



ISLE OF WIGHT COUNCIL

PERSISTENT ANTI-SOCIAL BEHAVIOUR CASE REVIEW POLICY (COMMUNITY TRIGGER)

Document Information

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Author:	Amanda Gregory, Regulatory Services Manager Regulatory services, Jubilee Stores, The Quay Newport ✉ Amanda.gregory@iow.gov.uk ☎ (01983) 823150
Sponsor:	Mr Steve Apter Chief Fire Officer ✉ steve.apter@iow.gov.uk ☎ (01983) 821000 ext.
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INTRODUCTION

The Anti-social Behaviour, Crime and Policing Act 2014 introduced new powers for Local Authorities, emergency services, NHS and other agencies to help tackle anti-social behaviour. Many police forces, councils and housing providers are already working hard to deal with issues that matter locally, but the range of local agencies involved in tackling anti-social behaviour can lead to uncertainty as to whose responsibility it is to deal with a particular problem. As a result, victims can sometimes find themselves being passed from the police to the council to their landlord and back again.

The anti-social case review process or also known as the community trigger is a mechanism for victims of persistent anti-social behaviour to require action, starting with a review of their case. The focus of a review is on bringing agencies together to share information and to take a more joined up, problem-solving approach to find a solution for the victim. Agencies including councils, the police, local health teams and registered providers of social housing will have a duty to undertake a case review when someone requests one and their case meets the defined threshold. For the purpose of the anti-social case review process, anti-social behaviour is defined as “**behaviour causing harassment, alarm or distress to any member of the public**”.

The review process will provide additional accountability from agencies to ensure that they work in partnership to meet the needs of victims. It will give victims and communities the right to require agencies to deal with persistent anti-social behaviour and will place a new duty on agencies to take action and deal with the issues.

DEFINITIONS

The Council means Isle of Wight Council.

The Act means the Anti-social Behaviour, Crime and Policing Act 2014

Relevant bodies means those organisations which have a statutory duty to have an anti-social case review policy and procedure and are:

- District councils, Unitary authorities or London Boroughs
- Police Forces
- Clinical commissioning groups
- Social housing providers who are co-opted into the group

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

Qualifying complaint means that the anti-social behaviour was reported within one month of the alleged behaviour taking place; and the application to use the anti-social case review is made within six months of the report of anti-social behaviour.

Informal interventions can include verbal warnings, written warnings, an acceptable behaviour contract (ABC) or work with charities or support groups to curb the anti-social behaviour.

Acceptable behaviour contract is a voluntary contract used by the council, police or Housing provider to stipulate conditions for a person or persons to abide by. The contract is voluntary, but refusal to sign up to it, or indeed abide by it, can be used as evidence for a formal intervention.

Community Safety Partnership Tactical Group is a group of senior officers from all relevant agencies who meet to discuss tactical joint working.

Community Safety Partnership Strategic Group is a statutory partnership established under Section 5 and 6 of the Crime and Disorder Act 1998 (CDA) as amended by Section 97 and 98 of the Police Reform Act 2002, Section 1 of the Clean Neighbourhoods and Environment Act 2005 and Schedule 9 of the Police and Justice Act 2006. The membership of the group consists of representatives from the Isle of Wight Council ("the council"), Isle of Wight Fire and Rescue Service, Hampshire Constabulary, Health Authority and the Probation service.

PERSISTENT ANTI-SOCIAL BEHAVIOUR THRESHOLD

Anti-social behaviour is very different from one area to the next and the response has to be decided locally. Hampshire Constabulary and Local Community Safety Partnerships have agreed that the threshold based on the Manchester pilot should be applied across all District and Unitary Authorities in Hampshire to offer consistency in approach. This is:

An individual – 3 complaints in 6 months. Reporting behaviour causing harassment, alarm or distress to a member or members of the community and think no action has been taken or are not satisfied with the action taken.

OR

A group- 5 individuals in a local community have reported, separately, similar incidents of anti-social behaviour to a member of the community safety partnership. They all think that no action has been taken or are not satisfied with the action taken. The individual acting on behalf of the group must have all other individuals consent.

