

For publication

Community Safety - Community Triggers - Adoption of Derbyshire County Council Guidance (HW1040L)

Meeting:	Cabinet Member for Health and Wellbeing
Date:	tbc
Cabinet portfolio:	Health and Wellbeing
Directorate:	Leisure, Culture and Community Wellbeing

1.0 Purpose of the report

- 1.1 To seek approval for the adoption by Chesterfield Borough Council of the Derbyshire Community Trigger Practitioner Guidance.
- 1.2 The Derbyshire Community Trigger Practitioner Guidance was originally developed in 2014, to support the enactment of the Anti-Social Behaviour, Crime and Policing Act in October 2014. In April 2019, national reports about the use and accessibility of the Community Trigger were published by ASB Help, 'The Community Trigger Where We Are Today', and the Victims' Commissioner, 'Anti-Social Behaviour: Living A Nightmare'.
- 1.3 The result of this was a review of the old guidance and the development of the new guidance informed by the review and the information above. The final draft guidance has been approved by: -
- Derby and Derbyshire Clinical Commissioning Group, who are a 'relevant body' for the Community Trigger, under the legislation
 - County wide Anti-Social Behaviour Sub-Group meeting on 16/7/20.
 - Safer Communities Core Group meeting 3/9/20.
 - Safer Communities Board meeting 24/9/20.

- All other Derbyshire districts and Boroughs.

1.4 If approval is given county wide communications, including updated information for websites, briefing papers for partners and their staff will be issued. In addition, appropriate Data protection processes and procedures will be implemented including privacy notices and Data Protection Impact Assessment.

2.0 Recommendations

2.1 That approval is given for the adoption of the revised Community Trigger Practitioner Guidance.

2.2 To note the potential additional work this guidance may place upon the Partnership in the event of a formal Community Trigger being required.

3.0 Reasons for recommendations

3.1 Through the Anti-Social Behaviour, Crime and Policing Act October 2014, Local Authorities are expected to use this problem-solving method to reduce Anti-Social Behaviour in its communities where these issues have not been resolved by the local partners using any other methods available to them.

4.0 Report details

4.1 The Derbyshire Community Trigger Practitioner Guidance was originally developed in 2014, to support the enactment of the Anti-Social Behaviour, Crime and Policing Act in October 2014.

4.2 In April 2019, national reports about the use and accessibility of the Community Trigger were published by ASB Help, 'The Community Trigger Where We Are Today', and the Victims' Commissioner, 'Anti-Social Behaviour: Living A Nightmare'.

- 4.3 Based on the recommendations within the national reports, a number of changes to the Community Trigger process in Derbyshire were agreed at the ASB Sub-Group in June 2019. The Community Trigger guidance document was updated, but this stalled due to work required on the ASB Information Sharing Agreement (ISA), which the Police are resolving.
- 4.4 ASB Help attended the Derbyshire ASB Sub-Group meeting in December 2019 and agreed to undertake an independent review of our revised draft guidance. The CEO of ASB Help gave extremely positive feedback, with only very minor changes suggested to enable us to sign up to the [ASB Help Pledge](#).
- 4.5 The revised draft guidance was finalised and, following approval from Data Protection Officers at Derbyshire Police, Derbyshire County Council and the Office of the Police and Crime Commissioner (OPCC), circulated to wider partners for a period of consultation in May 2020. Partner responses were, in the main, positive and additional minor changes were made to the guidance, as a result of the feedback received.
- 4.6 The key changes to the document are summarised as follows:
- Removal of the 'five households' threshold.
 - Victims to be invited to attend the Case Review meeting.
 - Clarification of information sharing and consent arrangements to comply with GDPR.
 - Additional templates created - ASB Case Review Agenda, Action Plan and a Perpetrator Proportionality Assessment.
 - Inclusion of the option for partners to activate the Community Trigger, which would be subject to same application form and processes as for victims or other advocates.
 - Clarification of the role of the Chair of the ASB Case Review Meeting.
 - Annual monitoring information to be published on Safer Derbyshire and OPCC websites, as well as district/borough/city council website.

