

Suffolk Anti-Social Behaviour (ASB) Case Review (Community Triggers) Countywide Appeals Panel Practitioners Guidance

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Countywide ASB Case Review (Community Triggers) Appeals Panel - Guidance

Background

Anti-Social Behaviour, Crime and Policing Act 2014¹

The Anti-social Behaviour, Crime and Policing Act 2014 introduced simpler, more effective powers to tackle anti-social behaviour that provide better protection for victims and communities.

The Anti-social Behaviour, Crime and Policing Act 2014 included a specific measure designed to give victims and communities a say in the way that complaints of anti-social behaviour are dealt with, and to help ensure that victims' voices are heard. These measures are:

The Community Trigger (also known as the ASB Case Review), which gives victims of persistent anti-social behaviour reported to any of the main responsible agencies (such as the council, police, housing provider) the right to request a multi-agency Case Review of their case where a local threshold is met.

Purpose

The ASB Case Review is an important statutory safety net for victims of anti-social behaviour who believe they have not had a satisfactory response to their complaints about anti-social behaviour. Where the threshold is met, victims can require the relevant bodies in the local area to undertake a formal review of the case, and those bodies have a statutory duty to undertake that review.

Across Suffolk Local Authorities will lead the ASB Case Review process for their area. This will be done in partnership and will be overseen by the County ASB Steering Group. Further information on ASB Case Reviews can be found at: [Anti-social behaviour | Suffolk County Council](#)

If a victim disagrees with the outcome of their ASB Case Review application, they can submit an appeal to the **countywide anti-social behaviour (ASB) Case Review (Community Triggers) Appeals Panel within 21 working days** of receiving their outcome letter from their District/Borough Council.

The countywide ASB Appeals Panel will meet and assess whether:

- (1) The Community Trigger Review has failed to consider a relevant process, policy or protocol;
- (2) The Community Trigger Review has failed to consider relevant factual information.

¹ Anti-social behaviour (ASB) case review (also known as the Community Trigger) - GOV.UK (www.gov.uk)

The role of the countywide ASB Appeals Panel will be to consider due process and ensure that the District/Borough Council (as lead authority) and wider partners has properly and effectively undertaken a review. In considering a community trigger escalation, the countywide ASB Appeals Panel can either:

A Case Review (Community Trigger) cannot be escalated where a complainant is dissatisfied that a particular agency has not utilised a particular enforcement tool and where it has been established through the review that appropriate consideration has been given to the use of that tool but, having consideration of the facts and relevant protocols, that agency has determined that it would not be appropriate to utilise the enforcement tool.

Vexatious Complainants

The Community Trigger gives victims the right to require action is taken where an ongoing problem has not been addressed. The process is designed to make sure that agencies work together to try and resolve complaints about ASB. It does not replace the complaints procedures of individual organisations, which should be used where there is a specific complaint about the actions / inaction of a specific organisation.

The countywide ASB Appeals Panel may dismiss an appeal if it is considered to be repetitive or vexatious.

A statement should be included within local authority vexatious complaints policies stating that “vexatious complaints relating to the ASB Case Review process will be dealt with through the local authority policy”. A paragraph or statement should also be included within local authority ASB policies.

Local authorities will need to agree this approach locally with Registered Social Landlords and Housing Providers that operate in their area.

Reference is to be made within Complaints Procedures and ASB Procedures to show how applications to the countywide complaints of ASB are dealt with.

Appeal Process

The appeal process will essentially be a desk top review and will not involve hearings or meetings with victims although the countywide Anti-Social Behaviour Appeals Panel may consider meeting with victims in exceptional circumstances.

Review of Suffolk’s ASB Case Review Approach

The countywide ASB Appeals Panel process will be subject to periodic review by the ASB Countywide Steering Group on an annual basis to ensure that victim’s interests are adequately considered.

Threshold

When can an appeal be made?

An appeal can be made to the countywide ASB Case Review Appeals Panel for any dissatisfaction at two different stages:

Stage 1: Initial assessment of meeting the threshold

If a victim has made an application for an ASB Case Review and it was assessed as not meeting the Suffolk agreed threshold²

Stage 2: The review and any resulting action plan

If a victim has made a successful application for an ASB Case Review and an action plan has been drawn up and the victim is not satisfied with any outcome which resulted from the review, an appeal can be made.

Escalation to Appeal Process

If the applicant remains dissatisfied with the outcome from their ASB Case Review, they have a right to appeal the decision and the case will be escalated to Suffolk County Council Community Safety Team who will alert partners to form the county-wide ASB Appeals Panel and act as chair. The county-wide ASB Case Review Appeals Panel will review the details of the case and consider if there are grounds for appeal against either:

- a) The decision that the case didn't meet the threshold for Community Trigger
- b) The outcome of the Community Trigger case

The applicant must do this within **21 working days** of the date of the outcome letter from the District/Borough Council.

In such cases an application to appeal will be made via the Suffolk County Council Community Safety Team webpage in the first instance.

