

# Derbyshire Anti-Social Behaviour (ASB) Case Review Practitioner Guidance

Version 3.1 - October 2025



Derby & Derbyshire  
Safer Communities

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**Change History**

| <b>Date</b>       | <b>Version</b>     | <b>Reason</b>   |
|-------------------|--------------------|---|
| 13/5/14 – 19/8/14 | Versions 0.0 – 0.4 | Development drafts.   |
| 29/9/14           | Version 1.0        | Approved by Derbyshire Safer Communities Board and Derby City Council.  |
| 27/3/17           | Version 1.1        | Amended to incorporate introduction of timescale for the Office of the Police and Crime Commissioner to receive appeals.  |
| 21/3/18           | Version 1.2        | Amended, following Derbyshire ASB Sub-Group, to incorporate amendments to the statutory guidance.   |
| 24/9/20           | Version 2.0        | Approved by Derbyshire Safer Communities Board .  |
| 10/2/21           | Version 2.1        | Amendment to application form template to improve accessibility and Derbyshire Victim Services added to Letter templates.   |
| 18/5/23           | Version 2.2        | Document updated to replace ‘Community Trigger’ with ‘Anti-Social Behaviour Case Review’ in accordance with the revised Home Office statutory guidance.   |
| 5/9/25            | Version 3.0        | Reviewed by Derbyshire ASB Sub-Group and Office of the Police and Crime Commissioner’s Office to incorporate recommendations from Victims’ Commissioners 2024 report and good practice identified, as part of the ASB Help Pledge re-assessment. A literacy review also undertaken to simplify public-facing documentation. |
| 29/9/25           | Version 3.1        | Amended to incorporate amendments to the statutory guidance.  |
| 14/10/25          | Version 3.1        | Approved by Derbyshire ASB Sub-Group  |
| 15/12/25          | Version 3.1        | Approved by Derbyshire Safer Communities Board  |
| 31/12/25          | Version 3.1        | Approved by Safer Derby Board   |

The information contained within this document was correct as at October 2025.

Practitioners should be aware that case law and legislation is constantly changing.

The provisions of the legislation must be read and interpreted in conjunction with the latest statutory guidance issued, pursuant to Section 56 of the ASB Crime and Policing Act 2014.

Legal advice, should be sought, as appropriate / required.

## **INTRODUCTION**

Anti-social behaviour (ASB) is a priority for residents, the Police and Crime Commissioner and all community safety partners in Derbyshire.

ASB covers a wide range of incidents from litter and dog fouling to noise nuisance and targeted, abusive behaviour. Cases often involve different types of ASB, reported to different organisations, which each have different legislative options available to them. The complex nature of ASB means that agencies must work together to bring perpetrators to justice and provide the right level of support for victims.

The Anti-Social Behaviour (ASB) Case Review, originally known as the Community Trigger, was introduced by the Anti-Social Behaviour, Crime and Policing Act in 2014. The aim of this document is to translate the [‘Anti-Social Behaviour, Crime and Policing Act 2014: Anti-social behaviour powers - Statutory guidance for frontline professionals’](#), issued by the Home Office in July 2014 (updated July 2025), into guidance to help agencies work together to tackle ASB in Derbyshire, and meet their statutory obligations under the legislation.

This guidance has been produced by Safer Derbyshire, in consultation with, and on behalf of, the ASB Case Review ‘relevant bodies’ and wider anti-social behaviour partners in Derbyshire.

We want to ensure a consistent approach for victims of ASB, who wish to use the ASB Case Review to request a review of the action taken to deal with the ASB they are experiencing. This guidance outlines the process, some elements of which may be localised by each Community Safety Partnership (CSP) in terms of exactly how the ASB Case Review will be conducted, but the minimum steps and timescales, described within this document, should be followed by all partners involved in the ASB Case Review process.

This guidance is intended to complement, not replace, individual agency complaints procedures. Complaints about individual officers, or services, should be directed to those organisations’ own complaint procedures, and/or the [Local Government and Social Care Ombudsman](#), the [Housing Ombudsman](#) or the [Independent Office for Police Conduct](#).

### **Review of the ASB Case Review Guidance**

In 2019/20, national reports [produced by ASB Help](#), a registered charity in England and Wales that provides advice and support to victims of ASB, and [the Victims’ Commissioner](#), made a number of recommendations to improve the experience of victims of ASB.

In Derbyshire, the local ASB Case Review guidance was originally developed in 2014, and it already included most of the recommendations suggested in the national reports. We took the opportunity to undertake a thorough review of our processes and consulted [‘relevant bodies’](#), local partners and ASB Help to produce revised guidance.

Derbyshire also signed up to the ASB Help Pledge, demonstrating our commitment to supporting victims of ASB by working together to tackle ASB, bring perpetrators to justice and make Derbyshire an even safer place to live, work and visit.

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In 2024, the Victims' Commissioner produced a further report, '[Still living a nightmare: Understanding the experiences of victims of anti-social behaviour](#)'. In 2025, the Home Office updated the statutory guidance to address the Victim Commissioner's recommendations.

The Derbyshire guidance has been updated to reflect the Victim Commissioner's report, the revised statutory guidance and additional elements of good practice identified from completing the ASB Help Pledge assessment tool.

## **BACKGROUND**

### **Legislation**

The Anti-Social Behaviour, Crime and Policing Act 2014 places a duty on the 'relevant bodies' in that area to develop procedures for conducting ASB Case Reviews. This was previously known as the 'Community Trigger'.

### **Definitions**

#### **What is the ASB Case Review?**

The ASB Case Review gives victims the right to request a review of the response to their reports of ASB, where they feel the problem persists and

- there has been no response from agencies

or

- there has been an inadequate response from agencies responsible for dealing with the ASB.

A response cannot be considered inadequate, if agencies have not had chance to fully respond to each of the incidents of ASB. The timescale for an adequate response will vary for each incident, depending on the type and complexity of the case.

The ASB Case Review is subject to specific criteria, or a '[threshold](#)'.

It is important to note, the ASB Case Review is NOT a complaints procedure.

The aim of the ASB Case Review is to encourage a joined up, problem solving and victim-centred approach to the resolution of the serious and persistent problems experienced by victims of ASB. It enables agencies to review a case and re-consider their actions objectively, in order to work together to resolve the ASB.