- 'Sign up' to the ASB Help Pledge.
- 4.7 The ASB help pledge will support the promotion of awareness: actively encourage the use of the community trigger to residents and partner agencies. It will confirm that our organisation is legally compliant and embracing the spirit of the community trigger. In addition, it helps to establish a precedent of putting victims first and deter perpetrators.
- 4.8 Chesterfield Borough Council already has excellent partnership working and structures in place to tackle ASB and, through OPCC funding, Derbyshire Victim Services deliver an excellent tailored support package for victims of ASB.
- 4.9 From September 2020, the revised guidance is to be presented for approval to appropriate meetings within each district/borough council area.
- 4.10 The final draft guidance has been approved by Derby and Derbyshire Clinical Commissioning Group, who are a 'relevant body' for the Community Trigger, under the legislation, the ASB Sub-Group meeting on 16/7/20, the Safer Communities Core Group meeting 3/9/20, Safer Communities Board meeting 24/9/20
- 4.11 Following the approvals process, information will be provided to Chesterfield Borough Council Community Safety team to aid;
- Communications, including updated information for websites, briefing papers for partners and their staff.
 - Data protection, including privacy notices and Data Protection Impact Assessment.

5.0 Alternative options

- 5.1 The alternative option to adopting the Community Trigger guidance would be to continue as we do at present. Working with local partners to address ASB through subgroups, tasking and calls for service. Chesterfield Borough Council do address complex cases through

additional partnering for hot spot areas and problematic cases. Adopting the guidance reinforces our existing approaches and will provide a county wide framework which will support our partnerships and as such it is seen as complementing the work of the Chesterfield Community Safety Partnership.

6.0 Implications for consideration – Council Plan

6.1 **Thriving Borough** - Vibrant town centre - the Council will maintain safety within Chesterfield town centre by continuing to enforce the Public Spaces Protection Order.

Quality of Life for Local People - Improve our environment and enhance community safety for all our communities and future generations - Combat anti-social behaviour in the Town through the enforcement of the Anti-Social Behaviour Legislation.

7.0 Implications for consideration – Financial and value for money

7.1 The current methods used by the Community Safety Team for dealing with Anti-Social Behaviour by the Partnership are manageable. The Community Trigger may bring additional case load for the team and whilst this will not financially impact the authority it may result in enhanced time demands for the team.

8.0 Implications for consideration – Legal

8.1 The updated guidance has been undertaken with the requirements of the Anti-social Behaviour, Crime and Policing Act 2014 and as such all legal requirements have been fulfilled.

9.0 Implications for consideration – Human resources

9.1 No specific adverse implications have been identified; the Community Safety team will however closely monitor any potential time demands impact.

10.0 Implications for consideration – Risk management

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
If there is a significant demand for this intervention it may impact upon the capacity of the Community Safety Partnership team to support other interventions / initiatives	High	Medium	The team are already experienced in managing ASB requests for service and as such it is expected that the requirement for formal Community Triggers will be kept to a minimum	Medium	Low

11.0 Implications for consideration – community wellbeing

11.1 Through collaboration with partners the Community Trigger allows for positive engagement with those most vulnerable and at risk of Anti-Social Behaviour.

12.0 Implications for consideration – Economy and skills

12.1 Providing a safe and secure Borough will support employment, learning and development opportunities for residents.

13.0 Implications for consideration – Climate Change

13.1 Whilst there is no direct impact from the adoption of this guidance on the actions as defined within the Councils Climate Change Action Plan 2020 – 2023 the community safety team will continue to work in a way that supports the actions and themes within the plan.

14.0 Implications for consideration – Equality and diversity

The wording of the Community Trigger Guidance has been specifically drafted in a way to avoid targeting any group or type of individual and only targets the behaviours that cause nuisance, alarm, harassment, or distress to others. However, it is inevitable that some groups may be more impacted by the controls due to their behaviours.

Decision information

Key decision number	1015
Wards affected	All

Document information

Report author	
<i>Dianne Illsley, Community Safety Officer, Chesterfield Community Safety Partnership.</i>	
Background documents	
These are unpublished works which have been relied on to a material extent when the report was prepared.	
Appendices to the report	
Appendix 1	Memorandum of understanding
Appendix 2	Community Trigger Guidance.