

Guidance Notes for the Community Trigger Application Form

Community Trigger Threshold

The Community Trigger gives, those affected by anti-social behaviour, the right to request a formal, multi-agency review of the response to their reports of anti-social behaviour. This is known as an Anti-Social Behaviour Case Review, which is also referred to as the 'Community Trigger'.

The Community Trigger should only be used if you think the anti-social behaviour is on-going and either there has been no response, or there has been an inadequate response, from the agencies responsible for dealing with the anti-social behaviour.

The purpose of the Anti-Social Behaviour Case Review is to consider how to deal with serious persistent, or targeted, anti-social behaviour that the relevant bodies have been unable to tackle successfully.

Before submitting a Community Trigger Application Form, please ensure your case meets the below criteria, or threshold:-

- You have made three or more '*qualifying complaints*' about related incidents of anti-social behaviour that occurred on separate occasions, within the last six months.

Explanatory Notes

To be a '*qualifying complaint*', you must have formally reported the anti-social behaviour to the relevant organisation, within one month of it happening.

The anti-social behaviour should have been reported either in writing, by e-mail, by telephone or by visiting the offices of the relevant organisation. A discussion with an officer of an organisation whilst they are on-site in the community will not normally be considered, unless it is to a Police Officer or Police Community Support Officer on duty.

For the purposes of deciding whether the threshold is met, we can only consider incidents that have occurred within the last six months.

If your case does not meet the Community Trigger threshold, we will not be able to conduct an Anti-Social Behaviour Case Review, but we will still look at ways we can support you.

Completing the Community Trigger Application Form

Below are guidance notes to help you complete the Community Trigger Application Form.

We are unable to progress incomplete applications, so please ensure full details are provided on your application form. * indicates questions which must be completed. There are additional questions for you to provide more information to support your application, if you wish.

If you require further assistance with completing the form, contact 01773 841652 or email communitysafety@ambervalley.gov.uk.

Q1. On what basis are you making a Community Trigger application for an Anti-Social Behaviour Case Review?*

We need to know if you are the person affected by the anti-social behaviour or if you are submitting an application on someone else's behalf.

If you are the person affected by the anti-social behaviour, tick 'a' and complete your personal details at Question 3.

If you prefer, someone else can complete the Community Trigger application on your behalf, but we will need your written consent (or evidence of their authority to act on your behalf, such as a Power of Attorney) to enable us to progress the application. (See 'Third Party Applications' below for further information).

If you are acting on behalf of the person affected by the anti-social behaviour, tick 'b' and complete your personal details at Question 2.

Q2. Details of the applicant who is acting on behalf of the person(s) affected by the anti-social behaviour*

If you ticked '1b' because you are acting on behalf of the person(s) affected by the anti-social behaviour, complete your personal details.

Q3. Details of the person(s) affected by the anti-social behaviour*

Complete the personal details of the person affected by the anti-social behaviour.

Q4. Briefly describe the type of anti-social behaviour you have been experiencing.*

Full details of the individual incidents are required at Question 5, so this is a short summary of the anti-social behaviour, which you would like us to review.

Q5. Please provide details of the anti-social behaviour incidents – who reported the incidents, when they were reported, who they were reported to and how.*

In order for us to fully review your Community Trigger application, we need information about the incidents of anti-social behaviour you have reported:-

- Dates of the anti-social behaviour
- Details of the anti-social behaviour – i.e. what happened?
- Who reported the anti-social behaviour? (This should be the person detailed at Question 2 or Question 3)
- The date the incident was reported
- Which organisation the incident was reported to
- How it was reported to that organisation – e.g. in writing, over the telephone, in person, online.

If there are more than five reported incidents of the anti-social behaviour, please attach a separate sheet with the details.

Q6. How has the anti-social behaviour affected you/the person you are acting on behalf of?

We want to understand the impact of the anti-social behaviour on the person experiencing it.

Q7. What action has been taken, to your knowledge?

Please tell us what action any of the organisations involved in dealing with the anti-social behaviour have taken.

Q8. What further action are you hoping for?

We want to understand what you want to happen as a result of your Community Trigger application.

Q9. Have you any special circumstances that we need to take into consideration? If so, please provide details.

Please include anything relating to your personal circumstances that you feel is relevant to the application.

Q10. Please provide any other information relevant to your Community Trigger application.