#### **What is Anti-Social Behaviour?**

For the purposes of the ASB Case Review, ASB is defined, in the legislation, as 'behaviour causing harassment, alarm or distress to a member, or members, of the public'.

#### **Which Agencies are involved in the ASB Case Review Process?**

The '*relevant bodies*' are defined, in the legislation, as the District/Borough/City Council, Police, Integrated Care Board and local Social Housing Providers. In addition, the Youth Justice Service will be involved, where the ASB involves someone who is under 18.

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Depending on the individual case, it may also be appropriate to involve other partners that have, or ought to have, been involved in the case from a victim and perpetrator perspective, e.g. schools, Children's Services, Adult Services, Mental Health Services, Probation Service, Fire and Rescue Service etc.

In Derbyshire, the Community Safety Team at the appropriate District/City Council acts as the administrator, or 'Single Point of Contact' (SPOC), for the ASB Case Review process.

### **APPLICATION FOR THE ASB CASE REVIEW**

#### **Who can use the ASB Case Review?**

Subject to meeting the threshold, the ASB Case Review can be requested by a victim of ASB or another person acting on behalf of the victim, with their consent, such as a family member, carer, elected member or MP.

Managers (equivalent of Police Inspector or above) of partner agencies receiving reports of ASB, or supporting victims of ASB, could also formally request the ASB Case Review for the victim, if they determine that reported ASB incidents meet the threshold for an ASB Case Review and the ASB has not been resolved through the local Community Safety Partnership structures.

The victim could be an individual, a business or a community group.

Where a partner identified issues relating to the 'lack of engagement' of a specific partner, these should be escalated through existing community safety structures, such as the local ASB Solutions Meeting, the local Strategy Group, the Responsible Authority Chief Officer Group (RACOG) under Derbyshire Safer Communities Board / Safer Derby Board.

#### **What is the Threshold?**

The criteria, or threshold, for submitting a ASB Case Review application for agencies to undertake an ASB Case Review is:-

- Three or more '*qualifying complaints*' (reports) about related incidents of ASB, that occurred on separate occasions, within the last six months.

#### *Explanatory Notes*

The purpose of the ASB Case Review is to consider how to deal with serious persistent, or targeted, ASB that the [relevant bodies](#) have been unable to tackle successfully.

In deciding whether the threshold has been met for undertaking a review, there must be a link between the ASB that has been reported.

For the avoidance of doubt, if the partners receive separate reports about totally unconnected ASB, then they will not be counted together in deciding whether the threshold has been met. This will be the case even if the type of ASB is the same. For example, if noise nuisance is suffered from two different sources, the reports will not generally be counted together.

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Also, if a report about the same incident has been made to multiple agencies, it will only count as one incident.

A *'qualifying complaint'* (report of ASB) is one which is made within the period of one month, beginning with the date on which the behaviour is alleged to have occurred. Further, a complaint is a report of an ASB incident, which is made to a relevant body, either in writing, by e-mail, by telephone or by visiting the offices of the relevant body. Other than to a Police Officer or Police Community Support Officer on duty, reporting an incident of ASB to an officer of the relevant organisation, whilst he/she is on site, in the community, will not normally be considered to be a qualifying complaint.

Where the threshold is met, the relevant bodies have a duty to conduct an ASB Case Review, regardless of whether the victim's ASB case is 'open' or 'closed'. However, the following should be considered for closed cases:-

- **If the case has been closed and the ASB is ongoing**, the ASB Case Review will consider what else can be done.
- **If the case is closed and the ASB is not ongoing**, the relevant bodies will be able to review the case but it will not result in an Action Plan to resolve the case, as it is already resolved.

If the applicant is dissatisfied with the service received whilst the ASB was being investigated, this should be raised through that organisation's complaints procedure, as it is not covered by the ASB Case Review process.

### **How can an application for the ASB Case Review be made?**

Victims of ASB, their advocates or partner agencies, who wish to request a review of their case must complete the ASB Case Review application form, with full details of the incidents of ASB.

The application form is available, in hardcopy, from the SPOC for the relevant area or, as an online form, on the relevant local authority website. Links to the nine local authority websites are available via the [Safer Derbyshire website](#).

If there are specific access needs, the SPOC should offer to complete the application form over the telephone. The completed form must be sent to the applicant for checking and signing.

Templates for the application form and applicant guidance notes are at [APPENDIX B](#) and [APPENDIX C](#).

### **Vexatious Complaints and Applications**

ASB Case Review applications will be rejected if they are thought to be unreasonably persistent, prejudicial, discriminatory, malicious or vexatious. They will be dealt with in accordance with the receiving agency's complaints policy.

Anonymous applications will not be accepted.

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### **Consent**

The ASB, Crime and Policing Act 2014 places a legal obligation on the [relevant bodies](#) to undertake an ASB Case Review, once a 'completed application' is received, which meets the local threshold.

*A 'completed application' includes all required information on the application form and the victim's consent or evidence of a third party's authority to act, where the application has been made by a third party.*

Implicit in that legal obligation is the need for the relevant bodies to share personal information about the victim, which is necessary, relevant and proportionate, in order to establish whether the application meets the threshold and, if so, to undertake the ASB Case Review.

The relevant bodies do not, therefore, require the consent of the applicant to process their personal data for the purpose of undertaking an ASB Case Review. In order to comply with Article 6 of the General Data Protection Regulations (Lawfulness of Processing), the relevant bodies will, instead, rely upon Article 6c *'the processing is necessary for compliance with a legal obligation to which the controller is subject'*.

To ensure transparency, the applicant guidance notes, that accompany the ASB Case Review application form (See [APPENDIX C](#)), detail how information will be shared between partner agencies to conduct the ASB Case Review.

An application for the ASB Case Review from a third party must be accompanied by evidence that the third party has authority to act on the victim's behalf. It is the third party's 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 the third party 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 review process will not commence until this has been received by the SPOC.

If a victim wishes to withdraw their consent for an advocate to act, this must be submitted, in writing, to the SPOC. From that point, all future contact will be directly with the victim.

If a victim wishes to withdraw their ASB Case Review application, this must be provided, in writing, to the SPOC. Upon receipt, the review process will stop, and the SPOC must send [Template Letter 8](#) to the victim.

### **ASB CASE REVIEW PROCESS**

The ASB Case Review is summarised in the flowchart at [APPENDIX A](#).