Suffolk County Council Community Safety Team will notify the Police and Crime Commissioner (PCC) of the appeal and decision accordingly.

Guidance for use of the model

Step 1: Gateway to ASB Case Review Appeals Process

See **Appendix A: Suffolk Community Trigger ASB Case Review Appeals Process Flowchart**

Victims will be able to access the ASB Case Review Appeals application through the on-line reporting form which is publicised on the anti-social behaviour page on the Suffolk County Council website. Alternatively, victims can request a hard copy of the form from their District/Borough Council contact or by submitting an appeal

² You have complained to XXX Council, Suffolk Police and/or your housing provider:

- on three or more occasions about separate incidents of anti-social behaviour in the past six months, and
 - reported each incident of anti-social behaviour within one month of it happening
- and;

- requested a case review within six months of when you reported the incidents

application in writing (which includes mandatory information from the appeals application form).

Step 1 Action: Upon receipt of an online ASB appeal application form an automated acknowledgement will be **sent within 1 working day to the victim.**

Upon receipt of an ASB Case Review appeal application form received by post (letter or hard copy of online form), this will be scanned and emailed to the SCC Community Safety Team (Community.Safety@suffolk.gov.uk). SCC Community Safety Project Officer will acknowledge the ASB Case Review appeal application **within 3 working days**. This can be sent through email (if email address has been provided) or letter, or by telephone call.

See **Appendix B:** Standard acknowledgement letter to victim.

When a victim submits an application for an ASB Case Review appeal, the details of the application should be captured by the SCC Community Safety Project Officer on the Community Trigger ASB Case Review Appeals register- **Appendix C:** Community Trigger ASB Case Review Appeals Register

This is for both applications where the threshold for an appeal has been met and for those where the threshold has not been met. Details of ASB Case Review Appeals will be shared with the Safer Stronger Communities Board (SSCB) on a regular basis. This will include:

- the number of applications for ASB Case Review Appeals received
- the number of times the threshold for review was not met
- the number of ASB Case Review Appeals carried out
- the number of ASB Case Review Appeals that resulted in recommendations being made

Step 2: Determine if Threshold has been met

The application form or scanned form or letter will be sent through to the SCC C/S Project Officer, who along with the District/Borough ASB Manager/lead will determine whether the threshold has been met.

Step 2a Action: Upon receipt of the application, the SCC C/S Project Officer will undertake initial checks with the relevant District or Borough Council to check the appeal application meets the **21 working days** threshold and the mandatory information has been provided.

For the purpose of the Suffolk Appeals Process, the appeal application must be received by electronic form, hard copy form or letter by SCC C/S **within 21 working days** of the applicant receiving the outcome letter or email from the District/Borough Council. The mandatory information which needs to be provided must be checked on all appeal applications; online, letter or hard copy as an appeal application cannot be considered if mandatory information is omitted. If the victim had not provided all the mandatory information in the initial appeal application, discretion will be used on

further communication with the victim to obtain the omitted information in a timely manner.

Step 2b Action The SCC Community Safety Project Officer will send a determination letter to the victim **within 3 working days** of the initial acknowledgement receipt/telephone call to victim, advising of the decision:

- Threshold not met, ASB Case Review Appeal will not be conducted. See **Appendix D**: Standard threshold not met letter; or
- ASB Case Review Appeal to be conducted. See **Appendix E**: Standard threshold met letter

Where the threshold has not been met, the victim will be advised to report any further incidents of Anti-Social Behaviour by either phoning Suffolk Police or the District/Borough ASB Lead/Team.

Step 3: Information Requests and Partners Notified

Step 3a Action: If the threshold has been met, SCC C/S Project Officer will notify the ASB Case Review Appeals Panel by emailing a calendar invite meeting request with the date of the Appeals Panel meeting and information embedded (see **Appendix F**: List of Appeals Panel members) within **3 working days** of notifying the victim an appeal application has met the threshold.

Appendix G: ASB Case Review Appeals Panel calendar email request with meeting information embedded

The date for the Appeals Panel is to be held within **10 working days** of notifying the victim an appeal application has met the threshold.

Step 3b Action: If the threshold has been met, the SCC C/S Project Officer will send an information request to the District/Borough Council asking for details of the case to be submitted to the SCC C/S Officer **within 5 working days**, and advise that their agency is required to be part of the ASB Case Review Appeals Panel. If the case is complex, responses from partners could take more than 5 working days. The SCC C/S Project Officer will keep the victim informed.

Co-opted members:

It will be the role of the District/Borough Anti-Social Behaviour Leads to co-opt additional members from a partnership organisation to attend a panel hearing in relation to a specific Case Review appeal in which they were involved. An example of this would be Housing Providers and Health.

Step 3c Action: If the threshold has been met, the District/Borough should forward the calendar invite meeting request, upon receipt, to the wider partners/co-opted who have been involved in the ASB Case Review process for the victim. This may include Housing Providers and Health.