OR

A representative – a representative acting on behalf of one of the above with their consent.

To meet the criteria incidents need to have:

- Caused harassment, alarm or distress
- Been logged within one month of the incident; and
- With the last incident occurring within the last six months.

PERSISTENT ANTI-SOCIAL BEHAVIOUR CASE REVIEW PROCESS

An individual or group may make contact to a relevant agency detailing the concern in relation to a case of persistent anti-social behaviour and why they think a review of their case is required.

Contact can be made via email, letter, telephone, in person to the relevant agency or via the council's anti-social behaviour website.

The contact details for the council are:

Accredited Community Support Officers Team
County Hall, Newport, Isle of Wight, PO30 1UD.
Telephone number 01983 821000
community.safety@iow.gov.uk
[http://www.iwight.com/eforms/eforms/safercommunities/p18263.aspx?ID=xYhXuOsVygQ\\$](http://www.iwight.com/eforms/eforms/safercommunities/p18263.aspx?ID=xYhXuOsVygQ$)

An individual may also contact Hampshire Police on non emergency number 101.

The individual must provide:

1. Confirmation of whether they are requesting a review as:
 - a) An individual
 - b) On behalf of a group
 - c) Or a representativeIf b or c consent from other group members or the individual being represented must be included.
2. Personal Details
 - Name
 - Address
 - Date of Birth
 - Contact details
 - Residential status e.g. owner occupier or rented
 - Any health or vulnerability issues
3. Is this an ongoing case or are you unhappy with the result of a case?
4. What would you like to see as the outcome of this community trigger?
5. Incident (s) detail including:
 - Date of incident
 - Date reported

- Who did you report it to (which agency/individual, including reference numbers)
- What happened?
- Who was involved?

Once contact has been made, this will be sent to the single point of contact at the council for Community Triggers. An acknowledgement will be made within 5 working days.

Deciding whether the threshold has been met

Once a qualifying complaint has been received, the relevant agencies will be contacted electronically and will be asked to decide whether the community trigger threshold has been met. In doing so they will also take into account the following:

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

They will also decide on which agency will lead on the response. This decision will be made within 5 working days from the date of circulation.

Threshold not met

When it is found that the threshold has not been met, the individual or group is advised in writing within 5 working days of the decision by the lead authority.

Threshold met

If the threshold has been met, the lead authority will coordinate a review of the case and all relevant data including complaints and what action has been taken to date by relevant agencies is sent to the lead agency.

The lead agency will convene a meeting with the relevant agencies within 10 working days of the decision that the threshold has been met.

The meeting will evaluate the case and actions to date and then consider whether further informal or formal interventions should be undertaken and agree an action plan.

Sign off and response

Once the intervention has been decided on this will be sent to the Chair/Deputy Chair of the Community Safety Partnership Tactical Group (CSPTG) or other nominated officer for approval. The individual will be notified of the action taken within 5 working days (no more than 20 working days since activation).

APPEALS

If the individual, group or representative is not happy with the decisions made, an appeal can be raised and submitted in writing to the Chair of the Community Safety Partnership Strategic Group or other nominated officer via the Single Point of Contact at the Council.

The appeal must relate to dissatisfaction in the way in which the relevant bodies have:

- Dealt with an application for a case review under the community trigger; or
- Carried out a case review.

The appeal will be independently reviewed by the Chair of the Community Safety Partnership Strategic Group or other nominated deputy and responded to within 20 working days.

PUBLICATION

The following data will be published annually in the Community Safety Strategic assessment:

- The number of applications for Community Triggers Received;
- The number of times the threshold was not met;
- The number of anti-social behaviour case reviews carried out; and
- The number of anti-social behaviour case reviews that resulted in recommendations being made.

REVIEW

This policy will be reviewed by the council every 12 months in consultation with the following statutory consultees:

- The Local Police and Crime Commissioner
- Local Providers of social housing

A wider consultation may be also undertaken with:

- Hampshire Constabulary
- Public Health
- Clinical Commissioning Group (CCG)
- Members of the Community Safety Partnership Group
- Other partners, agencies and council services
- Ward Councillors
- Parish and Town Councils
- Public