The flowchart details the timescales for each stage of the process. If, for any reason these timescales are not met, or there is a risk they may not be met, the SPOC should update the victim and/or their advocate with the revised timescales and the reason for the delay.

### **Receipt of ASB Case Review Application**

All application forms for the ASB Case Review must be submitted to the designated SPOC for each Community Safety Partnership (CSP) area, as detailed on the local authority website. The applicant will have the choice of completing an online form or a hardcopy application form.

A *'completed application'* includes all required information on the application form and the victim's consent (or evidence of a third party's authority to act, where the application has been made by a third party).

The *'applicant'* is the victim, or their advocate, who has submitted the application.

**Within 5 working days**, the SPOC should:-

- Telephone the *'applicant'* to acknowledge receipt of the *'completed application'*.
- Complete a new Risk and Vulnerability Assessment (RAVA) with the information gathered from the victim. The impact of the ASB on victims should be fully understood. The RAVA should be shared with the [relevant bodies](#).
- Offer a referral to Derbyshire Victim Services.
- Determine how the applicant/victim wishes to be kept informed on the progress of their application (e.g. Should the formal correspondence be sent by email or post? Do they prefer a telephone call or an email for informal updates?).
- Formally acknowledge the application, using [Template Letter 1](#) at [APPENDIX D](#).
- Update ECINS:-
  - Create a new Case linked to the victim's Profile, using the Case title format '*ASB Case Review victim's name*'. The Case number will be the reference used in all written correspondence with the applicant.
  - Record 'ASB Case Review application received' as an 'Action'.
  - Upload a copy of the application form and letter(s) to the 'Documents' tab.
  - Update the 'Log' with details of contact with the applicant / victim and partner agencies.

### **Receipt of a Third Party ASB Case Review Application**

In addition to the above, the SPOC should:-

- Ensure the victim's consent (or evidence of the third party's authority to act) has been received. If not, request this from the advocate, using [Template Letter 2](#). **NB The review process will not commence until the victim's written consent, or evidence of authority to act, has been received by the SPOC.**
- Once this is received, telephone the victim to ensure they are aware of the application.
- Send [Template Letter 3](#) to the victim.

### **Assessing the ASB Case Review Application**

**Within 15 working days** of receipt of the completed application, the SPOC should:-

- Review the application on behalf of the relevant bodies.
- Collate information from the ['relevant bodies'](#), and appropriate agencies, to establish whether the application meets the threshold, in terms of qualifying complaints (reports), using the template at [APPENDIX E](#). Advise the ['relevant bodies'](#) that the

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application form is available for them to view on ECINS and email a copy of the application form to the Integrated Care Board contact, as they do not have access to ECINS.

- Establish the vulnerability of both victims and perpetrators.
- With the relevant bodies, agree whether the threshold has been met or not. If any of the relevant bodies considers that an ASB Case Review should be held, then one should be held.
- Notify the applicant, in writing, of the decision as to whether the threshold has been met or not, using the appropriate template (see below).

If an immediate risk of physical or psychological harm is identified during the initial assessment process, appropriate prompt action should be taken, and not delayed until the ASB Case Review Meeting.

### **Threshold Not Met**

If the threshold for the ASB Case Review is not met, the formal ASB Case Review procedures, outlined in this guidance, will not be invoked

If the threshold is not met, **the [relevant bodies](#)** should undertake an informal case review for all hate incidents, or cases where the risk assessment of the victim identifies them as vulnerable due to the harm caused by the seriousness, or cumulative impact, of the ASB.

All other applications that do not meet the threshold, should be discussed at the next ASB Solutions meeting.

There may be situations where there are repeated ASB Case Review applications which, on investigation, relate to non-ASB matters. This may be an indicator of an underlying vulnerability, or unmet needs. In these circumstances, the ASB Case Review process is not appropriate, but partners should consider hidden needs, or risks, which may require a multi-agency response, for example through the [Multi-Agency Adult Risk Management \(MARM\) process](#).

If the threshold for the ASB Case Review has not been met, the SPOC should:-

- Advise the applicant in writing, using [Template Letter 4](#).
- Update ECINS:-
  - Upload a copy of the letter to the 'Documents' tab.
  - Record 'ASB Case Review Threshold not met' as an 'Action'
  - Archive the Case.

If the applicant is not satisfied with the decision that their application does not meet the threshold, they can follow the [ASB CASE REVIEW APPEAL PROCESS](#).

### **Threshold Met**

If the threshold for the ASB Case Review has been met, the SPOC should:-

- Send [Template Letter 5](#), together with the [Frequently Asked Questions document](#) (See [APPENDIX M](#)), to the applicant, advising the date of the ASB Case Review

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Meeting, which should take place **within 20 working days** of the date of *Template Letter 5*.

- Update ECINS:-
  - Upload a copy of the letter(s) to the 'Documents' tab.
  - Record 'ASB Case Review Threshold met' as an 'Action'.
- Make personal contact with the applicant / victim to:-
  - Explain the review process
  - Gather additional information
  - Understand what action the victim wants, as a result of the ASB Case Review. This will enable the SPOC to understand, and manage, their expectations.
  - Explain what will happen at the ASB Case Review Meeting.
  - Ensure the victim/advocate understands how they can contribute to the ASB Case Review Meeting.
  - Give the victim the option to attend the ASB Case Review Meeting to help the agencies understand the impact of the ASB on the physical and emotional wellbeing and quality of life of the victim, members of their household and their visitors. If the victim, or their advocate, does not wish to attend the meeting, they should be invited to submit a written 'victim statement', to expand on information already provided on the ASB Case Review application form (See [APPENDIX G](#)).

NB The [relevant bodies](#) may decide that there are good reasons as to why a victim is not to be invited to attend the ASB Case Review, but this would only be in exceptional circumstances. If the victim is not invited, the reason should be recorded in the Minutes.

### **Information Sharing**

For the ASB Case Review process to be effective, partners are required, under Schedule 4, Part 7 of the ASB, Crime and Policing Act 2014, to comply with the SPOC's request for information and share information, which will enable the [relevant bodies](#) to conduct the ASB Case Review, objectively. The exceptions to this are where disclosure:-

- Contravenes the Data Protection Act 2018
- Is prohibited by the Investigatory Powers Act 2016

In most cases, partners involved in the review process will already be signed up to the Derbyshire ASB Information Sharing Agreement but, for the purposes of the ASB Case Review, information sharing is also facilitated under the following legislation:-

- Section 104 of the ASB, Crime and Policing Act 2014;
- Schedule 2, Part 1, 5 (2) of the Data Protection Act 2018; and
- Section 115 of the Crime and Disorder Act 1998.

