

FINDINGS PACK

Review of the Effectiveness of the Community Trigger

Communities and Housing Scrutiny and Policy Development Panel

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2017/18

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Introduction

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Introduction

Section 19 of the Police and Justice Act 2006 requires the Council to scrutinise the way in which Havant Locality Board (formerly know as the “Safer Havant Partnership”) discharge their functions.

In view of the wide range of functions delivered by the Partnership, the Panel decided to limit their review to the way the Board implemented the Community Trigger process under the Anti Social behaviour, Crime and Policing Act 2014

The objective of this Scrutiny was to review the effectiveness of the Community Trigger process.

Members of the Panel received background information and guidance on the Community Trigger.

In addition 2 agencies involved in the Locality Board together with an officer from East Hampshire District Council attended a meeting with the Panel to discuss their experiences of the Community Trigger and any issues they faced. We also received testimony from a complainant.

The Panel noted that although there had been some initial teething problems, the agencies involved and the complainant who took part in the review considered that the trigger was of great benefit. The Panel considered that the process could be improved further by greater publicity of the trigger and training of Councillors to increase the awareness of members of the public and Councillors of this scheme.



Signed by Councillor Diana Patrick
January 2018

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Recommendations

(Review of the Effectiveness of the Community Trigger)

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Recommendations

The Scrutiny Board recommend to Cabinet that;

1. officers be requested to maximise publicity for the Community Trigger on the Council's website and the website for Safer Havant Partnership;
2. officers be requested to provide a training course on the Community Trigger to all existing Councillors and to include this course as part of the Councillor's induction programme; and
3. the Leader be requested to clarify the Cabinet Lead responsibilities in relation to anti-social behaviour to ensure clear designation of authority on these matters.

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Conclusions

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Conclusions

- 1.0 The Panel were pleased to note that although there were initially issues dealing with anti-social behaviour in the Borough, the Community Trigger appeared to offer an effective tool to progress any issues.
- 1.1 The Panel were concerned to hear that from a victim's perspective, there was concern that the agencies did not appear to take the issue seriously before the trigger was activated. There was also concern about the delay before any action was taken. However, once trigger was activated the victim understood the reasons for the delay and was pleased with the processes and outcome.
- 1.2 From the interviews with agency representatives, it was clear that all felt that the trigger had allowed for support to be delivered in a more effective manner to vulnerable victims of anti social behaviour.
- 1.3 The multi-agency approach required the agencies to concentrate on the vulnerability of the victim and allowed for a wide range of support and advice to be available for vulnerable victims of anti social behaviour. In addition the trigger enabled agencies involved with a case to share information and give a joint and consistent response to cases that were the subject of individual but similar concerns reported to multiple organisations.
- 1.4 There are however areas which could be improved. The agencies interviewed acknowledged that the public are mainly unaware of the Community Trigger, which could be overcome by better publicity on the Council's and Safer Havant Partnership's websites. Councillors could also play an important role in maximising awareness of the process and helping victims of anti social behaviour. The Panel therefore considered that the training course given to new Councillors in 2016 should be extended to all Councillors.
- 1.5 The Panel accepted that there is a limited resource capacity to deal with community trigger cases. This workload pressure is currently being reduced by the agencies working together more to help resolve issues before the trigger could be activated.
- 1.6 The use of Councillors to guide victims or potential victims through the process should also help reduce the workload for the agencies and enable them to deal with more cases which may arise from a greater awareness of the process.
- 1.7 There is no clear understanding or agreement amongst the relevant Cabinet Leads and officers over the arrangements for the discharge of functions relating to community safety and in particular anti-social behaviour. The Panel consider that this could potentially lead to duplication, a Cabinet Lead acting beyond his or her powers, delays in progressing any issues, or issues being missed.

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Panel Membership

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Operations, Environmental Services and Norse Scrutiny and Policy Development Panel

Scrutiny Lead:

Councillor Patrick

Panel Members:

Councillors Hart, Keast, Patrick, D Smith and Thomas.

Cabinet Lead:

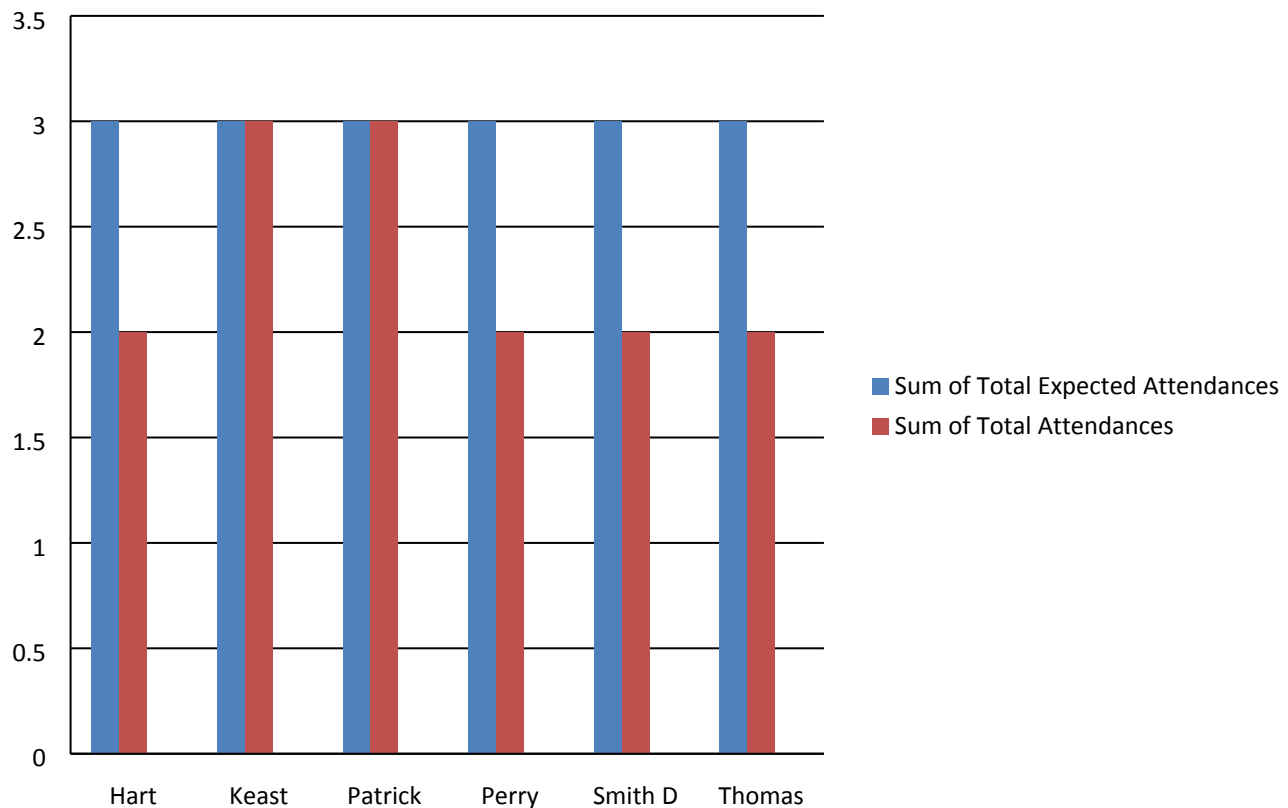
Councillor Turner (Cabinet Lead for Communities and Housing)