Step 4: Review Panel Meeting

Step 4a Action: The SCC C/S Project Officer will arrange a Case Review Appeals Panel meeting once there is confirmation that the appeal application has met the threshold and an ASB Case Review Appeal is to be carried out. This Case Review Appeals Panel meeting must take place within **10 working days** from the applicant being notified that their appeal application met the threshold for an ASB Case Review Appeal. This is to ensure the process is completed within the **21 working days** timescale. More complex cases could require more than **10 working days** before the Case Review Appeals Panel meeting is held. The SCC C/S Project Officer will keep the victim informed.

The meeting will be chaired by the SCC Community Safety Lead.

Purpose of the ASB Case Review Appeal Panel meeting

The multi-agency Case Review Appeal meeting enables a thorough review of the ASB incidents and responses made, ensuring effective challenge and review of recommendations for any further action, and consider whether there are other responses that other agencies could pursue to help resolve the ASB issues.

This also applies where the victims case did not meet the threshold for a ASB Case Review as consideration should be made to the number and escalation in the ASB incidents recorded to date and to consider whether there are other responses that agencies could pursue to help resolve the ASB issues.

See **Appendix H:** Terms of Reference for ASB Case Review Panel Appeals Panel meeting

Step 4b Action: The Action Plan will be developed by the SCC Community Safety Project Officer in conjunction with the ASB Review Appeals Panel at the time of the Appeals Panel meeting. Actions from recommendations will be owned by the lead authority and will be cross referenced within the County ASB Steering Group Action Plan and reviewed quarterly by the ASB Steering Group, as appropriate, for oversight

See **Appendix I:** ASB Case Review Appeals Panel Action Plan template

Step 5: Decision Letter to Applicant

Step 5 Action: If the ASB Case Review Appeals Panel determines that the appeal is rejected as all agencies have taken appropriate action and that no further resolutions can be offered, a letter advising of the determination and providing details for the decision will be sent to the victim, The decision letter is to be sent **within 3 working days** of the Appeals Panel meeting by the SCC C/S Project Officer.

If the ASB Case Review Appeals Panel determines that the appeal is upheld and further action can be taken, a letter will be sent to the victim advising of the action plan, detailing next steps and advising of anticipated timescales for delivery. The decision letter is to be sent **within 3 working days**.

Statutory partners including the OPCC will be notified of the outcome of the appeal.

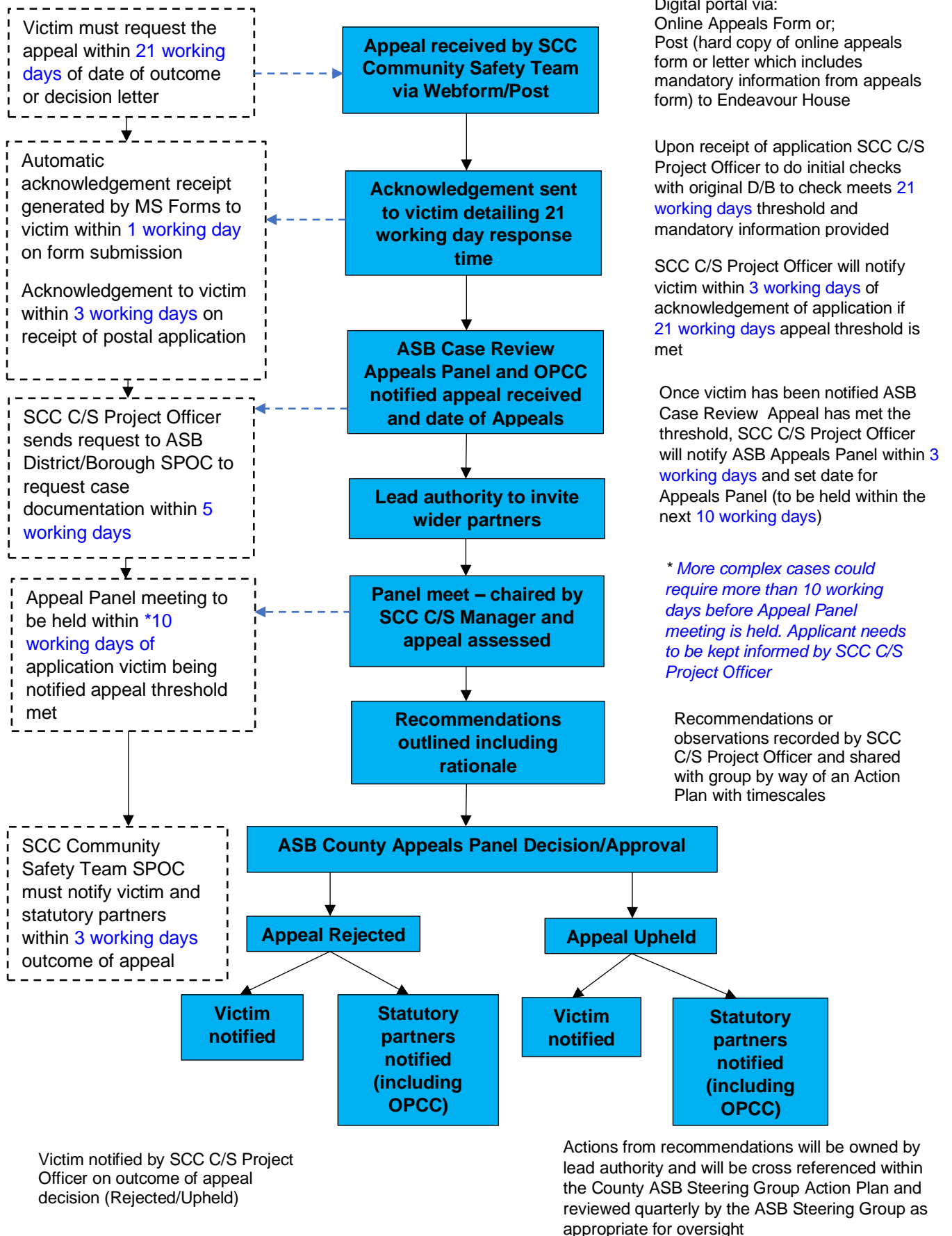
See **Appendix J:** ASB Case Review Appeals Panel Outcome – No Further Action