An ASB Case Review may require the involvement of additional partner agencies, who are not defined as '[relevant bodies](#)'. This is acceptable, providing personal data is only shared with those other organisations, where it is strictly 'necessary, relevant and proportionate', in order to conduct an effective review. This is particularly important where the personal data relates to a child, is a '*special category of personal data*' or relates to a third party. Consideration must be given to the redaction of personal data that is not strictly necessary, relevant or proportionate for the purpose of the ASB Case Review.

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*'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 or data concerning health, a person's sex life or their sexual orientation.

### *Social Housing Providers*

The Regulator of Social Housing's Regulatory Framework, Neighbourhood and Community Standard, requires registered housing providers to 'co-operate with relevant partners to help improve social, environmental, and economic wellbeing in areas where they own properties and work in partnership with other agencies to prevent and tackle anti-social behaviour in the neighbourhoods where they own homes.'

Where an information sharing request is made in relation to the social housing provider's functions, that are considered to be public in nature, the information sharing duty applies. This is the case for housing providers who are co-opted into the group of relevant bodies, as well as those who are not.

### *Information from Partner Agencies*

The SPOC will request information from the relevant bodies to check whether the application meets the threshold. This is done using the Threshold Assessment Template ([APPENDIX E](#)).

The SPOC will also request a chronology of case information. The chronology should summarise the case history prior to the receipt of the ASB Case Review application. This is done using the Partner Case Information Template ([APPENDIX F](#)).

A nominated officer, within each partner agency that has received, and responded to, the ASB reports made by the victim(s), will collate the chronology information that is to be shared in the ASB Case Review. This may include:-

- Details of previous ASB incidents reported by the victim(s)
- Risk assessments for all victims and perpetrators
- Information about the effect the problem has had on the victim and others in the community
- Details of action previously considered
- Details of action taken
- Perpetrator Proportionality Assessment, if previously completed.

This list is not exhaustive.

### **Keeping the Applicant / victim updated**

The relevant bodies should keep the victim updated throughout the entire ASB Case Review process, from application to final closure. This will include the appeal process, if appropriate.

The key person responsible for liaising with and updating the applicant/victim will be the SPOC. The SPOC should establish the applicant/victim's preferred communication method(s).

This guidance document highlights the various points within the process, where the applicant/victim should be contacted and/or updated.

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### **ASB Case Review Meeting**

The ASB Case Review Meeting should take place **within 20 working days** of *Template Letter 5*, advising the applicant that the ASB Case Review threshold was met.

The SPOC will:-

- Arrange the meeting
- Identify and invite representatives from the [relevant bodies](#), and appropriate additional agencies
- Identify an independent Chair
- Request partners provide their chronology of case information.

### **Format**

The 'format' of the meeting may vary, depending on existing partnership arrangements. Examples of how the ASB Case Review could be conducted include:-

- A separate meeting
- At the end of an existing multi-agency meeting
- Within an existing multi-agency meeting – e.g. ASB Solutions Meeting.

The ASB Case Review meeting will usually be held in person, but could be held online, if the victim and/or their advocate agrees.

### **Purpose**

The aim of the ASB Case Review Meeting is to understand how the victim has been affected by the ASB and actively problem solve the case. The meeting must consider the qualifying complaints (reports) and:-

- The full case history, including any incidents that occur between the application being made and the ASB Case Review meeting being held.
- Consider the persistence and cumulative impact of the ASB;
- Consider the harm caused, or the potential for harm to be caused, to the victim by the ASB;
- Consider who is the victim and who is the perpetrator (for example in neighbour disputes);
- Consider whether the ASB reports are malicious or vexatious;
- Consider whether any additional information needs to be obtained;
- Review what action has been taken and whether it was adequate to stop, or reduce, the ASB;
- Where appropriate, make recommendations for additional actions to resolve the problem;
- Make a decision for communication to the applicant;
- Identify the Lead Officer(s) for each action within the Action Plan, which will be overseen by the SPOC.

### **Partner Attendance**

The ASB Case Review Meeting must be attended by the SPOC and appropriate manager level representatives of the relevant bodies, ie:-

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- District / City Council
- Derbyshire Constabulary
- Integrated Care Board (or appropriate healthcare provider)
- Social housing provider, where the review involves one of their tenants (as a victim or perpetrator)
- Youth Justice Service, where the review involves someone who is under 18.

Depending on the individual case, it may also be appropriate to invite other partners that have, or ought to have, been involved in the case from a victim and perpetrator perspective, e.g. schools, Children's Services, Adult Services, Mental Health Services, Probation Service, Fire and Rescue Service, etc.

Many ASB cases involve other issues for the victim(s) and/or the perpetrator(s), such as vulnerabilities, abuse, mental health etc. It is the SPOC's responsibility to ensure all relevant organisations are involved in the ASB Case Review.

Attendees should be able to make operational decisions on behalf of their organisation and commit to actions and resources.

### Victim/Advocate Attendance

The victim, or their advocate, should be invited to attend at least part of the ASB Case Review Meeting, to help the review panel understand the impact of the ASB on the physical and emotional health and quality of life of the victim, members of their household and their visitors. Where involved, the ASB Case Worker from Derbyshire Victim Services should also attend, or he/she could attend on the victim's behalf.

Wherever possible the victim's wishes and availability should be considered. They can request that the meeting is re-arranged but they should be made aware that this may delay the completion of the process. If necessary, make the victim aware that Anti-Social Behaviour Case Reviews will only be held on normal working days - Monday – Friday between the hours of 9am and 5pm (excluding Bank Holidays).

The SPOC should brief the victim, or their advocate, to ensure they are aware of what will happen at the meeting and how they can contribute.

If the victim does not wish to attend the meeting, their views should be represented, either by the attendance of an advocate or a written 'victim statement' from the victim. A template is included at [APPENDIX G](#).

The relevant bodies may decide that there are good reasons as to why a victim is not to be invited to attend the ASB Case Review Meeting, but this would only be in exceptional circumstances, and the reasons should be recorded in the Minutes.