Councillor Wilson (Cabinet Lead for Environment and Neighbourhood Services)

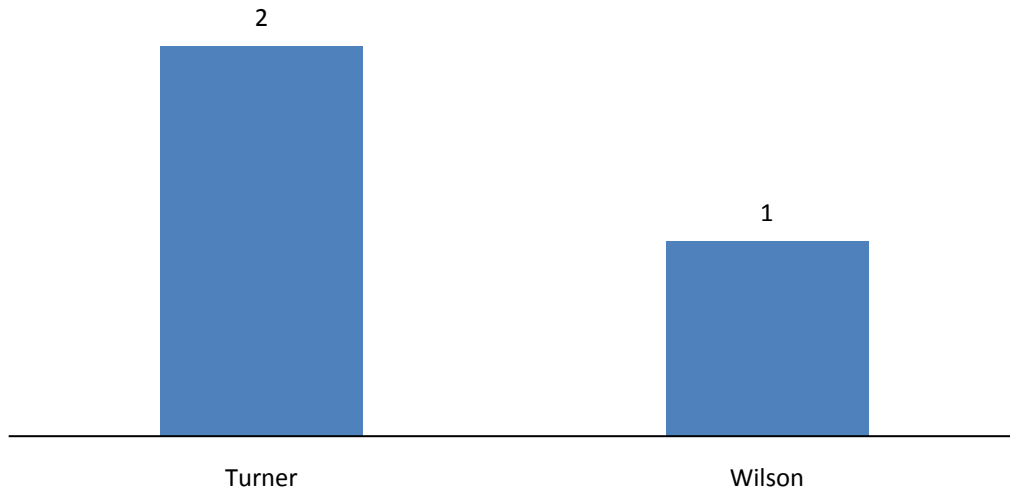
The attendance record for meetings of the Panel is shown below:

Attendance Record – Panel Members

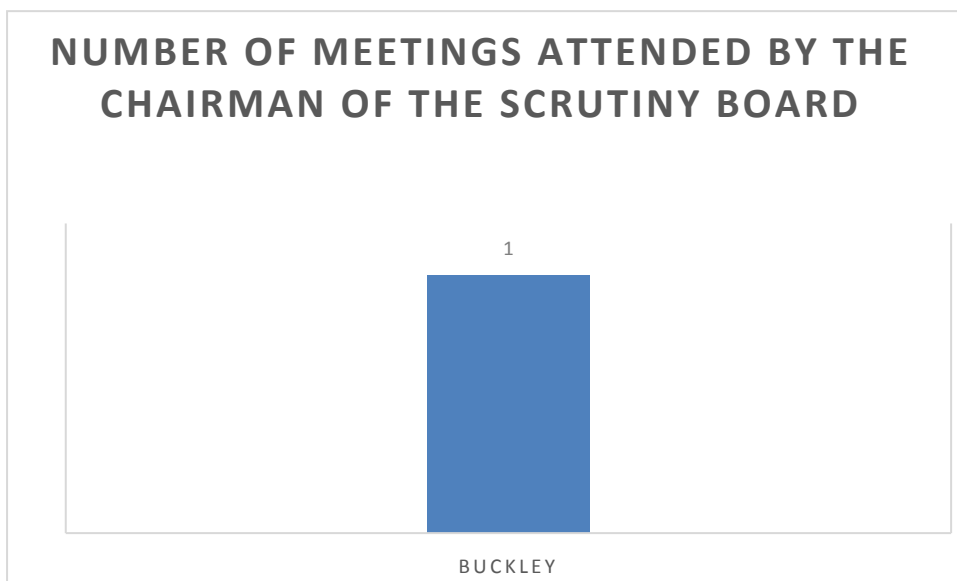
Attendance Record of the Panel Membership



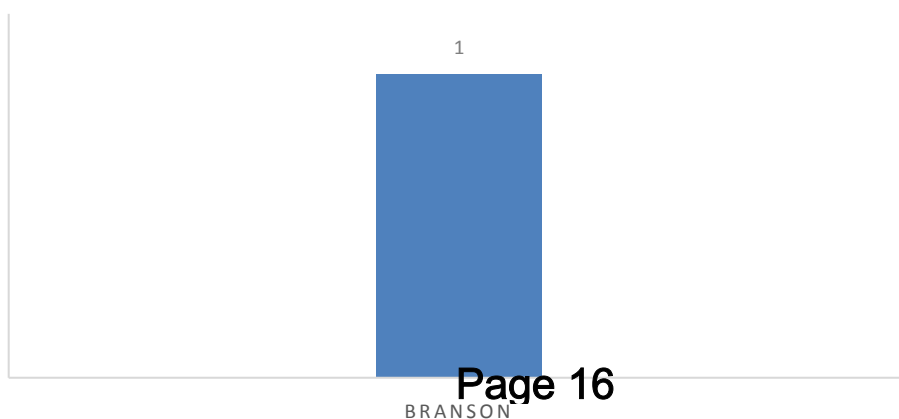
Number of Meeting Attended by Cabinet Leads



NUMBER OF MEETINGS ATTENDED BY THE CHAIRMAN OF THE SCRUTINY BOARD



TOTAL ATTENDANCES BY NON MEMBERS OF THE PANEL



List of Contributors

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Contributors to the Review

Who?	Contribution	When?
<i>Tim Pointer, Neighbourhoods Development Team Leader</i>	Key officer in implementation of the Community Trigger. Provided information on the working of the Havant Locality Board and the role and work of the Council relating to anti social behaviour and the Community Trigger	Throughout the Review
<i>Andy Wheeler, Transformation Officer</i>	Provided information on the work of Havant Locality Board and the Partnership Action Group in relation to anti social behaviour and the Community Trigger	Throughout the Review
<i>Police Inspector David Humphries</i>	Provided information on anti social behaviour in the Borough and evidence of the Community Trigger in practice	Attended a meeting of the Panel on 23 November 2017
<i>Ryan Gulliver, Community Safety Manager (East Hampshire District Council)</i>	Provided details of how the Community Trigger operated in East Hampshire District	Attended a meeting of the Panel held on 23 November 2017
<i>Andrea Stuart Tenancy Enforcement Caseworker, Guinness Trust</i>	Provided details of a housing association's experience of the operation of the Community Trigger	Attended a meeting of the Panel held on 23 November 2017
<i>Andrea Stuart Tenancy Enforcement Caseworker, Guinness Trust</i>	Provided details of a housing association's experience of the operation of the Community Trigger	Attended a meeting of the Panel held on 23 November 2017

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Methodology

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SCOPE

Section 19 of the Police and Justice Act 2006 requires the Council to scrutinise the way in which Havant Locality Board (formerly call the “Safer Havant Partnership”) discharge their functions.