See **Appendix K:** ASB Case Review Appeals Panel Outcome – Further Action

Step 6: Response to Case Review Appeal

Actions from recommendations will be owned by the lead authority and will be cross referenced within the County ASB Steering Group Action Plan and reviewed quarterly by the ASB Steering Group as appropriate for oversight.

Appendix A: Community Trigger ASB Case Review Appeals Process Model



The decision of the countywide ASB Appeals Panel on any grounds of appeal is final

Countywide Anti-Social Behaviour Appeals Panel must conclude the appeal within
*21 days of an appeal submission

Appendix B: Victim Acknowledgement Letter

ASB Case Review Appeal Ref: **Insert**

Contact: ASB Case Review Appeals Officer

Email: community.safety@suffolk.gov.uk

Date: **Insert**

Dear **Name**

Anti-Social Behaviour (ASB) Case Review Appeal Application

I write to confirm receipt of your application for an Anti-Social Behaviour (ASB) Case Review appeal to be conducted in respect of:

- The decision that your case didn't meet the threshold for a Community Trigger Case Review

or

- The outcome of your Community Trigger Case Review

(delete as necessary)

(Insert name of officer) will be contacting you **within 3 working days** from the date of this letter to confirm whether your request has met the threshold.

If you wish to report any further incidents of Anti-Social Behaviour these can be reported by either phoning Suffolk Police on 101 (or 999 in an emergency) or the **(insert name of Council)** ASB Team on **(insert telephone number)**.

Yours sincerely

SCC ASB Case Review Appeals Officer

On behalf of Suffolk ASB Case Review Appeals Panel

Appendix C: Community Trigger ASB Case Review Appeals Register

*Community Trigger Ref Number	Date appeal received by SCC C/S Team	Appeal received. Online/Form/Post	Date acknowledgement sent. Automated or Postal acknowledgement <i>(1 day automated, 3 days postal applications)</i>	Purpose of appeal. Threshold Not Met or ASB Case Review Outcome	Date checked with D/B date of outcome notification to victim	Date of D/B outcome notification to victim	Confirm appeal received within 21 days of D/B outcome letter. Y/N	Date victim notified application does not meet 21 working day threshold (if applicable) <i>(3 working days from date appeal application)</i>	Date of request to D/B for case documentation <i>(5 working days from date acknowledgement of appeal sent to victim)</i>	Date ASB County Steering Group members notified of appeal <i>(within 3 working days of appeal application)</i>	Date papers shared with C/S Manager and Appeal Panel members	Date of Appeal Panel <i>(within 10 working days of receiving appeal application)</i>	Outcome of Appeal <i>(Rejected or Upheld)</i>	Date victim, partners and OPCC notified of appeal outcome <i>(3 working days of appeal hearing)</i>

Appendix D: Threshold not met letter

ASB Case Review Appeal Ref: **Insert**

Contact: ASB Case Review Appeals Officer

Email: community.safety@suffolk.gov.uk

Date: **Insert**

Dear **Name**

Anti-Social Behaviour (ASB) Case Review Appeal Application

Thank you for your recent application dated **(insert date)** for an ASB Case Review Appeal to be conducted following your Community Trigger ASB Case Review application to **(insert name of District/Borough Council)**

****which did not meet the threshold or ***

***where it was felt that relevant agencies had taken appropriate action to resolve the anti-social behaviour you were experiencing and no further action will be taken in relation to your case.**

**** delete as necessary**

I am writing to inform you that having considered your application we do not feel that it meets the threshold for an ASB Case Review Appeal to be conducted as you have not submitted your application for an ASB Case Review Appeal **within 21 working days** of receiving your outcome letter from **(insert District/Borough Council)** dated **(insert date of outcome letter from District/Borough Council)**

The ASB Case Review Appeal application request will now be closed.

We take ASB seriously and we remain committed to creating safer communities. The outcome of this decision should not deter you from reporting problems you experience in the future.