### Chair

It is likely that many of the agency representatives will have been involved with the case, at some point, so it is essential that the Chair of the ASB Case Review is independent.

## PUBLIC

The Chair should be appointed by the SPOC, on a case-by-case basis and, depending on the nature of the ASB. The Chair must have sufficient current, and working, knowledge of ASB legislation, practice and policy and could be:-

- A senior manager from one of the relevant bodies, who is familiar with ASB case management, but has no previous involvement in the case.
- The ASB Case Review SPOC, or senior manager of one of the relevant bodies, from another area, ideally one not within the same police division.

The relevant bodies should respect the decision of the SPOC in determining the most appropriate Chair for each ASB Case Review.

The Chair is responsible for:-

- Ensuring all agencies sign a confidentiality statement;
- Ensuring the best interests of the victim(s) are considered;
- Ensuring solutions are identified to stop/reduce/manage the ASB;
- Ensuring all partner agencies contribute to the ASB Case Review;
- Ensuring partner representatives have no conflict of interest;
- Determining whether it is appropriate to complete the Perpetrator Proportionality Assessment to fully understand any vulnerabilities ([APPENDIX H](#));
- Resolving any disagreements between partner agencies;
- Having the final decision on the proposed content of the Action Plan;
- Identifying learning opportunities for partners;
- Removing any desire to apportion blame.

### Meeting Papers

An agenda template is at [APPENDIX I](#).

In addition to producing the agenda, the SPOC will request a chronology of information from each partner. The chronology should summarise the case history prior to the receipt of the ASB Case Review application. This is done using the Partner Case Information Template ([APPENDIX F](#))

A nominated officer, within each partner agency that has received, and responded to, the reports of ASB made by the victim(s), will collate the chronology information and share it with the SPOC **at least seven working days** before the ASB Case Review Meeting. The chronology may include:-

- Details of previous ASB incidents reported by the victim(s)
- Risk assessments for all victims and perpetrators
- Information about the effect the problem has had on the victim and others in the community
- Details of action previously considered
- Details of action taken
- Perpetrator Proportionality Assessment, if previously completed.

This list is not exhaustive.

## **PUBLIC**

The SPOC will ensure the agenda and chronologies from each partner are sent to all attendees **at least five working days** before the ASB Case Review Meeting.

### **Outcome of the ASB Case Review**

#### **Recommendations**

The ASB Case Review Meeting may make recommendations to other agencies. Public bodies have a duty to have regard to those recommendations, and they may be challenged if they choose not to undertake them, without good reason.

The ASB Case Review Meeting will not be able to recommend the Crown Prosecution Service (CPS) take action, nor will it prompt a review of decisions previously made by the CPS. If the victim is not happy with a decision made by the CPS, they should be referred to the CPS complaints procedure and the [Victims' Right to Review Scheme](#).

#### **Lessons Learned**

The ASB Case Review does not seek to lay blame for any potential failings, as this would be the subject of a formal complaint investigation, but there may be organisational and procedural lessons learnt as a result of a review. These will be shared with partners across Derbyshire at the next Derbyshire ASB-Sub-Group (Practice) Meeting.

### **Actions Following the ASB Case Review**

#### **Minutes**

Minutes of the ASB Case Review Meeting should be produced, using the template at [APPENDIX J](#) to clearly record the decision and any recommendations.

The SPOC will:-

- Circulate the Minutes to all relevant partners
- Update ECINS:-
  - Upload the Minutes to the 'Documents' tab.
  - Record 'ASB Case Review Meeting held' as an 'Action'.

#### **Informing the Applicant**

**Within 5 working days** of the ASB Case Review Meeting, the SPOC should:-

- Inform the applicant of the outcome and any recommendations, either via telephone or face-to-face.
- Discuss the recommendations with the applicant and agree the (redacted) Action Plan. The applicant may not agree to all the recommendations, in which case, that should be clearly recorded.
- Send [Template Letter 6](#) to the applicant and victim.
- Update ECINS:-
  - Upload the Action Plan and letter(s) to the 'Documents' tab.
  - Record 'ASB Case Review Action Plan' as an 'Action'.

*Template Letter 6*, advising the applicant of the outcome of the ASB Case Review Meeting, resets the 'qualifying period' in terms of calculating 'qualifying complaints' (reports), should the applicant request an ASB Case Review for the same matter in the future (See [Closing the ASB Case Review](#)).

## PUBLIC

In some cases, the ASB Case Review may not result in an Action Plan. This may be because all actions have been undertaken, or no additional actions are appropriate. The SPOC should discuss the reasons for this with the applicant and use the appropriate wording in [Template Letter 6](#).

If the applicant is not satisfied with the outcome of the ASB Case Review, they should follow the [ASB CASE REVIEW APPEAL PROCESS](#).

### Action Plan

The proposed actions to be taken to resolve the ASB should be recorded on the Action Plan, using the template at [APPENDIX K](#).

A copy of the Action Plan should be shared with the applicant/victim. This must be a redacted version, with personally identifiable information removed.

The individual actions may have different lead officers. Those lead officers are responsible for:-

- completing their actions, within the agreed timescales
- updating ECINS;
- advising the SPOC when actions have been completed; and
- notifying the SPOC of the reason for any delays.

The SPOC will escalate incomplete actions, through the lead officer's line management structure, if an action remains outstanding. If the actions within the Action Plan are still not delivered by the relevant organisation, the SPOC should advise the victim to follow the relevant organisation's complaints procedure.

The SPOC will have overall responsibility for implementation of the Action Plan, which will be reviewed at future ASB Solutions Meetings, to ensure actions are completed within agreed timescales.

In high-risk cases, it may be appropriate to hold a follow up ASB Case Review Meeting to review the Action Plan and recommendations and propose further actions.

### Closing the ASB Case Review

The ASB Case Review will remain 'open' until all the actions within the Action Plan have been completed, or 'discharged' because they are no longer viable or are not required.

The ASB Solutions Meeting should determine whether it is appropriate to close the ASB Case Review. Once that decision has been made, the SPOC should:-

- Inform the applicant and send [Template Letter 7](#) to the applicant and victim.
- Update ECINS:-
  - Archive the ASB Case Review ECINS Case and any other linked Cases and Profiles.

## **PUBLIC**

A further ASB Case Review application would only be considered where there is a material change in the circumstances of the case, and a new set of qualifying complaints (reports) have been reported by the victim.