In view of the wide range of functions delivered by the Partnership, the Panel decided to limit their review to the way the partnership implements the Community Trigger

Link with the Corporate Strategy and Business Plans

One of the key aspects of the Council’s Corporate Strategy is a commitment to

- *We will build on our strong business relationships with other councils – particularly our shared management with East Hampshire and our coastal partnership with Portsmouth, Fareham and Gosport – to offer to others a strong and well-tested model of running public services efficiently and innovatively.*
- *We will develop and improve our other commercial relationships and partnerships.*
- *We will learn from what works well across public, commercial and other services.*

Benefits to the Council and Its Residents

Residents and local business owners alike benefit from safer communities.

The Project Included

Interviews with

- The Neighbourhoods Development Team Leader
- The Transformation Lead
- The Community Safety Manager at East Hampshire District Council
- Police Inspector David Humphries
- Two Tenancy Enforcement Caseworkers from Guinness

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Findings

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Findings

1.0 Legislation

- 1.1 The Anti Social Behaviour, Crime and Policing Act 2014 introduced a number of changes in the way local authorities and the Police deal with Anti Social Behaviour. One measure introduced in this legislation is the Community Trigger, which gives victims the ability to demand action, starting with a review of their case where a defined threshold is met.

*(Anti Social Behaviour, Crime and Policing Act 2014
Briefing Note – Anti Social Behaviour and the Community Trigger – Role and Work of the Council (Section I of the Findings Pack)
Home Office Guidance -Anti Social Behaviour, Crime and Policing Act 2014 - Section M of the Findings Pack
Police Presentation (March 2014) – Section M of the Findings Pack)*

2.0 Who can use the Community Trigger?

- 2.1 (a) A victim of anti-social behaviour or another person acting on behalf of the victim, or
- (b) An individual acting on behalf of a group of residents or community group.

*(Sections 104 and 105 of the Anti Social Behaviour, Crime and Policing Act 2014
Briefing Note – Anti Social Behaviour and the Community Trigger – Role and Work of the Council (Section I of the Findings Pack, page 41)
Home Office Guidance -Anti Social Behaviour, Crime and Policing Act 2014 - Section M of the Findings Pack, page 79)*

3.0 What is the Community Trigger Threshold?

- 3.1 The Community Trigger Threshold is defined by local agencies. The current threshold is as follows:

- Individual – Three complaints in the previous six months. Reporting behaviour causing harassment, alarm or distress to a member or members of the community and where the individual thinks no action has been taken or are not satisfied with the action taken.
- Group – Five individuals in a local community have reported separately similar incidents of anti-social behaviour to members 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.

3.2 To meet the criteria incidents need to:

- Cause harassment, alarm or distress.
- Been logged within one month of the incident.
- Last incident has occurred within the previous six months

(Briefing Note – Anti Social Behaviour and the Community Trigger – Role and Work of the Council (Section I page 41)

Home Office Guidance -Anti Social Behaviour, Crime and Policing Act 2014 - Section M of the Findings Pack, page 79

Anti Social Behaviour, Crime and Policing Bill – Fact Sheet: Community Empowerment (Part 6) Section L of the Findings Pack, page 141)

4.0 Victim Centred Approach

4.1 The trigger places the victim at the centre of the process by:

- (a) requiring agencies to concentrate on the vulnerability of the victim and
- (b) enabling the victim to have his or her case reviewed and to be kept up to date on the actions taken or proposed to be taken in response to the trigger being activated.

(Notes of the Communities and Housing Scrutiny and Policy Development Panel held on 23 November 2017 (Section L of the Findings Pack, page 67

Home Office Guidance -Anti Social Behaviour, Crime and Policing Act 2014 - Section M of the Findings Pack, page 78)

5.0 Locations

5.1 Community Triggers are not restricted to areas of affordable and/or social housing: the two cases in East Hampshire District Council related to privately owned residential areas.

(Notes of the Communities and Housing Scrutiny and Policy Development Panel held on 23 November 2017 (Section L of the Findings Pack, page 71)

6.0 Agencies Experience

Although the Community Trigger has been activated only once in the Borough, the Agencies interviewed shared their experience of this case and other cases as follows

6.1 Information Sharing

6.1.1 A major benefit of the Trigger has been to enable all the agencies involved with a case to share their information and give a joint and consistent response to cases that were subject to individual but similar concerns reported to multiple organisations and departments. This was a benefit to the

agencies by allowing information to be collated and reviewed through one process, which enabled these agencies to identify the problem and save time. For the victims, they were provided with one point of contact enabling a clearer process which also saved them time and prevented them from being passed from one organisation to another.

- 6.1.2 The Panel was pleased to learn that this process has highlighted the benefits of sharing information and working together to resolve a problem before the trigger could be activated.

(Notes of the Communities and Housing Scrutiny and Policy Development Panel held on 23 November 2017 (Section L of the Findings Pack, page 70))

6.2 Learning process

- 6.2.1 The general view of the witnesses was that although their experience of the Community Trigger presented a steep learning curve and adoption of new procedures it proved of great benefit.

(Notes of the Communities and Housing Scrutiny and Policy Development Panel held on 23 November 2017 (Section L of the Findings Pack, page 67))

6.3 Identifying Anti Social Behaviour

- 6.3.1 Anti social behaviour covers a wide range of issues and it can be difficult for agencies to identify what constitutes anti social behaviour. In the case affecting this Borough, it took the Community Trigger to be activated to properly identify that the complainant had been the victim of anti social behaviour.

(Notes of the Communities and Housing Scrutiny and Policy Development Panel held on 23 November 2017 (Section L of the Findings Pack, page 68))

6.4 Awareness of the Community Trigger

- 6.4.1 One major concern acknowledged by the witnesses was that the public are generally unaware of the community trigger process. This finding reflects a national trend reported by ASB Help in [The Community Trigger. Empowerment or Bureaucratic Exercise? \(September 2016\)](#)

- 6.4.2 Home Office guidance is very clear

“Agencies should consider how to maximise awareness of the Community Trigger, in particular among vulnerable people and professionals who work with vulnerable people.”

(Home Office Guidance -Anti Social Behaviour, Crime and Policing Act 2014 - Section M of the Findings Pack, page 78))

“Using the Community Trigger must be straightforward for the victim. It is good practice to have a number of methods to contact an agency, and consideration should be given to the fact that some victims may feel more comfortable contacting one agency than another. The Community Trigger can be used by any person and agencies should consider how to make it as accessible as possible to young people, those who are vulnerable, have learning difficulties or do not speak English.”

(Home Office Guidance -Anti Social Behaviour, Crime and Policing Act 2014 - Section M of the Findings Pack, page 79)

[The Community Trigger. Empowerment or Bureaucratic Exercise? \(September 2016\)](#)

- 6.4.3 Limited publicity may mean that many victims who may be entitled to activate the Trigger are unaware of its existence. A failure to properly publicise the process could also lead to raising false expectations. The Panel consider that this process should be given a higher profile in the Council and Safer Havant Partnerships’ websites to overcome this problem.