If you wish to report any further incidents of Anti-Social Behaviour these can be reported by either contacting Suffolk Police on 101 (or 999 in an emergency) or the **(insert name of Council)** ASB Team on **(insert telephone number)**.

Yours sincerely

SCC ASB Case Review Appeals Officer
On behalf of Suffolk ASB Case Review Appeals Panel

Appendix E: Threshold met letter

ASB Case Review Appeal Ref: **Insert**

Contact: ASB Case Review Appeals Officer

Email: community.safety@suffolk.gov.uk

Date: **Insert**

Dear **Name**

Anti-Social Behaviour (ASB) Case Review Appeal Application

I refer to my letter dated **(insert date of acknowledgement letter)** regarding your request for an Anti-Social Behaviour (ASB) Case Review appeal to be conducted in respect of:

- **The decision that your case didn't meet the threshold for a Community Trigger Case Review**

or

- **The outcome of your Community Trigger Case Review**

(delete as necessary)

I can confirm that having considered the details of your case it does meet with the previously determined threshold, and as such the ASB Case Review Appeal process has commenced.

Further information will now be sought from relevant partners and other agencies in regard to their involvement in your case to enable us to undertake a full review.

An ASB Case Review Appeal Panel meeting will be scheduled to review the information where representatives from agencies or partners that have been involved in your case will be present, in order to discuss the case fully.

When you submit an ASB Case Review appeal application the role of the countywide Anti-Social Behaviour Appeals Panel will be to consider:

- a) that due processes have been undertaken in relation to your case
- b) ensure that the nominated relevant bodies involved in your case have properly and effectively undertaken the review.

Once this review has been completed you will receive a letter advising of the outcome of the review along with details of any recommendations that have been made. It is anticipated that the review process will take **21 working days in total**, although in more complex cases this may be longer, in which circumstances you will be notified.

If you wish to report any further incidents of Anti-Social Behaviour these can be reported by either contacting Suffolk Police on 101 (or 999 in an emergency) or the (insert name of Council) ASB Team on (insert telephone number).

Yours sincerely

SCC ASB Case Review Appeals Officer
On behalf of Suffolk ASB Case Review Appeals Panel

Appendix F: List of Appeals Panel members

Community Trigger Appeals Distribution List

Organisation	Name	Role
SCC	Clair.harvey@suffolk.gov.uk	Chair
	Melanie.yolland@suffolk.gov.uk	CT officer
	Charlotte.Sanderson@suffolk.gov.uk	ASB Lead
	Chris.woods@suffolk.gov.uk	
Police	Rebecca.Webster@suffolk.police.uk	West
	victoria.mcparland@suffolk.police.uk	South
	Claire.Simons@suffolk.police.uk	East
PCC	SPCC@suffolk.police.uk	Enquiries
	Vanessa.Scott@suffolk.police.uk	OPCC SPOC
Local Authority	lesley-ann.keogh@westsuffolk.gov.uk	West CS lead
	Gemma.O'Shea@westsuffolk.gov.uk	West SPOC
	Peter.Watson@baberghmidsuffolk.gov.uk	BMS SPOC
	Vicky.Moseley@baberghmidsuffolk.gov.uk	BMS CS Lead
	rachel.tucker@eastsuffolk.gov.uk	East ASB Lead
	Zoe.Botten@eastsuffolk.gov.uk	East SPOC
	Alex.heys@eastsuffolk.gov.uk	East CS lead
	sue.stammers@ipswich.gov.uk	Ipswich SPOC
	Sally.tynan@ipswich.gov.uk	Ipswich ASB lead

Appendix G: ASB Case Review Appeals Panel notification email

Community Trigger Ref: **Insert**

ASB Case Review Ref: **Insert**

ECINS Ref: **Insert**

Date: **Insert**

Dear ASB Case Review Panel member

Anti-Social Behaviour (ASB) Case Review Appeal Application

I write to confirm receipt of an application which has met the threshold for an Anti-Social Behaviour (ASB) Case Review appeal to be conducted in respect of **(insert name and address of applicant)**.

The ASB Case Review Appeals Panel meeting will take place:

When: **(insert date and time of hearing)**

Where: **(insert location of hearing)**

Who should attend and why?

It is vital that the right people, with the relevant knowledge, expertise and skill set are present at the hearing to ensure everyone can actively participate and a strategy is formulated to facilitate a successful resolution of the case. It is therefore important that the officer in attendance has full knowledge of your organisation's involvement in the matter but also be of a suitable seniority that they are able to make operational decisions on behalf of your organisation and to dedicate resources if required.

The meeting is **not** to apportion blame for what actions have been taken to date but simply to work with partners to share information, assess the case and formulate a coordinated response to tackle the issue at hand. In the long term by addressing such matters it will not only provide reassurance to the victims and the wider communities in which they reside, but it should ultimately result in a reduction on the demand for your service and other partner agencies.

