

# ANTI-SOCIAL BEHAVIOUR CASE REVIEW PROCESS

January 2025

## **ASB Case Review Process**

The Anti-Social Behaviour, Crime and Policing Act 2014 sets out the requirement for relevant bodies to make arrangements for and to carry out Anti-Social Behaviour (ASB) Case Reviews

The focus is to bring agencies together to jointly review an anti-social behaviour case, and by taking a joined-up approach, consider what other action could be taken to find a solution for the victim or complainant.

The review is not intended to act as a complaints procedure that examines how a particular agency or agencies have tackled a problem in the past; but instead, it focuses on the existing situation and what more can be done, enabling agencies to re-consider their actions quickly and objectively.

### **Who are the relevant bodies?**

The relevant bodies and responsible authorities are outlined in the statutory guidance as.

- Local Authorities
- Police
- Clinical Commissioning Groups (CCG) in England and Local Health Boards in Wales
- Registered providers of social housing

The relevant bodies for Three Rivers are:

- Three Rivers District Council
- Hertfordshire County Council
- Hertfordshire Police
- Beacon Victim Support
- Hertfordshire Police and Crime Commissioner
- Herts Valley Clinical Commissioning Group
- Registered providers of social housing in the Three Rives District

The Anti-Social Behaviour Case Review will involve a representative(s) also known as a single point of contact (SPOC) from at least three of the above agencies. This could include the fire and rescue service, mental health service and drug and alcohol support services.

### **Qualifying complaints**

Where an agency or agencies receive a complaint (report) of anti-social behaviour they will seek wherever possible to find a satisfactory resolution. Sometimes such a resolution is not easily or quickly achieved, resulting in further complaints being made.

The case review process allows a complainant to have their case reviewed, where despite having made at least three separate complaints to one or more relevant bodies, the issue has still not been resolved to their satisfaction. It is not intended to review historical cases, or those only recently reported that agencies have not had a reasonable opportunity to respond to.

To meet requirements for the case review procedure complaints will have to meet the following criteria to qualify:

- they must be made within one month of the behaviour occurring; and
- a complaint made to several agencies at or around the same time will only count as one complaint

The completion of diary sheets as part of an investigation process will not be considered as a qualifying complaint but may assist the case

### **What is the criteria for a case review to be carried out?**

An application for a case review to be carried out needs to meet the following criteria:

- three separate qualifying complaints reported by an individual in a six-month period; and
- the application for an ASB case Review has been made within six months from the date of the most recent qualifying complaint

In any other case where a case review application is received that does not meet the above criteria, the relevant bodies may still consider the threshold for a case review is met, by taking account of any the following factors:

- the persistence of the anti-social behaviour about which the original complaint was made; or
- the harm caused, or the potential harm to be caused, by that behaviour; or
- the adequacy of the response to that behaviour.

### **Who can make an application for a case review?**

A complainant can make an application for a case review, or with their consent another person can make it on their behalf e.g. friend, relative, carer, councillor, or Member of Parliament or a Business. An application will normally only be accepted if submitted using the 'Application for Anti-Social Behaviour Case Review' form. We may still need to contact the victim to establish the facts and may need to confirm consent.

<https://www.threerivers.gov.uk/services/crime-and-safety/antisocial-behaviour>

### **Who is not suitable for the ASB Case Review?**

- A complainant who wishes to remain anonymous in the ASB Case Review application
- A complainant whose complaint is about service provision only
- Anonymous complaints will be given words of advice and support. Their complaint will be discussed internally.

### **Which relevant body will co-ordinate the case review process?**

The local authority has responsibility for coordinating and administering the case review process.

### **Information sharing**

Information shared between partner agencies during the case review process will be in accordance with existing information sharing agreements and protocols. If an agency is present and not signed up to the Information Sharing Agreement, the Chair of the ASB Case Review will make it clear that no information is to be shared out of the ASB Review arena

**How can a decision about not meeting the threshold for a case review or the actual outcome of a review be challenged?**

An applicant has 28 days from the date of being:

- advised that their application has not met the threshold for a case review; or
- advised of the outcome of a case review meeting

**To request that the matter be further considered (appeal)**

A request for a further review will be passed to the Chair of the Community Safety Co-ordinating Group, in consultation with the ASB Officer who will have 21 days from receipt of the request to carry out a review and advise the applicant of the outcome.