(Notes of the Communities and Housing Scrutiny and Policy Development Panel held on 23 November 2017 (Section L of the Findings Pack, page 70)

[The Community Trigger. Empowerment or Bureaucratic Exercise? \(September 2016\)](#)

- 6.4.2 The Panel was concerned that a majority of Councillors were also unaware of this process. It was noted that Councillors who joined the Council in 2016 were given training on this process as part of their induction programme but this had not been extended to all Councillors. The Panel consider that Councillors have an important role to play in maximising awareness of the trigger process, giving clear direction and information to residents and managing residents’ expectations. The Councillors can only fulfil this role if they receive adequate training.

(Notes of the Communities and Housing Scrutiny and Policy Development Panel held on 30 October (Section L of the Findings Pack, page 58

Notes of the Communities and Housing Scrutiny and Policy Development Panel held on 23 November 2017 (Section L of the Findings Pack, page 68

Example of an exercise given to new Councillors in 2016 is attached in Section I))

- 6.4.3 The Panel was pleased to learn that training had now been given to the 101 team to improve their awareness of the operation of the trigger process.

(Notes of the Communities and Housing Scrutiny and Policy Development Panel held on 23 November 2017 (Section L of the Findings Pack, page 70)

7.0 Victim’s Experience

- 7.1 The subject of the community trigger case (“X”) advised the Panel of the detrimental impact of the delay in resolving this issue. However, X acknowledged that once the process of ‘Community Trigger’ was activated the situation began to eventually change and X finally felt someone was on the victim’s side.

(See Section K of the Findings Pack)

8.0 Workload

- 8.1 The Panel noted that the Council did not have the capacity to deal with a large number of community triggers. It was therefore critical that a proper assessment process was undertaken.

(Notes of the Communities and Housing Scrutiny and Policy Development Panel held on 23 November 2017 (Section L of the Findings Pack, page 68))

9.0 Cabinet Lead Responsibilities

- 9.1 The Council's roles and responsibilities in relation to community safety and in particular anti-social behaviour in the Borough, on paper, falls between two Cabinet Leads:

- (a) the Cabinet Lead for Communities and Housing appears to be responsible for the formation of the policy for the delivery of all Community Safety and the delivery of the Supporting Families programme; and
- (b) the Cabinet Lead for Environment and Neighbourhood Services appears to be responsible for the enforcement of the Community Safety Policy (except the Supporting Families Programme) under the role of "Public Realm Enforcement"

- 9.2 The Panel found that there was no clear understanding or agreement amongst the relevant Cabinet Leads and officers over the above arrangements. This lack of clarity represents a real danger whereby issues could be missed or delayed, work duplicated, and/or decisions vitiated because they are made by the wrong Cabinet Lead.

- 9.3 This problem could be resolved by clearly separating the functions relating to community safety amongst the Cabinet Leads e.g.

- (a) the Cabinet Lead for Communities and Housing could be responsible for formulating policies/plans/strategies relating to all aspects of community safety for adoption by the Council and the Cabinet Lead for Environment and Neighbourhood Services be responsible for implementing and enforcing these policies/plans; or.
- (b) The Cabinet Lead for Communities and Housing be responsible for the formulation of the strategy/policy and delivery of the Supporting Families Programme and the Cabinet Lead for Neighbourhood Support be responsible for the formulation of the policy/strategy and delivery of the Council's functions relating to crime and anti-social behaviour.

- 9.4 There also appears to be some confusion over the term “community safety” and to what extent and ways this Council delivers this function following a reorganisation of the Council’s services. Clarity on this issue such as the option set out in 9.3 (b) above will help all parties involved with the delivery of this function and enable the public to know what to expect from this Council in relation to community safety.
- 9.5 The Panel therefore consider that the Leader of the Council should be requested to clarify the roles and responsibilities of the Cabinet Leads in relation to Community Safety and in particular anti-social behaviour: such clarification to include a clearer explanation of the term “Community safety”.

*(Briefing Note on Cabinet Lead Responsibilities (Section J of the Findings Pack))
(Notes of the Communities and Housing Scrutiny and Policy Development Panel held on 24 January 2018 (Section L of the Findings Pack, page))*

Overview of the Structure that Supports the Community Trigger

(Review of the Effectiveness of the Community
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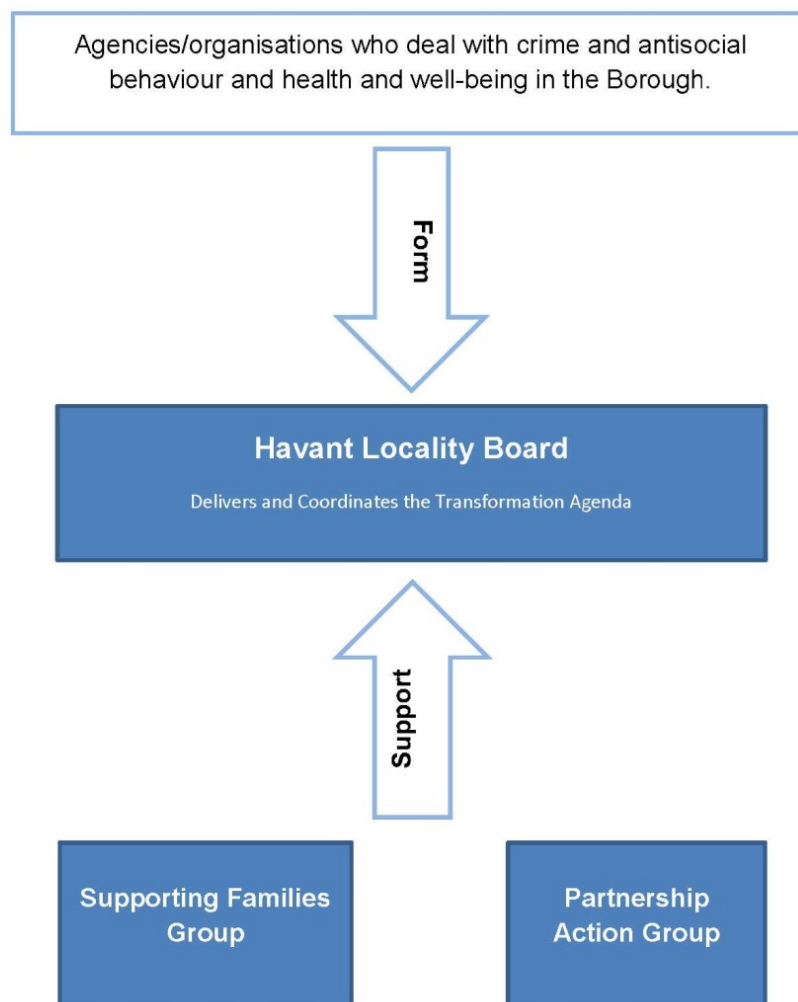
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Overview of the Structure that Supports the Community Trigger

The Community Trigger is absorbed within the Transformation Agenda, which is a local “cross public service” approach to developing a new way of working that benefits local services and residents.