What to expect? The panel hearing is scheduled to last for **(insert how long the panel hearing is scheduled to take)** and will be chaired by **(insert name)** who is completely independent. This is to promote fairness and transparency.

The meeting is covered by a confidentiality agreement which is to be signed upon attending. Further details on this and the policies in relation to **information sharing** are addressed in point **XX** of the Terms of Reference which are enclosed with this letter. Please can I ask that you read through these carefully before attending the hearing.

Please can you confirm your attendance/non-attendance by accepting the electronic meeting invite.

Kind regards

SCC ASB Case Review Appeals Officer

On behalf of Suffolk ASB Case Review Appeals Panel

Appendix H: Terms of Reference for the countywide anti-social behaviour (ASB) Case Review (Community Triggers) Appeals Panel

Anti-Social Behaviour Legislation

The Crime and Disorder Act (1998) defined anti-social behaviour (ASB) as: *'acting in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as (the defendant).'*. The Act also introduced a statutory duty on specific authorities to consider the community safety implications of all their activities and work in partnership to reduce crime and disorder.

The Anti-social Behaviour, Crime and Policing Act 2014 introduced simpler, more effective powers to tackle anti-social behaviour that provide better protection for victims and communities.

The 2014 Act included a specific measures designed to give victims and communities a say in the way that complaints of anti-social behaviour are dealt with, and to help ensure that victims' voices are heard. These measures include:

The Community Trigger (also known as the ASB Case Review), which gives victims of persistent anti-social behaviour reported to any of the main responsible agencies (such as the council, police, housing provider) the right to request a multi-agency Case Review of their case where a local threshold is met.

The definition of anti-social behaviour in **The Anti-social Behaviour, Crime and Policing Act 2014** is:

(a)conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,

(b)conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or

(c)conduct capable of causing housing-related nuisance or annoyance to any person.

Aim:

To have a consistent approach to effectively respond to anti-social behaviour Case Review appeals (Community Trigger appeals) across Suffolk.

Purpose:

The ASB Case Review is an important statutory safety net for victims of anti-social behaviour who believe they have not had a satisfactory response to their complaints about anti-social behaviour. Where the threshold is met, victims can require the relevant bodies in the local area to undertake a formal review of the case, and those bodies have a statutory duty to undertake that review.

Across Suffolk Local Authorities will lead the ASB Case Review process for their area. This will be done in partnership and will be overseen by the County ASB Steering Group. Further information on ASB Case Reviews can be found at: [Anti-social behaviour | Suffolk County Council](#)

If a victim disagrees with the outcome of their ASB Case Review application, they can submit an appeal to the **countywide anti-social behaviour (ASB) Case Review (Community Triggers) Appeals Panel within 21 working days** of receiving their outcome letter from their District/Borough Council.

The countywide ASB Appeals Panel will meet and assess whether:

- (1) The Community Trigger Review has failed to consider a relevant process, policy or protocol;
- (2) The Community Trigger Review has failed to consider relevant factual information.

The role of the countywide ASB Appeals Panel will be to consider due process and ensure that the District/Borough Council (as lead authority) and wider partners has properly and effectively undertaken a review. In considering a community trigger escalation, the countywide ASB Appeals Panel can either:

Outcome:

- (1) Uphold the appeal and refer the case back to the District/Borough Council and partners asking them to consider a particular process, policy or protocol not previously considered;
- (2) Determine that the District/Borough Council and partners have reviewed the case, considering all relevant policies, process and protocols satisfactory in line with its Community Trigger Procedure.

The countywide ASB Appeals Panel has agreed to act as the appeals body for any dissatisfaction with:

- i) Initial assessment of meeting the threshold
- ii) The review and any resulting action plan

The countywide ASB Appeals Panel may also make recommendations to the relevant bodies following an appeal investigation; this may also include cases where the appeal itself has not been upheld.

The countywide ASB Appeals Panel may dismiss an appeal if it is considered to be repetitive or vexatious.

An ASB Case Review cannot be escalated where a complainant is dissatisfied that a particular agency has not utilised a particular enforcement tool and where it has been established through the review that appropriate consideration has been given

to the use of that tool but, having consideration of the facts and relevant protocols, that agency has determined that it would not be appropriate to utilise the enforcement tool.

The appeal process will essentially be a desk top review and will not involve hearings or meetings with victims although the countywide ASB Appeals Panel may consider meeting with victims in exceptional circumstances.

The countywide ASB Appeals Panel process will be subject to periodic review to ensure that victim's interests are adequately considered.

Objective:

- To effectively manage the ASB Case Review Appeals process across Suffolk including recording of applications, management of recommendations/observations within an action plan.
- To ensure a victim led approach to the trigger appeals process.
- All agree to adhere to any statutory guidance in respect of the Anti-Social Behaviour, Crime and Policing Act 2014.

The Suffolk Community Trigger ASB Case Review Appeals Process Model can be found in **Appendix A**.

The Legislation

The Anti-social Behaviour, Crime and Policing Act 2014³ introduced specific measures designed to give victims and communities a say in the way that complaints of anti-social behaviour are dealt with.