Multiple requests for an ASB Case Review, without good cause, should be managed in accordance with the local authority's vexatious complaints policy.

### **ASB CASE REVIEW APPEAL PROCESS**

#### **Who can make an appeal?**

The appeal body is the Office of the Police and Crime Commissioner for Derbyshire.

Anyone, who has previously submitted a ASB Case Review application, can make an appeal.

If an appeal is being lodged by an advocate, they must also submit a signed consent letter, from the victim, to the Office of the Police and Crime Commissioner.

#### **When can an appeal be made?**

An appeal can be lodged at the following stages in the process:-

- When an application has been assessed as not meeting the ASB Case Review threshold for Derbyshire.
- After the ASB Case Review Meeting, if the victim is not satisfied with the outcome, or the ASB Case Review process.

NB Dissatisfaction with the delivery of the Action Plan, resulting from the ASB Case Review, is not grounds for an appeal and should be discussed with the SPOC.

#### **Timescales**

An appeal must be lodged with the Office of the Police and Crime Commissioner for Derbyshire, **within 28 days** of the date the applicant was notified of the decision that is being appealed.

#### **How can an appeal be made?**

An appeal must be made using the ASB Case Review Appeal Application Form, which is available on the [Police and Crime Commissioner's website](#). The completed application form can be submitted electronically, or printed and filled in by hand. It should be sent to the Office of the Police and Crime Commissioner at:-

ASB Case Review Appeal  
Office of the Police and Crime Commissioner for Derbyshire  
Derbyshire Constabulary Headquarters  
Butterley Hall  
Ripley  
Derbyshire  
DE5 3RS  
Tel: 0300 122 6000  
Email: [pccoffice@derbyshire.police.uk](mailto:pccoffice@derbyshire.police.uk)

## **PUBLIC**

### **Appeal Process**

The Office of the Police and Crime Commissioner will acknowledge receipt of an ASB Case Review appeal within one working day.

The Office of the Police and Crime Commissioner will request information about the original ASB Case Review from the relevant area SPOC.

The SPOC must:-

- Provide the OPCC with copies of the following information as a minimum:-
  - The ASB Case Review application form
  - The ASB Case Review Meeting Minutes
  - *Template Letter 6* sent to victim, confirming the agreed Action Plan
- Record 'ASB Case Review Appeal received' as an 'Action' on ECINS.

The Office of the Police and Crime Commissioner will assess the appeal, based on the documents collected, and notify the appellant, and [relevant bodies](#), of the appeal decision, **within 20 working days** of the appeal being lodged.

The SPOC should record the outcome of the appeal as an 'Action' on ECINS, as either 'ASB Case Review Appeal upheld' or 'ASB Case Review Appeal rejected'.

The organisational and procedural lessons learnt, as a result of an appeal, will be shared with partners across Derbyshire at the next Derbyshire ASB-Sub-Group (Practice) Meeting. The information will also be included within an annual report to the Local Criminal Justice Board.

### **Memorandum of Understanding**

The Office of the Police and Crime Commissioner and partners have signed a Memorandum of Understanding to outline the roles and expectations of all partners and the basis for sharing information, within the appeal element of the ASB Case Review process.

## **ROLES WITHIN THE PROCESS**

The roles and responsibilities of the individuals / agencies within this process are summarised below:-

### **Victim**

- Complete the ASB Case Review application form, providing full details of the ASB incidents.
- Submit the application form to the area SPOC.
- Give written consent for an advocate to act, if applicable.
- Attend the ASB Case Review Meeting or ask an advocate to attend in their place.
- Submit a written victim statement, if not attending the ASB Case Review in person.
- Consider recommendations and agree Action Plan with the SPOC, following the ASB Case Review Meeting.

## **PUBLIC**

- If dissatisfied with the outcome of the ASB Case Review, lodge an appeal with the Office of the Police and Crime Commissioner.

### **Applicant (if different from the victim)**

- Obtain the victim's written consent (or evidence of their authority to act e.g. Power of Attorney).
- Complete the ASB Case Review application form, on behalf of the victim.
- Submit the application form and victim's written consent (or evidence of their authority to act) to the area SPOC.
- Attend the ASB Case Review Meeting on behalf of the victim or accompany the victim, if they wish to attend themselves.
- If dissatisfied with the outcome of the ASB Case Review, lodge an appeal with the Office of the Police and Crime Commissioner, together with the victim's written consent.

### **ASB Case Review SPOC (one for each CSP area)**

- Be the single point of contact for victims, and their advocates, in relation to the ASB Case Review.
- Make the ASB Case Review Application Form easily available to the public and, where required, provide additional support to complete the application process e.g. a telephone application.
- Receive ASB Case Review applications.
- Where appropriate, request advocate obtains victim consent (or supply evidence of their authority to act) for third party applications.
- Confirm receipt of completed applications.
- Complete a new Risk and Vulnerability Assessment (RAVA).
- Offer a referral to Derbyshire Victim Services.
- Determine how the victim wishes to be kept informed and ensure they are updated throughout the process.
- Inform the relevant bodies that an application has been received and share a copy of the application form.
- Liaise with relevant bodies, and appropriate partners, to establish whether the threshold has been met.
- Establish the vulnerability of victims and perpetrators.
- Notify applicant whether the threshold has been met or not.
- Ensure the case is discussed at the next ASB Solutions meeting if the threshold is not met and an ASB Case Review is not being held
- Collate own agency information to share with partners before the ASB Case Review Meeting.
- Arrange the ASB Case Review Meeting, inviting representatives from all appropriate agencies.
- Appoint an independent Chair for the ASB Case Review Meeting.
- Make personal contact with the applicant/victim to understand what action they want, explain what happens at the ASB Case Review Meeting and how they can contribute.