The transformation agenda is coordinated and delivered by the Havant Locality Board which is supported by the Partnership Action Group and the Supporting families Group



Havant Locality Board

The Havant Locality Board enables organisations working locally to come together to respond to the needs within Havant in a more co-ordinated and organised way.

Through sharing skills and combining resources where appropriate, partners focus on addressing the most important things in Havant Borough which will continue to improve the quality of life for our communities.

Locality Board Organisation

Role

Havant Borough Council	Service Manager
Local Children Partnership - Hants County Council	Chair
Hampshire County Council Public Health	Senior Public Health Practitioner
Department for Work and Pensions	Business Development Manager
Hampshire Fire and Rescue Service	Group Manager
Southern Domestic Abuse Service	Chief Executive Officer
Motiv8	Director of Operations
Citizens Advice	Chief Executive Officer
Havant and East Hants Mind	Development Manager
Office of the Police and Crime Commissioner	Head of Strategic Commissioning and Partnerships
Community Rehabilitation Company (previously Probation Service)	Interchange Manager
National Probation Service	Senior Probation Officer
Community First Havant and East Hants	Chief Executive
Hampshire County Council	Children's Services Manager
Portsmouth City Council	Area Housing Manager
Inclusion Service (drug and alcohol support)	Sector Lead (South)
Victim Support	Head of Service

Havant Partnership Action Group (PAG)

The Havant PAG enables organisations to better share information about problem/vulnerable locations, households, individuals or families where a partnership approach is needed to effectively reduce the impact of the problem and the demand on the organisation.

The organisations set out below are regularly represented on the PAG and relevant individuals are invited to attend dependant on the problems discussed.

Active Communities Network
Community First
Cowplain School
CSW Group
Department for Work and Pensions
Family Lives
Guinness Partnership

Hampshire County Council - Adult Services
Hampshire County Council - Supporting Troubled Families
Hampshire County Council - Youth Offending Team
Hampshire County Council - Adult Services
Hampshire Police
Hants Fire & Rescue Service
Havant Academy
Havant and East Hants Mind
Havant Borough Council
Homestart Havant
Horndean Technology College
Inclusion Service
Interserve (Probation Service)
Havant and East Hants Mind
Motiv8
Portsmouth City Council
Portsmouth Mediation Service
Radian Housing
School Nurse Team
Sharps Copse School
Society of St James
Southern Domestic Abuse Service
Southern Health NHS – Health Visitor
The Waterloo School
Two Saints
Vivid Homes
Woodlands Education Centre

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Anti Social Behaviour & the Community Trigger – Role and Work of the Council

(Review of the Effectiveness of the Community
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Communities and Housing Scrutiny and Policy Development Panel

Anti Social behaviour and the Community Trigger – Role and Work of the Council

What is Anti Social Behaviour?

Home Office definition

“Anti-social behaviour is a broad term used to describe the day-to-day incidents of crime, nuisance and disorder that make many people’s lives a misery – from litter and vandalism, to public drunkenness or aggressive dogs, to noisy or abusive neighbours. Such a wide range of behaviours means that responsibility for dealing with anti-social behaviour is shared between a number of agencies, particularly the police, councils and social landlords.

Victims can feel helpless, bounced from one agency to another and then back again. In many cases, the behaviour is targeted against the most vulnerable in our society and even what is perceived as ‘low level’ anti-social behaviour, when targeted and persistent, can have devastating effects on a victim’s life.”

What is a Community Trigger ?

A Community Trigger gives victims and communities the right to request a review of their case and bring agencies together to take a joined up, problem solving approach to find a resolution. If Community Trigger threshold is met agencies will share information, review what action has been taken and decide if additional actions are possible.

Who can use the Community Trigger?

- A victim of anti-social behaviour or another person acting on behalf of the victim.
- An individual acting on behalf of a group of residents or community group.

What is the Community Trigger Threshold?

Individual– Three complaints in the previous six months. Reporting behaviour causing harassment, alarm or distress to a member or members of the community and you think no action has been taken or are not satisfied with the action taken.

Group – Five individuals in a local community have reported separately similar incidents of anti-social behaviour to members 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.

To meet the criteria incidents need to:

- Cause harassment, alarm or distress.
- Been logged within one month of the incident.
- Last incident has occurred within the previous six months

How to activate the Community Trigger?

Contact Hampshire Constabulary on non-emergency number 101 or email
communitytrigger@hampshire.pnn.police.uk

What is the Time Frame for Dealing With Community Triggers?

The Community Safety Partnership should aim to have Community Triggers dealt with within 20 working days. More complex cases may take longer, in these cases the individual or group will be notified that the deadline date will not be met

What is the Council's Role in Dealing With Anti Social Behaviour?

Under Section 17 Crime and Disorder Act 1998 the Council has a responsibility to ensure that the reduction of Crime and Anti Social Behaviour is included in all of its activities and policies. This is achieved through the use of Community Impact Assessments which are a key factor in all plans and projects.

There are in the region of five direct reports of anti social behaviour received by the Neighbourhood Quality team per month.

An initial assessment of need in relation to the caller is made as to whether there is any safeguarding or indeed other vulnerability identified in which case steps would be taken to offer support. In the vast majority of cases action would be to offer advice as to who what action can be taken and to whom the matter should properly be reported i.e. Police or Social Landlord.

The main role of the Council is in facilitating and leading Partnership groups that operate under the heading of a Community Safety Partnership. These Partnerships have a shared statutory responsibility.

The Council currently Chairs two groups

- Partnership Action Group
- Supporting Families group

And provides management support to an overarching Locality Board which is Chaired by the Fire Service and Vice Chaired by the Police

What is the Council's Role in Dealing With Individual Anti Social Behaviour Complaints?

With the notable exception of particular types of noise nuisance, the Council does not have specific statutory responsibilities in relation to the reporting and investigation of individual cases of anti social behaviour which by their very nature fall in the main to the Police and Social Landlords.

Currently when individual reports are received by the Council they are placed on remedy under one of several headings including enforcement, and anti social behaviour.

Individual complaints received with directly by the Council are dealt with as follows:

- If the matter is noise related then it would be recorded and a diary sheet would be sent to the complainant to complete in the first instance. Upon receipt of completed forms an officer would be allocated to the case to investigate.
- In other cases contact would be made with the complainant. An initial assessment of need in relation to the caller is made as to whether there is any safeguarding or indeed other vulnerability identified in which case steps would be taken to offer support. In the vast majority of cases action would be to offer advice as to who what action can be taken and to whom the matter should properly be reported i.e. Police or Social Landlord.
- If there is evidence of vulnerability or in cases where there is no criminal offence or indeed one or more party is in a privately owned property the Council may decide to take the lead in resolving the matter for example complaints' of ball games or poor behaviour on Council owned property and an officer would be allocated to investigate
- The Council also takes the lead in investigating Fly Tipping, Fly Posting and Abandoned Vehicles which also fall under the ASB heading.