The Chair of the Community Safety Co-ordinating Group may make recommendations to the relevant bodies to find a successful resolution, although these are not binding.

In the absence of the Chair of the Community Safety Co-ordinating Group; a Community Safety Manager from another Local Authority (Hertfordshire) will be appointed.

**Review of the ASB Case Review procedures**

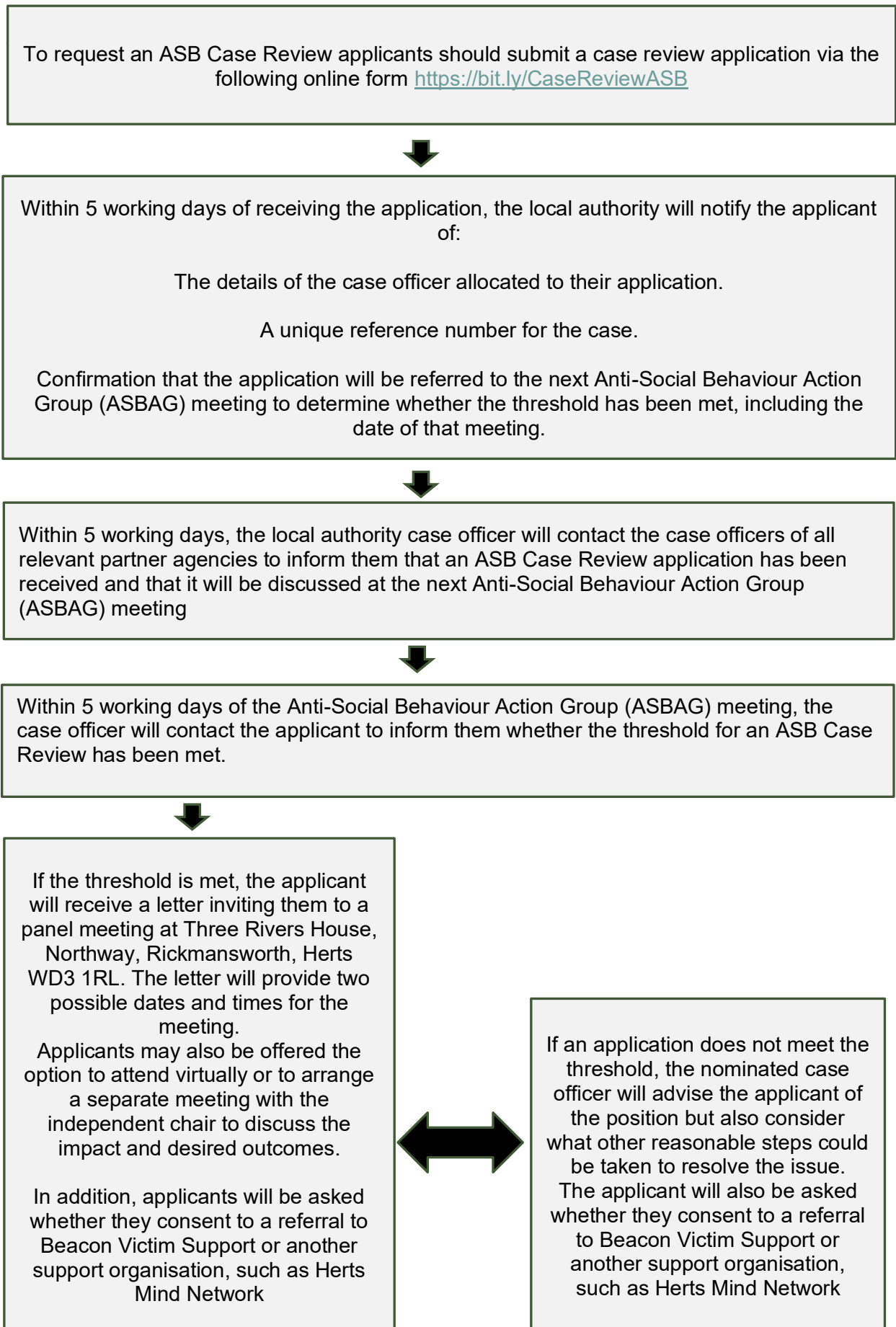
The effectiveness of this procedure will be reviewed annually,