## **PUBLIC**

- Invite the victim, or their advocate, to attend the ASB Case Review Meeting (or provide a written statement if they do not wish to attend in person).
- Collate chronologies of the case information from all the partner agencies
- Send the agenda and chronologies partners invited to attend the ASB Case Review Meeting.
- Attend the ASB Case Review Meeting.
- Adhere to confidentiality statement and Information Sharing Agreement.
- Circulate Minutes of the ASB Case Review Meeting.
- Advise the applicant of the outcome of the ASB Case Review Meeting.
- Discuss the recommendations of the ASB Case Review Meeting and agree the Action Plan with the applicant.
- Share a copy of the Action Plan with the applicant/victim (redacted to protect personally identifiable information)
- If an Action Plan is not recommended, advise the applicant/victim of the reasons for this.
- Hand over implementation of Action Plan to agreed Lead Officer(s), but maintain overall responsibility for completion.
- Close the ASB Case Review, once the Action Plan has been delivered and this has been agreed at the ASB Solutions Meeting.
- Advise the applicant/victim when the ASB Case Review has been closed.
- Update ECINS throughout the progress of the ASB Case Review.
- Provide the Office of the Police and Crime Commissioner with information, if required for an appeal.
- Share the lessons learned from each ASB Case Review application and appeal at the next Derbyshire ASB Sub-Group (Practice) Meeting.
- Maintain a record of ASB Case Review applications.
- Publish the annual ASB Case Review monitoring information.

### **Relevant Bodies**

- Complete the ASB Case Review Application Form on the victim's behalf, if consider an ASB Case Review is required (managers equivalent of Police Inspector or above only).
- Provide SPOC with information to establish whether the threshold has been met.
- Liaise with SPOC to agree whether an ASB Case Review should be held or not.
- Appoint an officer to take the Minutes.
- Produce a chronology of the case information and send to the SPOC, so it can be shared with partners before the ASB Case Review Meeting.
- Appropriate level of officer to attend the ASB Case Review Meeting (or submit a written report to Chair, if unable to provide an agency representative).
- Adhere to confidentiality statement and Information Sharing Agreement.
- Implement Action Plan, as agreed with applicant.
- Inform the SPOC when agreed actions have been completed and provide reasons for any delays.
- Provide the Office of the Police and Crime Commissioner with information, if required for the appeal process.

## **PUBLIC**

### **Other Partners**

- Produce a chronology of the case information and send to the SPOC, so it can be shared with partners before the ASB Case Review Meeting.
- Appropriate level of officer to attend the ASB Case Review Meeting (or submit a written report to the Chair, if unable to provide an agency representative).
- Adhere to confidentiality statement and Information Sharing Agreement.
- Implement Action Plan, as agreed with applicant.
- Inform the SPOC when agreed actions have been completed and provide reasons for any delays.
- Provide the Office of the Police and Crime Commissioner with information, if required for the appeal process.

### **Chair of ASB Case Review Meeting**

- Ensure all agencies sign a confidentiality statement.
- Ensure the victim, or their advocate is able to share their experiences and the impact of the ASB on them, their family and visitors to their home.
- Ensure all partner agencies contribute
- Ensure participants have no conflict of interest.
- Ensure the best interests of the victim(s) are considered and solutions identified to stop/reduce/manage the ASB.
- Determine whether it is appropriate to complete the Perpetrator Proportionality Assessment.
- Resolve any disagreements between partner agencies.
- Have the final decision on the content of the Action Plan.
- Identify learning opportunities for partners.
- Remove any desire to apportion blame.

### **Office of the Police and Crime Commissioner**

- Manage the ASB Case Review appeal process.
- Receive written appeals.
- Where appropriate, request victim consent for third party appeals.
- Confirm receipt of appeals.
- Liaise with area SPOC to obtain the required information to consider the appeal.
- Assess the appeal.
- Advise appellant, SPOC and relevant bodies, of the outcome of a ASB Case Review appeal.
- Publish the annual ASB Case Review Monitoring information for Derbyshire.
- Include information about ASB Case Review appeals in the annual report to the Local Criminal Justice Board.

## **PUBLIC**

### **MONITORING INFORMATION**

The legislation requires that each Community Safety Partnership publishes the following information with regard to the use of the ASB Case Review:-

- The number of applications for ASB Case Reviews
- The number of applications for ASB Case Reviews that did not meet the threshold
- The number of ASB Case Reviews conducted
- The number of ASB Case Reviews that resulted in recommendations being made.

In addition, we will also publish the number of ASB Case Review appeals received by the Office of the Police and Crime Commissioner for Derbyshire.

To enable this information to be available, it is essential that the SPOC updates ECINS at every stage of the ASB Case Review process.

The ASB Case Review monitoring information will be published annually by each Community Safety Partnership, within their statutory Community Safety Plan and separately on the local authority website.

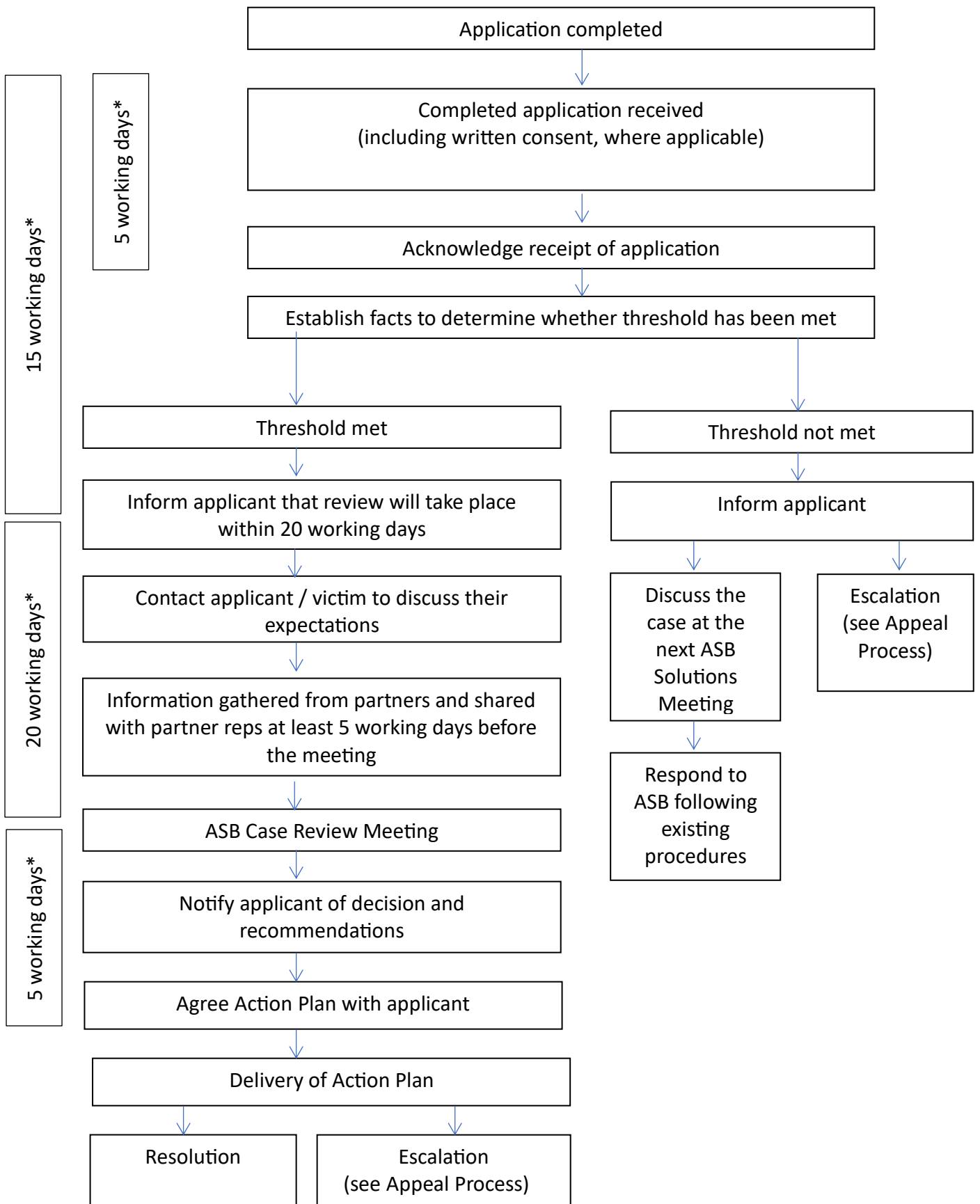
Countywide monitoring information will be collated by Safer Derbyshire and published annually on the Safer Derbyshire website and the Office of the Police and Crime Commissioner's website.