Recently the Council has taken the lead in tackling the nuisance caused by Pigeon feeding in both Waterlooville and Park Parade.

Cases of litter and dog fouling would be passed on to our contractors to follow up and patrol

What's the Council's Role In Deciding When a Community Threshold Has Been Reached?

As soon as the council is notified by the Police that a Community Trigger has been activated it will be recorded on Remedy. The team manager would be notified and a lead officer will be appointed. The Team Manager would agree a plan of action to include.

- Contact with the customer and any other interested party to arrange an early meeting to assess vulnerability and agree expected outcomes and timetable.
- Research of Council and indeed partner agency systems to identify whether any other interested parties need to be involved
- An early (documented) meeting of all relevant parties to assist in an assessment of the situation and action plans put in place.

What is the Council's role after the Trigger has been triggered?

To manage and monitor the process making regular contact with the customer/other interested parties

What is the Councillor involvement in this process?

A Councillor can raise a Community Trigger on behalf of a customer and with their consent be kept up to date on progress.

Currently Cllr Wilson and Cllr Turner have an interest in the Neighbourhood Quality service delivery. Cllr Wilson is mainly interested in enforcement, quality of life issues and matters relating to place. Cllr Turner has specific oversight of the Supporting Families Programme.

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Example of an exercise given to new Councillors on Community Trigger

Continuing low level anti social behaviour and no one seems to be taking it seriously

Residents approach you as a newly elected Councillor and state that there is an ongoing situation in relation to a tenant of a block of flats who is forever holding open house to others all hours of the day and night with people coming and going all the time for impromptu parties and sleepovers. Cars pull up during the night and the occupants are often shouting down and running up and down the stairs. The residents are at their wits end as it seems that the Police, Housing Provider and Council are all saying that there are no specific powers to deal with this behaviour as it is at random times and they cannot catch people doing things. Each seems to be saying the others should be dealing with it or that the residents could take civil action. One resident in particular is clearly upset by the whole situation and is tearful and withdrawn.

The residents are demanding that you as their elected representative do something or they are going to the News to expose how useless the Council and Police are!

Answer

You could invoke a community trigger

The Anti-social Behaviour, Crime and Policing Act 2014 has meant significant changes to the way local authorities respond to antisocial behaviour (ASB), introducing new tools and powers to replace existing provisions, including the introduction of ASB case reviews, also known as the 'community trigger'. The trigger introduces a right for victims, or victims' representatives, to ask local agencies to review how they have responded to previous ASB complaints and consider what further action might be taken where the behaviour persists. The aim is to offer a 'safety net' for vulnerable victims and to help avoid individuals being passed between agencies without resolution.

The legislation recognises that anti-social behaviour, and how agencies respond to it, provides different challenges in different areas. While the Act provides a framework for implementing the new arrangements, much of the detail is for the 'relevant bodies' under the Act and other agencies to agree locally. The guidance seeks to set out the statutory requirements for the relevant bodies and explore how local partners might implement the trigger in their own areas.

In Hampshire the Community Trigger can be activated by ring 101 and notifying the operator. The local single point of contact for undertaking the reviews is **Tim Pointer**, Neighbourhood Development Team Leader. Upon receipt of a notification Tim has a very tight timescale to undertake a review of the case and is required to

update both you and the residents on a regular basis as to what action is being taken and to agree an action with residents and agencies.

If in any doubt whatsoever as to what can be done please make contact with Tim or the team at the Plaza on 02392 446606.

Cabinet Lead Responsibilities

(Review of the Effectiveness of the Community
Trigger)

**Communities and Housing Scrutiny and Policy Development
Panel**

2017/18

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NON EXEMPT

Briefing Note

Communities and Housing Scrutiny Panel

Cabinet Lead and Officer Responsibilities for Anti-Social Behaviour (including the Community Trigger)

1.0 Background

1.1 It is not clear which Cabinet Lead is responsible for anti social behaviour (including the Community Trigger) as this function appears to fall between two Cabinet Leads:

- (a) Cabinet Lead for Communities and Housing who has overall responsibility for Community Safety. This role implies that this Cabinet Lead has overall responsibility for the development of the strategic policy relating to dealing with Anti Social Behaviour (including the Community Trigger) (“the policy”), the nominated representative on any Outside Bodies relating to Anti Social behaviour and to ensure the effective delivery of this function and in particular in relation to troubled families; and
- (b) Cabinet Lead for the Environment and Neighbourhood Services who is responsible for All Public Realm Enforcement (Rangers) including dog fouling and litter dropping. This implies that this Cabinet Lead is responsible for ensuring the effective delivery of the policy in relation to public realm enforcement.

1.2 The Panel is asked to consider these current arrangements for the discharge of executive function relating to anti social behaviour (including the Community Trigger).

2.0 Advantages and Disadvantages of the Current Arrangements

2.1 The division of authority ensures that one Cabinet lead is not overloaded.

2.2 Unclear lines of authority could result in a Cabinet Lead overstepping his or her bounds of authority, a duplication of work, delays in developing a policy or delivering a service.

3.0 Options

- 3.1** Do nothing – the current system appears to be working without any major problems occurring and this is the preferred course of action by the Cabinet Leads. However, there is a risk that when tested the system could fail or be challenged because a decision had been made by the wrong Cabinet Lead.
- 3.2** Clarify the current arrangements – a clarification on the functions delegated to each Cabinet Lead will reduce the risk of a Cabinet Lead acting beyond his or her powers and reduce the potential of delays being made due to officers approaching the wrong Cabinet Lead.
- 3.3** Reallocate the functions – e.g.
- (a) Allocate all the functions to one Cabinet Lead – this will provide clear lines of authority but may also at the same time overload the Cabinet Lead.
 - (b) Separate the delivery of the service from the development of the policy/strategy - this will provide clear lines of authority and fair distribution of workload. This option will also enable Cabinet leads to concentrate on separate elements of the delivery of the service. In order to work efficiently clear lines of communication need to be established between the two Cabinet Leads.