This includes the Community Trigger (also known as the ASB Case Review), which gives victims of persistent anti-social behaviour reported to any of the main responsible agencies (such as the council, police, housing provider) the right to request a multi-agency Case Review of their case where a local threshold is met.

Agencies, including local authorities, the police, local health teams and registered providers of social housing have a duty to undertake a Case Review when someone requests one and their case meets a locally defined threshold.

Section 104 of the Act requires that in cases where a person has made a complaint about anti-social behaviour that the relevant bodies in that area must carry out a review where the relevant body is satisfied that the threshold for a review is met. This review is known as a Community Trigger

Schedule 4 part 1 (3) requires the Community Trigger process to include provision about what is to happen when an applicant is dissatisfied with the way in which the relevant bodies have

- a) dealt with an application for an ASB Case Review or
- b) carried out an ASB Case Review

³ [Anti-social Behaviour, Crime and Policing Act 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2014/12/section/104)

Sections 104 and 105 of the Anti-social Behaviour, Crime and Policing Act 2014.

ASB County-wide Steering Group members have a statutory duty to work with other local agencies and organisations to develop and implement strategies to tackle crime and disorder including anti-social and other behaviour adversely affecting the local environment as well as the misuse of drugs in their area.

Frequency of meetings:

Meetings will be set on receipt of an ASB Community Trigger Case Review Appeal application which meets the 21 working days threshold.

Membership:

Core membership will consist of:

Suffolk County Council Community Safety Team

- Community Safety Lead – **Chair**
- Community Safety Officer – lead for ASB
- Community Safety Project Officer – lead for CT Appeals (Appendix 1)

Suffolk Constabulary

- Neighbourhood Team Inspectors

District and Borough Council

Community Safety Leads and Anti-Social behaviour Leads:

- Ipswich Borough Council
- West Suffolk Council
- Babergh and Mid Suffolk Council
- East Suffolk Council

Police Crime Commissioner

- Suffolk Police Crime Commissioner
- Representative from Suffolk OPCC

Co-opted members:

It will be the role of District Borough Anti-Social Behaviour Leads to co-opt additional members from a partnership organisation to attend a panel hearing in relation to a specific Case Review in which they were involved. An example of this would be Housing Providers and Health.

Information Sharing:

Partners agree to:

- Share all information relating the applicants Community Trigger ASB Case Review request and any subsequent Case Review meeting(s) with the countywide ASB Appeals Panel

- Comply with the Data Protection Act 1998 and all other relevant legislation when sharing information with the countywide ASB Appeals Panel regarding Community Trigger ASB Case Review appeals
- Deal with any requests for information made by the countywide ASB Appeals Panel in connection to a Community Trigger ASB Case Review in a timely manner.

The countywide ASB Appeals Panel agrees to:

- Comply with the Data Protection Act 1998, and all other relevant legislation, when sharing information with partners regarding a Community Trigger ASB Case Review appeal.

Governance:

- The membership of the countywide ASB Appeals Panel hearing group will be reviewed annually.
- The Terms of Reference will be reviewed annually.

Expectations of Attendees:

The expectations of partners attending the panel will be:

- In the event that as the representative you are unable to attend the hearing, a suitable deputy with equivalent knowledge and decision making authority must attend on your behalf.
- All participants will have read all documentation in relation to the review prior to attending the hearing.
- Panel members will be provided with as much notice as possible of an Appeals Panel hearing date and it is expected that partners prioritise attending these Panel hearing or alert the SCC Community Safety Project Officer of difficulties attending or sending a representative as soon as practicable.

Guidance on ASB Community Trigger Case Review Appeals

Further information regarding ASB Community Trigger Case Review Appeals can be found in the Community Trigger ASB Case Review Appeals practitioners guidance.

Further information on ASB Case Reviews can be found at: [Anti-social behaviour | Suffolk County Council](#)

Anti-social Behaviour is a strategic priority, the governance for which sits at the Safer Stronger Communities Board. See **Appendix L**.

Appendix I: ASB Case Review Appeals Panel Action Plan template

Name and Address	Insert victims' names and address		
ASB Case Review Appeal Ref:	Insert an ASB Case Review Appeal reference number		Insert date
Community Trigger Ref	Insert a CT reference number	Date of Community Trigger	
ECINS Ref	Insert ECINS reference number	Date of ASB Case Review Appeals Panel	Insert date
<p align="center">The Chair of the meeting reminds all concerned of the principles.</p> <p>Information discussed by the agency representatives, within the ambit of this meeting, is strictly confidential and must not be disclosed to third parties who are not part of the ASB Case Review Appeals Panel, without the agreement of the partners of the meeting. The role of the countywide ASB Case Review Appeals Panel will be to consider due process and ensure that the District/Borough Council (as lead authority) and wider partners has properly and effectively undertaken a review and a clear distinction should be made between fact and professional opinion.</p> <p>All agencies should ensure that all minutes and related documentation are retained in a confidential and appropriately restricted manner. These minutes will aim to reflect that all individuals who are discussed at these meetings should be treated fairly, with respect and without improper discrimination. All work undertaken at the meetings will be informed by a commitment to equal opportunities and effective practice issues in relation to age, disability, race, religion and belief, sexual orientation, gender or gender identity.</p>			
<p>THE PURPOSE OF THE MEETING IS AS FOLLOWS:</p> <ul style="list-style-type: none"> To share information in order for the ASB Case Review Appeals process to be effective. 			