**Publishing of data**

At the end of each year the Three Rivers District Council will publish the following data:

- Number of reviews requested
- Number of requests that could not be pursued as they were anonymous, or permission was not given to share information with other agencies
- Number of reviews that did not meet the threshold
- Number of reviews undertaken
- Number of reviews that did/didn't meet the threshold but no action needed regarding ASB
- Number of reviews resulting in a recommendation being made regarding the ASB

## ASB Case Review Flow Chart





Once the applicant has confirmed a suitable date and time for the panel meeting, the case officer will, within 5 working days, issue a confirmation letter. This letter will include full details of the meeting, including the agreed date, time, and location.

Where consent is provided, relevant information will be shared with Beacon support services



The case officer will send formal meeting invitations to all relevant partner agencies required to attend the panel meeting. An independent chair will also be appointed to oversee the process.

The independent chair will normally be an officer from Three Rivers District Council who has had no prior involvement in the case. Where this is not possible—for example, if Three Rivers District Council is already directly involved—an officer from a different local authority area will be appointed to ensure independence and impartiality.



The case officer will prepare a panel pack in advance of the panel meeting. As part of this process, all relevant agencies will be asked to provide any information related to all ASB incidents reported in the six months preceding the ASB Case Review application date. This information must be submitted to the case officer within 14 working days.



Once all relevant information has been received, the case officer will finalise the panel pack. The completed pack will be sent to all relevant agencies, including the independent chair, at least 5 working days before the panel meeting.

The panel pack will not be shared with the applicant; however, it will be shared with Beacon Support Services.



The panel meeting will then take place with the applicant, case officer, Beacon representative (if consent has been given), relevant partner agencies, and the independent chair in attendance.

The meeting will follow a structured format:

1. Applicant statement – The applicant will be invited to share their impact statement, outlining the effect of the issues experienced and the outcomes they are seeking.
2. Questions and clarification – Panel members may ask questions to better understand the applicant's perspective.
3. Applicant's departure – Once this stage is complete, the applicant will be asked to leave the meeting.
4. Panel discussion – The panel will then consider the case in detail. If the applicant has consented, the Beacon representative will remain present during this stage to act as an advocate on their behalf. If a referral to Beacon is declined, Beacon may still be invited to send a representative to the panel meeting to act as an independent victims' advocate alongside the independent chair.



A written summary of the agreed actions from the panel meeting shall be provided to the applicant within 5 working days.



A victim of antisocial behaviour (or another person acting on their behalf with their consent) may request an appeal in relation to an ASB Case Review if they are dissatisfied with:

1. Threshold decision – The decision made by the relevant bodies that the threshold for a Case Review was not met (i.e. the application was declined).
2. Process – The way in which the Case Review was conducted by the relevant bodies.

An appeal cannot be requested solely on the basis that the victim is unhappy with the outcome of an ASB Case Review.

Appeals must be submitted within 10 working days of the action plan letter being issued.



A request for appeal will be passed to the Chair of the Community Safety Co-ordinating Group, in consultation with the ASB Officer who will have 21 days from receipt of the request to carry out a review and advise the applicant of the outcome.

The Chair of the Community Safety Co-ordinating Group may make recommendations to the relevant bodies to find a successful resolution, although these are not binding.

In the absence of the Chair of the Community Safety Co-ordinating Group; a Community Safety Manager from another Local Authority (Hertfordshire) will be appointed.



Within 5 working days of the ASB Case Review, the case officer will set up fortnightly review meetings to monitor the agreed actions, inviting all relevant agencies. These meetings will continue for the duration of the ASB Case Review.



The case officer will close the case once they are satisfied that agreed actions have been completed and that the applicant is no longer reporting incidents of antisocial behaviour. A formal closing letter will then be issued to the applicant.

Cases may also be closed under the following circumstances:

Where the housing provider accepts responsibility for the matter, resulting in no further council involvement; or

Where the case naturally reaches the end of its lifecycle and the applicant chooses not to pursue further action.