Victim's Perspective

(Review of the Effectiveness of the Community Trigger)

Communities and Housing Scrutiny and Policy Development Panel

2017/18

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By virtue of paragraph(s) 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Meeting Notes

(Review of the Effectiveness of the Community Trigger)

Communities and Housing Scrutiny and Policy Development Panel

2017/18

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Notes of the Communities and Housing Scrutiny and Policy Development Panel held on Monday, 30 October 2017

Present

Councillor: Patrick (Chairman)

Councillors: Keast, Smith D and Thomas

Also Present:

Cabinet Lead: Councillor Leah Turner

Mark Gregory (Democratic Services Officer), Tim Pointer (Neighbourhood Development Team Leader), Nicholas Rogers (Democratic Services Assistant), Andy Wheeler (Transformation Lead) and Tracey Wood (Head of Housing)

Councillor: Buckley

Apologies: Councillor Perry

		Action
43	MINUTES	
47	REVIEW OF THE HAVANT LOCALITY BOARD - ANTI-SOCIAL BEHAVIOUR The Panel considered the draft project plan for the review of the Havant Locality Board (Anti-Social Behaviour). The Panel also received supplementary information relating to the Community Trigger. The Neighbourhoods Development Team Leader and Havant Transformation Lead were invited to join the meeting on this discussion and answered any questions from members. The following matters were raised: (a) The Havant Locality Board has replaced the Safer Havant Partnership in the past 12 months. The Board <ul style="list-style-type: none">• retained the statutory functions previously undertaken by the Safer Havant Partnership i.e. Community Trigger response, domestic homicide review	

- had a wider remit and involved more agencies/partners e.g. health and school agencies. .
 - undertook a strategic overview of the Partnership's work within the Borough.
 - was co-ordinated by the Council.
 - had brought the partners closer together and had been well attended.
 - was publicised through the website for the Safer Havant Partnership; a decision had been made to retain this website as it was well branded and used.
 - provided a useful 'sounding board' for the partners involved
 - was supported by the Havant Partnership Action Group (PAG), which acted as the frontline service delivery group for the Board. This group had been established for 6 months and met bi-monthly.
- (b) The community trigger fell within the remit of two Cabinet Leads: Councillor Turner had overall responsibility for Community Safety but Councillor Wilson had responsibility for enforcement where the remedy for anti social behaviour was a Council function e.g. noise nuisance; and.
- (c) not all Councillor were fully aware of the Community Trigger process

The Panel AGREED that:

- (i) The draft project plan as set out as an Appendix to these minutes be approved ; and
- (ii) The next meeting of the Panel be arranged to interview key agencies involved in the Havant Locality Board on their experiences of the Community Trigger.

The meeting commenced at 5.00 pm and concluded at 6.01 pm

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SCRUTINY PROJECT PLAN

Anti-Social Behaviour Review – Havant Locality Board (formerly know as the Havant Safer Partnership)

SECTION ONE – Project Scoping Form

<i>Project Title</i>	<i>Anti-Social Behaviour – Safer Havant Partnership Review</i>
<i>Executive Summary – What will this review do?</i>	<p>This project will:</p> <ul style="list-style-type: none"> (a) aim to review the way in which agencies in the Borough deal with anti-social behaviour. In particular, the review will investigate the effectiveness of the ‘Community Trigger’ mechanism, the processes put in motion following complaints and the challenges faced by agencies in dealing with issues;. (b) seek to identify the most appropriate Cabinet Lead(s) for this function; and (c) review ways of disseminating information about the Community Trigger to Councillors
<i>What are the benefits to the Council and Its Residents?</i>	Residents will benefit from Councillors who are more informed about the Community Trigger process, and will benefit from any improvements that the Panel can recommend to the procedures.
<i>Link with the Corporate Strategy and Business Plans</i>	<i>The Havant Locality Board links to the Council's priorities to achieve public service excellence using innovative and creative partnership working methods.</i>
<i>Methodology</i>	<p>Interviews</p> <p>Interview with Tim Pointer, Lead HBC Officer for Havant Locality Board</p> <p>Police Representatives</p> <p>Havant Locality Board Agencies/partners</p>
<i>Success Criteria</i>	The project will have been successful if the Panel gain a good understanding of the Community Trigger process and how this deals with anti-social behaviour, and submits recommendations on possible improvements to the process.

SCRUTINY PROJECT PLAN

SECTION TWO – Who Will Be Involved

Project Team

Scrutiny Lead

Councillor Patrick

Scrutiny Panel

Communities and Housing Scrutiny and Policy Development Panel

Councillors Patrick, D Smith, Perry, Keast, Hart and Thomas

Support Team

Cabinet Lead

Councillor Turner and Councillor Wilson

Key Officer(s)

Tim Pointer, Neighbourhoods Development Team Leader
Andy Wheeler – Havant Transformation Lead

Support Officer

Mark Gregory, Democratic Services Officer
Nicholas Rogers, Democratic Services Assistant

SCRUTINY PROJECT PLAN

People /Organisations to be Included in the Project

<i>Who?</i>	<i>Why?</i>	<i>When?</i>
<i>Tim Pointer, Neighbourhoods Development Team Leader</i>	Lead Officer at HBC in liaison with the Havant Locality Board	Throughout the review
<i>Andy Wheeler Transformation Lead</i>	Provides Management Support for the Havant Locality Board and Chairs the Partnership Action Group charged with delivering front line services and problem solving.	Throughout the review
<i>Police Chief Inspector Clare Jenkins</i>	Vice-Chair of Havant Locality Board – key member of the Board	23 November 2017
<i>Police Inspector David Humphreys, Havant Police</i>	To gain an understanding of anti-social behaviour in the Borough and to provide evidence of the Community Trigger in practice	23 November 2017
<i>Ryan Gulliver, Community Safety Manager EHDC</i>	To provide evidence of the Community Trigger in practice in a different area	23 November 2017
<i>Andrea Stuart and Karen Reader, Guinness Trust</i>	Tenancy Enforcement Caseworkers	23 November 2017

SCRUTINY PROJECT PLAN

Evidence

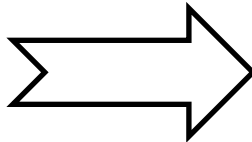
(Please identify any information that is key to research for this scrutiny)

Home Office Anti-Social Behaviour, Crime and Policy Act 2014: Reform of anti-social behaviour powers – statutory guidance for Frontline Professionals (July 2014)
Home Office Presentation – Anti Social Behaviour Reforms Presentation - 10 March 2014
Safer Havant Partnership Website
Government Fact Sheet on Anti Social Behaviour, Crime and Policing Act 2014 Relating to Community Empowerment
ASB Help - Community Trigger (Anti-Social Behaviour, Crime and Policing Act 2014)

SCRUTINY PROJECT PLAN

Start Date

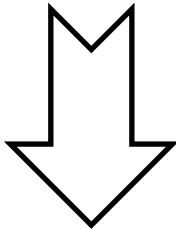
October 2017



Projected Timescales for:

Evidence gathering: Oct – Nov 17

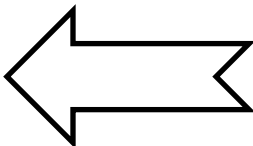
Interviews: Oct – Nov 17



Project Report Deadlines

Draft Report Produced – Nov – Dec 17

Panel to Agree Final Report – Nov – Dec 17



Dates for:

Report to Scrutiny Board – Early 2018

Report to Cabinet – Early 2018

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Notes of the Communities and Housing Scrutiny and Policy Development Panel held on Thursday, 23 November 2017

Present

Councillor: Patrick (Chairman)

Councillors: Hart, Keast, Smith D and Thomas

Also Present:

Mark Gregory (Democratic Services Officer), Ryan Gulliver (Community Safety Manager), Inspector Humphries (Hampshire Police), Tim Pointer (Neighbourhood Development Team Leader), Karen Reader (Tenancy Enforcement Officer, Guinness Trust), Andrea Stuart (Tenancy Enforcement Officer, Guinness Trust) and Andy Wheeler (Transformation Lead)