Signature*

How we will use your information

In order to undertake an Anti-Social Behaviour Case Review we need to share information, provided on your completed application form, with the 'relevant bodies'.

The '*relevant bodies*' are the organisations which have been involved in your case, and may include District/Borough/City Council, Police, Clinical Commissioning Group, the local housing provider. In addition, the Youth Offending Service will be involved, where the anti-social behaviour involves someone who is under 18.

We will use the information you provide to enable us to facilitate a review of your case, under the Anti-Social Behaviour, Crime & Policing Act 2014. The '*relevant bodies*' will share relevant, necessary and proportionate information to enable them to review the incidents you have reported and the action that has been taken, or could be taken, to resolve the situation.

In some cases, it may be necessary to share information with other partners, that the relevant bodies deem appropriate to be involved in the review process, to help resolve your case.

To process your personal data, we will rely upon Article 6(c) of the General Data Protection Regulations, in that it is 'necessary to comply with a legal obligation'. This is because the Anti-Social Behaviour, Crime and Policing Act 2014 places a legal obligation on the relevant bodies to undertake an Anti-Social Behaviour Case Review and share relevant information when a valid Community Trigger application is received.

Where it is necessary to process any of your personal data which falls within a *special category**, we will rely upon Article 9, 2(g) of the General Data Protection Regulations, in that it is the substantial public interest, based on the lawful requirement to conduct an Anti-Social Behaviour Case Review, and is proportionate for that purpose. We will also meet the substantial public interest condition at Schedule 1 Part 2, (6) of the Data Protection Act 2018, in that the processing is necessary for a statutory purpose.

**Special categories of personal data* include personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, data concerning health or a person's sex life or their sexual orientation.

Please, therefore, ensure the information you provide is accurate and confirm this by ticking the box.

For further information about how we will use your information, our Privacy Notice is available at www.ambervalley.gov.uk/dataprotection.

Third Party Applications

If you are applying for the Community Trigger on behalf of someone else, the application form must be accompanied by evidence that you have the authority to act on the victim's behalf. It is your responsibility to supply this. Where the victim is competent to give consent, this evidence must take the form of written consent from the victim, authorising you to make the application on their behalf and to receive information about the application from the relevant bodies. Where the victim is not competent to give consent, other evidence must be supplied (e.g. Power of Attorney).

The Community Trigger Application Form will not be processed until the written consent of the person, detailed as being affected by the anti-social behaviour, or the evidence of your authority to act on the victim's behalf, has been provided.

Submitting your Community Trigger application

All Community Trigger applications relating to Amber Valley must be either submitted online at www.ambervalley.gov.uk/communitytrigger or in hardcopy to:-

Community Safety Manager, Amber Valley Borough Council, Town Hall, Market Place, Ripley, DE5 3BT

If you require assistance completing the Community Trigger application form, please contact Community Safety Manager on communitysafety@ambervalley.gov.uk or call 01773 841652

What happens next?

When a completed Community Trigger Application Form is received, we will acknowledge receipt of your completed application for an Anti-Social Behaviour Case Review, within 5 working days.

We will review the information you have provided, to determine whether your case meets the Community Trigger threshold. If it does not meet the threshold, you will be advised, in writing, within 15 working days of us receiving your completed Community Trigger application.

If your application meets the threshold, an Anti-Social Behaviour Case Review will take place within 40 working days of us receiving your completed application. This will involve agencies sharing information, such as the police, housing, environmental health, social care and health providers, depending on the nature of your case. The Anti-Social Behaviour Case Review will discuss the issues you raise, consider what actions have already been taken and consider recommendations for additional action to resolve the problem.

You, or the person applying for the Community Trigger on your behalf, will be invited to attend part of the Anti-Social Behaviour Case Review Meeting. If you do not wish to attend, you will be given the option to provide a written victim statement.

Within 5 days of the meeting, we will inform you of the outcome and recommendations.

If you are not satisfied with the outcome of the Community Trigger, you can lodge an appeal with the Office of the Police and Crime Commissioner for Derbyshire, within 28 days of being notified of the outcome of your Community Trigger application. For more information, go to www.derbyshire-pcc.gov.uk/Public-Information/CommunityTrigger

We welcome the opportunity to review cases of anti-social behaviour, but Community Trigger applications may be rejected if they are thought to be prejudicial, discriminatory, malicious, unreasonable or vexatious.