- To ensure relevant agencies meet their statutory obligations in relation to Section 104 of the Anti-Social Behaviour, Crime and Policing Act 2014.
- To build collaborative partnerships to formulate a strategy to facilitate a solution to the case.
- To enable a fair and objective review of the case by ensuring all agency records and representatives from relevant agencies are available for the ASB Case Review Appeals Panel meeting.
- The countywide ASB Case Review Appeals Panel may also make recommendations to the relevant bodies following an appeal investigation; this may include cases where the appeal itself had not been upheld.
- To treat identified areas of improvement as learning outcomes.
- To identify risk, harm, vulnerability and implement appropriate support and action plans.
- To reduce repeat victimisation.
- To improve agency accountability.
- Improve support for staff involved in anti-social behaviour cases.

BY SIGNING THIS DOCUMENT, WE AGREE TO ABIDE TO THESE PRINCIPLES.

Actions will be read out. Agencies are to acknowledge receipt of all actions agreed. The signing of the document will mean that you have agreed with the designated actions and that it is your responsibility if designated an action to complete that action.

In attendance at ASB Case Review Appeals Panel meeting dated **XXXXX**

XXXXXX - XXXXXX Council

XXXXXX - Suffolk Constabulary

XXXXXX – Registered social landlord

Recommended actions to meet requirements EXAMPLE	Lead Agency	Timescale for completion/ review	Date action completed/Comments
---------------------------------------------------------	-------------	----------------------------------	--------------------------------

1. ***** should progress tenancy action against three tenants living at *****	**** RSL	Review - August 2021	
2 ***** Council to follow up with Environmental Services Dept use of noise recording equipment to measure impact and frequency of noise.	*** Council	Review - September 2021	

Appendix J: ASB Case Review Appeal Panel Outcome – No Further Action

ASB Case Review Appeal Ref: **Insert**

Contact: ASB Case Review Appeals Officer

Email: community.safety@suffolk.gov.uk

Date: **Insert**

Dear **Name**

Anti-Social Behaviour (ASB) Case Review Appeal Application

I refer to my previous correspondence confirming to you that your ASB case had met the threshold to activate the ASB Case Review Appeal Process.

I write to advise you that details of your case were reviewed by the ASB Case Review Appeals Panel at their meeting held on **(insert date)**.

Having reviewed all of the information available to the Panel it was felt that relevant agencies had taken appropriate action to resolve the anti-social behaviour you were experiencing as follows:

- provide a brief overview of action taken

The Review Appeals Panel have therefore concluded that no further action will be taken in relation to this case.

I trust this clarifies the situation and I understand this may not be the outcome you were seeking.

We take ASB seriously and we remain committed to creating safer communities. The outcome of this decision should not deter you from reporting problems you experience in the future.

If you wish to report any further incidents of Anti-Social Behaviour these can be reported by either contacting Suffolk Police on 101 (or 999 in an emergency) or the **(insert name of Council)** Anti-Social Behaviour team on **(insert telephone number)**.

Yours sincerely

SCC ASB Case Review Appeals Officer

On behalf of Suffolk ASB Case Review Appeals Panel

Appendix K: ASB Case Review Appeals Panel Outcome – Further Action

ASB Case Review Appeal Ref: **Insert**

Contact: ASB Case Review Appeals Officer

Email: community.safety@suffolk.gov.uk

Date: **Insert**

Dear **Name**

Anti-Social Behaviour (ASB) Case Review Appeal Application

I refer to my previous correspondence confirming to you that your ASB case had met the threshold to activate the ASB Case Review Appeal Process.

I write to advise you that details of your case were reviewed by the ASB Case Review Appeal Panel at the meeting held on **(insert date)**, resulting in the following actions being agreed by the agencies involved:

- insert details here -

(Insert District/Borough) will contact you to provide an update on progress and reassurance that activity is taking place with a view to bringing this matter to a close as swiftly as possible.

This review will be concluded once the action plan has been fully implemented and in doing so it is hoped that this will bring a positive resolution to the anti-social behaviour you have been experiencing.

The ASB Steering Group will oversee and monitor the implementation of the recommendations identified by the ASB Case Review Appeals Panel.

If you wish to report any further incidents of Anti-Social Behaviour these can be reported by either contacting Suffolk Police on 101 (or 999 in an emergency) the **(insert name of Council)** Anti-Social Behaviour team on **(insert telephone number)**.

Yours sincerely

SCC ASB Case Review Appeals Officer

On behalf of Suffolk ASB Case Review Appeals Panel

Appendix L: Safer and Stronger Communities Governance

