

REPORT TO: Safer Policy and Performance Board

DATE: 8 November 2022

REPORTING OFFICER: Operational Director – Community & Environment

PORTFOLIO: Community Safety

SUBJECT: Community Trigger Update

WARDS: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To update the Community Safety Partnership on the amendments to the current Community Trigger scheme.

2.0 RECOMMENDATION: That

- 1) **the report and action plan be noted; and**
- 2) **the Partnership consider the information presented and raise any questions of interest or points of clarification following the presentation.**

3.0 SUPPORTING INFORMATION

3.1 Community Trigger across Halton

The Community Trigger element of the Home Offices Reform of anti-social behaviour powers initially was launched on the 1st October 2014. Updated guidance was published in respect of Community Trigger in January 2021. This document outlines how we will be dealing with requests/applications for the Community Trigger within Halton.

3.2 This process will be managed for Halton within the Safer Halton Partnership (SHP) and will be under regular review through close working arrangements in place with the Managers of each of the Local Strategic Partnership across the Sub Region.

As a result of the amendments to the guidance, there will be a formal press release with information on the Trigger and who to contact for further information within Halton Council with a similar message from Cheshire Constabulary and The Police and Crime Commissioners Office.

4.0 TRIGGER THRESHOLDS

4.1 It is proposed for agreement, from the SHP board, that the threshold to be met in order for a Trigger application be accepted as;

- A complainant or a third party (with the victim's consent), such as a family member, friend or local elected representative (a councillor or MP) has reported the same problem **3 or more times in the past 6 months** to the Council, Police or their Landlord and no or inappropriate action has been taken in line with the relevant agencies policy and procedure.

In addition to this, the application process will not be able to continue under the following circumstances:

- If someone has reported Anti-Social Behaviour and received a service but the problems and the investigation are on-going;
They will be advised to contact the agency they are working with to tell them what is happening
- If someone has reported Anti-Social Behaviour and received a service but they're unhappy with the service received or action taken;
They will be advised to submit a complaint under the agency's complaints procedures
- If there is already a formal complaint with the relevant agency/agencies underway with reference to the incidents that have been reported.

5.0 TRIGGER PROCESS

5.1 Guidance will be available to members of the public, agencies and members/Cllrs on our Halton Website. This outlines the Trigger, what it is for, how to apply and also what can be expected following an application. A link to the application form is also provided.

Discussions are currently ongoing that could see Cheshire Constabulary have this information on their "Cheshire wide" website, which will direct members of public to the correct LA contact for more enquiries about the Trigger.

Consultation will be started with the main Registered Social Providers with reference to putting information on their websites about the trigger, directing anyone who would like to apply for the trigger to the Halton webpage. It is anticipated that information on the trigger will also be included on the registered social landlords' newsletters/bulletins.

The Manager responsible for Community Safety will receive all applications for a Community Trigger and will then liaise with the relevant agencies in order to test the threshold and gather further information in order to progress the application.

A “SPOC” (Specialised point of contact) across Halton will be identified for each agency and initial SPOC’s had already been agreed and identified by some of the agencies who we believe will be key partners in the “trigger” applications and resolutions.

There will be an identified SPOC whom will investigate any reported incidents on the trigger application and forward to the Community Safety Manager. There will also be a SPOC (who may be the same contact) for attending any Local Problem Solving group if the trigger application requires this action.

The table below will show the anticipated identified SPOC’s once the consultation has concluded and those agencies who we are currently liaising with.

As Safer Halton Partnership will be the centre referral point for application for the trigger, formal approval of the process is needed from SHP board. Reporting of the trigger process will be submitted to SHP board periodically along with regular reviews across the sub-region.

All Trigger applications/enquiries to go to Community Safety Manager:		
Agency	SPOC for incident and case research on trigger applications	SPOC for review of trigger meeting/Local Problem solving group
Police		TBC
Environmental Health (also representing licensing and other relevant depts.)		
Halton Housing	TBC	TBC
Plus Dane Housing	TBC	TBC
Other registered Providers	TBC	TBC
Halton ASB Team	Equivalent area ASB Co-ordinator	
Youth Offending/Youth Engagement Service	TBC	
Clinical Commissioning Group (Health)	TBC	TBC
Probation	TBC	TBC

Timescales (Previously agreed and not changed)

