which is made within one month of the incident occurring and that the application for a case review is made within six months of the incident being reported. The completion of diary sheets which forms part of the investigation would not be considered as a qualifying complaint. The reported complaints must be separate; complaints made to several bodies regarding the same incident will only be classed as one complaint.

The Community Trigger Case Review

Buckinghamshire Council will be responsible for co-ordinating and administering the Community Trigger case review process with input from the relevant bodies as requested. The Anti-Social Behaviour Officer will be the Gatekeeper within Buckinghamshire Council to

administer the Community Trigger procedure and applications. Applications should be completed [online](#) or by completing the [Community Trigger Application form](#).

However, if you require assistance completing the form or have any queries regarding the process you can contact the Customer Contact Centre via telephone on 0300 131 6000, via email at communitytrigger@buckinghamshire.gov.uk or write to the Community Safety Team c/o Directorate for Deputy Chief Executive Localities and Strategic Partnerships, Buckinghamshire Council, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF.

Any information shared between the relevant bodies and partner agencies will be in accordance with the Safer Bucks Community Safety Partnership Information Sharing Protocol (ISP).

The following process will be adhered to when a Community Trigger application is received:

1. The Gatekeeper will acknowledge receipt of the Community Trigger application within 3 working days. On receipt of a completed application form the Community Trigger will be considered to be activated and the Gatekeeper will discuss the case with the applicant and ensure a good understanding of the history and what they would like the outcome to be; an incomplete form will be sent back to the applicant to complete and re-submit. Support from Victims First will be offered to all applicants.
2. The Gatekeeper will liaise with the point of contact for each agency named in the activated Community Trigger application and request that information regarding the complaint/s and actions to date to resolve the issues is forwarded to the Gatekeeper within 10 working days.
3. Within 5 working days of all of the information being received from the relevant agencies, the Gatekeeper will advise the applicant if the Trigger meets the threshold.
 - a. If the threshold is met, the Gatekeeper will advise the applicant of the next steps.
 - b. If the threshold is not met the Gatekeeper will offer appropriate advice to the applicant, including their right to appeal.
4. The Gatekeeper will arrange a case review meeting with a Review Panel made up of senior officers of the agencies that have been involved in the case to date and any relevant supporting agencies, to be held within 28 days of the Community Trigger being activated, and advise the applicant of the date of the meeting. The victim, or a representative of theirs if they prefer, will be invited to the meeting if they wish to attend to help members of the panel understand the impact of the anti-social behaviour.
5. Where possible, the review meeting will be chaired by a senior officer or manager not subject to the Community Trigger complaint. The relevant bodies and other relevant agencies will carry out a case review on the advised date. The focus of the review will be to problem solve. Information and previous actions from all relevant agencies will be considered and a response including any relevant recommendations with timescales will be agreed.
6. Within 5 working days of the case review meeting the Gatekeeper will write to the applicant to advise them of the outcome. The outcome of this may be either:
 - a. *The Trigger threshold has been met but no further action.* This may include where there is insufficient evidence for enforcement action at this time or where Court dates are awaited. Appropriate guidance and advice will be

given and details of the appeals process provided. A closure letter will be sent but the case will be monitored by the Community Safety Partnership.

b. *The Trigger threshold has been met* Recommendations have been agreed and will be discussed with the applicant.

7. Where applicable, the Review Panel will coordinate the recommendations and liaise with the relevant agencies as necessary. This will be monitored by the Gatekeeper and overseen by the Community Safety Partnership until such a time that it can be closed.

Appeals

Under the Act, applicants of the Community Trigger have the right to appeal should they be dissatisfied with the way in which either:

(a) the application has been dealt with or

(b) the way in which the case review has been carried out.

The appeal will only be considered if the grounds meet either point (a) or (b). The applicant must appeal the decision within **10 working days** of the date of the decision outcome letter in writing to the Chair of the Safer Buckinghamshire Board by either:

By writing to:	Sarah Ashmead, Directorate for Deputy Chief Executive Localities and Strategic Partnerships, Buckinghamshire Council, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF
By email:	communitytrigger@buckinghamshire.gov.uk

The Chair of the Buckinghamshire Community Safety Partnership will acknowledge the appeal request within **3 working days** and review the case and notify the applicant of the outcome within **15 working days** of the date of the appeal being received. For complex cases this may take longer, however should this be the case you will be advised of this and provided with a revised timescale. The Chair's decision is final and there will be no further opportunity to appeal.

The Community Trigger review process is not a complaints procedure and does not replace each organisations formal complaints procedure. If you are unhappy about the service that you have received from an officer or particular organisation you can make a formal complaint directly to that organisation.

For information on the Community Trigger process, please view our [Process Map](#).

For information on the Community Trigger appeals process, please view our [Appeals Process Map](#).