Apologies: Councillor Perry

	Action
<p>48 MINUTES</p> <p>The Minutes of the meeting of the Communities and Housing Policy Development and Scrutiny Panel held on 30 October 2017 were agreed as a correct record.</p>	
<p>49 DISCUSSION WITH REPRESENTATIVES OF AGENCIES INVOLVED WITH THE COMMUNITY TRIGGER</p> <p>The Panel was given the opportunity to discuss with officers of Guinness Trust, Hampshire Police, and East Hampshire District Council their experiences of working with the Community Trigger (“the trigger”) and any issues they had faced. The Neighbourhood Support Team Leader and Transformation Lead were also present to answer any members questions</p> <p>The discussion covered the background of the programme, the experience of the agencies working within the programme and any areas that could be improved moving forward.</p> <p>The general view of the representatives was that although their experience of the Community Trigger presented a steep learning curve and adoption of new procedures it proved of great benefit as it:</p> <p>(a) empowered the victim by enabling him or her to be involved and kept up to date with the actions taken or proposed to be taken to resolve the issue;</p>	

- (b) required the agencies to concentrate on the vulnerability of the victim instead of focusing on the procedures they had followed and the work done with perpetrators;
- (c) enabled all the information gathered by individual agencies involved with the trigger to be collated and for these agencies to:
 - Determine if the trigger criteria had been met
 - Placed the victim at the centre of the process
 - identify the issues raised
 - review their actions through one process
 - determine whether further action was necessary and if so to determine a course of action; and
- (d) highlighted to the agencies the benefit of sharing information to help resolve a particular problem before the trigger was activated.

The main concerns and problems relating to the trigger were that:

- (i) initially there had been a lack of clear communication between partners within a particular area and in general about the trigger reporting requirements: training had now been given to the 101 team to resolve this issue;
- (ii) a majority of the public were not aware of the community trigger process;
- (iii) the process could raise false expectations: in some cases it was possible that all that could be done had been done;
- (iv) the problem of identifying what exactly constituted anti social behaviour;
- (v) the court processes could frustrate agencies from evicting anti social tenants; and
- (vi) the Council did not have the capacity to deal with a large number of community triggers. Therefore, it was crucial that the proper assessment process was undertaken.

In response to questions raised by members of the Panel the officers advised that:

- (1) community triggers were not restricted to areas of affordable and/or social housing: the two cases in East Hampshire related to privately owned residential areas; and
- (2) training had been provided to new Councillors in 2016 as part their induction programme

The Panel thanked the officers for their attendance and their contribution to the discussions.

The Panel considered that further action need to be taken to improve the Councillors and public awareness of the trigger process.

The meeting commenced at 4.00 pm and concluded at 5.40 pm

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Notes of the Communities and Housing Scrutiny and Policy Development Panel held on Wednesday, 24 January 2018

Present

Councillor: Patrick (Chairman)

Councillors: Hart, Keast and Perry

Also Present:

Cabinet Lead: Councillor Leah Turner and Councillor Michael Wilson
Tim Pointer (Neighbourhood Development Team Leader), Nicholas Rogers (Democratic Services Assistant) and Andy Wheeler (Transformation Lead)
Councillors: Branson

Action

50 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Thomas and D Smith

51 MINUTES

The minutes of the meeting of the Communities and Housing Scrutiny and Policy Development Panel held on 23 November 2017 were agreed as a correct record.

54 REVIEW OF THE HAVANT LOCALITY BOARD - COMMUNITY TRIGGER

The Panel considered the draft report and findings pack for the Review of the Havant Locality Board (Community Trigger).

The following points were discussed:

- Panel members felt that the current designation of responsibility for crime and disorder and anti-social behaviour between Cabinet Leads led to some confusion and could be clarified.

- At present, the Cabinet Lead for Environment and Neighbourhood Services was responsible for delivering on enforcement, while the Cabinet Lead for Communities and Housing was responsible for policy setting and the Supporting Families Programme. This arrangement could potentially lead to duplication of work or delays in progressing issues.
- Historically, one Cabinet Lead had held overall responsibility for Community Safety. With the introduction of the Supporting Families Programme, this aspect was allocated to the Cabinet Lead for Communities and Housing whilst other crime and disorder matters remained with a separate Cabinet Lead.
- Restructures at this time within the Council saw the merging of teams to establish a new service to deliver on a range of enforcement services in partnership with the Police and other statutory partners. The responsibility for the policy and delivery of this service was currently allocated to the Cabinet Lead for Environment and Neighbourhood Services.
- In terms of officer resource, the Head of Neighbourhood Support currently retains responsibility for enforcement, while the Troubled Families Programme currently sits under the Head of Communications and Community Engagement.
- It was the view of the officers present that the responsibility for strategy and delivery of the Supported Families Programme sat well under the responsibility for the Cabinet Lead for Communities and Housing, while the responsibility for crime, disorder and antisocial behaviour should be allocated to the Cabinet Lead for Environment and Neighbourhood Services.

Members also felt it was key to emphasise that the victim is at the centre of the Community Trigger process and this was key in rectifying past errors in dealing with anti-social behaviour issues. The recommendations sought to ensure information on the Community Trigger was easily accessible by the public and that Councillors were informed to help residents in accessing this mechanism.

It was AGREED that;

- (a) The following recommendation be added to the report and findings pack:

‘2.1.3 – the Leader be requested to clarify the Cabinet Lead responsibilities in relation to anti-social behaviour to ensure clear designation of authority on these matters’;
- (b) Subject to the addition of a) above and subsequent updates to the report and findings pack, the report and findings pack be agreed for submission to the Scrutiny Board; and
- (c) An update be undertaken in six months to check upon the progress of the agreed recommendations.
.....

The meeting commenced at 5.00 pm and concluded at 6.22 pm

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Guidance Notes

(Review of the Effectiveness of the Community Trigger)

Communities and Housing Scrutiny and Policy Development Panel

2016/17

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Key Background Information

Havant Locality Board / Safer Havant Partnership – Web Link:

<http://saferhavant.co.uk/>

Information relating to the Havant Locality Board / Safer Havant Partnership. Key information in relation to the Community Trigger can be found at <http://saferhavant.co.uk/2016/02/community-trigger/>.

[Government Fact Sheet on Anti-Social Behaviour, Crime and Policing Act 2014 relating to Community Empowerment](#)

Relevant government issued fact sheet relating to the Community Trigger

Guidance on the Community Trigger – [Community Trigger \(Anti-Social Behaviour, Crime and Policing Act 2014\)](#)

Guidance and analysis of the Community Trigger as provided by ASB Help, a charity set up to provide advice and support to victims of anti-social behaviour.

Home Office Guidance - [Anti-Social Behaviour, Crime and Policing Act 2014: Reform of Anti Social Behaviour Powers](#)

Home Office guidance on the measures and powers introduced by the Anti-Social Behaviour, Crime and Policing Act 2014

[Home Office Presentation on Anti-Social Behaviour Reforms - March 2014](#)

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