- Case Review Officer will request case information from **SPOCS by email with COMMUNITY TRIGGER REQUEST** as the subject within **3 working days** of receipt of completed Trigger Application
- Spocs will be given **7 working days** from receipt of request to return to information to Case Review Officer
- Case Review Officer will write to applicant within **15 working days** from receipt of Trigger request to respond to applicant with decision
- If Trigger **not met** case can be referred to local Problem Solving Group for discussion (refer to procedure document), action planning and relevant contact with applicant (where applicable).
- If Trigger **not met** and case is not referred to Local Problem Solving Group the applicant should be referred back to the agency dealing with their original complaint via the spocs below.
- If Trigger **is met** then panel should be convened (refer to Community Safety to convene a panel)
- If Trigger is met but further information is required before panel can be convened, spocs should be re-contacted and given **10 working days (or 15 working days for complex cases as determined by the Case Review Officer)** to return further information.
- Panel should be convened and formal review concluded within **60 working days** from receipt of original application and applicant informed of findings by ASB Case Review Officer.
- Applicants can **appeal** decision if trigger **not met**. ASB Case Review Officer will forward to Community Safety Manager for independent review of decision by sub-regional Colleagues
- Where the trigger **is met** and full review takes place the applicant can **appeal** the decision. Case review officer will inform the community safety manager for independent review by sub-regional colleagues.
- **Appeals must be submitted within 20 working days** of notification of decision on Trigger being met or outcome of review.
- ASB Case Review Officer review or **Independent Review must take place within 15 working days** of receipt of appeal.

6.0 APPEALS

6.1 Threshold not met:

If an applicant appeals the decision that the threshold has not been met, this will go back to the Community Safety Manager to review and the final decision will be with them. Even though the trigger has not been met, the partnership will do it's best to see if there is any way that the application can be given assistance with their issue (consideration will be given for referral to the Anti-Social Behaviour Team for instance).

Trigger outcome appeal:

If the Trigger threshold has been met, but the outcome of the review is appealed, this must be done in writing, this will go to an "Independent Scrutiny

Officer” within a neighbouring Cheshire Area responsible for Community Safety. Outcomes of this will then be sent to the applicant and the decision will be final.

The table below details those individuals whom will be responsible for Cheshire area independent reviews on appeal:

Appeals against application not meeting trigger threshold – final decision lies with the Partnerships manager responsible for Community Safety		
Appeals against Trigger application review (for those applications which meet the threshold);		
Independent Scrutiny Officer Cheshire East	Richard Christopherson	Locality Manager - Community Safety Richard.christopherson@cheshireeast.gov.uk Cheshire East Council Partnership Unit Macclesfield Police Station Brunswick Street Macclesfield Cheshire SK10 1HQ 0300 123 5010
Independent Scrutiny Officer Chester and West	Michelle Nicholson	Community Safety Manager Cheshire West and Chester Council 01244 972360 michelle.nicholson@cheshirewestandchester.gov.uk HQ, 58 Nicholas Street, Chester CH1 2NP
Independent Scrutiny Officer Warrington	Theresa Whitfield	Warrington Community Safety Partnership Manager
Independent Scrutiny Officer Halton	Mike Andrews	Community Safety Manager Safer Halton Partnership Halton Borough Council Municipal Building Kingsway WIDNES Cheshire WA8 7QF Lync: 0151 511 7695 Mobile: 07500 089784 mailto:mike.andrews@halton.gov.uk

- The trigger thresholds have been agreed following discussions with LSP Managers across the Sub Region based previous experience of Trigger applications received following the introduction of Triggers in 2014.
- Following the amendments to the guidance LSP Managers across the Sub Region have agreed to continue with the management of applications received though should an increase in applications prove evident this will impact on the resource capability and will require review.

The Safer Halton Partnership will monitor and review the Trigger process to include the following information

- How many requests made
 - Which did not hit the trigger criteria
 - Which did hit the criteria
 - Which went to review
- Which received recommended further action where the trigger was not met.

7.0 POLICY IMPLICATIONS

7.1 The policy implications of the review relate primarily to the Safer Halton priority. However this is a cross cutting work area which has wider implications on other areas of council business.

8.0 FINANCIAL IMPLICATIONS

8.1 There are no direct financial implications from this report.

9.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

9.1 Children and Young People in Halton

The Community Safety Service as a universal service impacts on the health, safety and well-being of young people.

9.2 Employment, Learning and Skills in Halton

There are no direct implications for this priority.

9.3 A Healthy Halton

The Community Safety Service as a universal service impacts on the Health, safety and well-being of the residents of Halton.

9.4 A Safer Halton

The Community Safety Service as a universal service impacts on the Health, safety and well-being of the residents of Halton.

9.5 Halton's Urban Renewal

There are no direct implications for this priority.

10.0 RISK ANALYSIS

10.1 There are no risks associated with this report.

11.0 EQUALITY AND DIVERSITY ISSUES

11.1 None at present

12.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

12.1 There are no background papers under the meaning of the Act.