### **REVIEW**

The Derbyshire ASB Case Review Practitioner Guidance will be reviewed every three years by Derbyshire ASB Sub-Group, or earlier if there are changes to the legislation or statutory guidance.

**APPENDIX A**

**ASB Case Review Process Flowchart**



\* Working days are defined as Monday – Friday, excluding Bank Holidays

**APPENDIX B**

**Anti-Social Behaviour Case Review Application Form**

For help filling in the Anti-Social Behaviour Case Review Application Form, please see the separate Guidance Notes or contact [\(INSERT LOCAL CONTACT DETAILS\)](#).

*You must answer all questions marked \*. There are other questions for you to give us more information to support your application.*

**Q1. On what basis are you making this application for an Anti-Social Behaviour Case Review?\***

*Please make sure you meet the Anti-Social Behaviour Case Review threshold. The threshold is explained in the guidance notes.*

a – I am the person affected by the anti-social behaviour. I have made three or more qualifying complaints (reports of anti-social behaviour), within the last six months. *Go to Q3*

b – I am acting on behalf of the person affected by the anti-social behaviour. They have made three or more qualifying complaints (reports of anti-social behaviour), within the last six months. *Go to Q2*

**Q2. Details of the applicant who is acting on behalf of the person(s) affected by the anti-social behaviour \* (Required if 1b ticked)**

*If you are acting on behalf of someone else, complete your details then go to Q3*

|                          |  |
|--------------------------|--|
| <b>*Name:</b>            |  |
| <b>*Address:</b>         |  |
| <b>*Telephone Number</b> |  |
| <b>*E-mail:</b>          |  |

**Q3. Details of the person affected by the anti-social behaviour\***

|                          |  |
|--------------------------|--|
| <b>*Name:</b>            |  |
| <b>*Address:</b>         |  |
| <b>*Telephone Number</b> |  |
| <b>*E-mail:</b>          |  |

**Q4. Briefly describe the type of anti-social behaviour that has been happening.\*** *(individual incidents are to be detailed at Q5)*

|  |
|--|
|  |
|--|

**PUBLIC**

**Q5. Give details of the anti-social behaviour incidents – Who reported each incident? When was each incident reported? Who was it reported to and how?\***

| Incident date | Incident details – ie what happened? | Reported by | Date reported | Agency reported to | How reported eg in writing, telephone, in person, online |
|---------------|--------------------------------------|-------------|---------------|--------------------|--|
|               |                                      |             |               |                    |  |
|               |                                      |             |               |                    |  |
|               |                                      |             |               |                    |  |
|               |                                      |             |               |                    |  |
|               |                                      |             |               |                    |  |

If there are more than five reported incidents of anti-social behaviour, please send us the information separately.

**PUBLIC**

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

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

**Q8. What further action are you hoping for?**

**PUBLIC**

**Q9. Have you any special circumstances that we need to take into account? If so, please give details.**

**Q10. Please give any other information relevant to your application.**

**PUBLIC**

**Signature\***

I confirm that the information given in this Anti-Social Behaviour Case Review Application Form is correct to the best of my knowledge and belief.

**In order to undertake an Anti-Social Behaviour Case Review, we (the ‘relevant bodies’) need to share information. It may be necessary to share information with other partners, that we consider appropriate to be involved in the review process, to help resolve your case. Full information about how we will share information is detailed within the Anti-Social Behaviour Case Review – Applicant Guidance Notes and our Privacy Notice [INSERT LINK OR DETAILS OF HOW TO FIND LOCAL AUTHORITY PRIVACY NOTICE](#).**

By requesting an Anti-Social Behaviour Case Review, I acknowledge, and understand, that the ‘relevant bodies’, and other partners as necessary, will share personal information they hold about me, in order to progress a review of my case.

|  |      |
|--|------|
|  |      |
| Signature of Anti-Social Behaviour Case Review applicant | Date |

**PUBLIC**

**Remember - If you are applying for the Anti-Social Behaviour Case Review on behalf of someone else, you must provide their written consent, or evidence of your authority to act (eg Power of Attorney). The Anti-Social Behaviour Case Review Application Form will not be processed until their consent / evidence has been received.**

I confirm that I give my permission for the person detailed at Q2 to apply for the Anti-Social Behaviour Case Review on my behalf.

I confirm that I give my permission for all 'relevant bodies', and other partners as necessary, to share information about this Anti-Social Behaviour Case Review application with the person detailed at Q2.

By requesting an Anti-Social Behaviour Case Review, I acknowledge, and understand, that the 'relevant bodies', and other partners as necessary, will share personal information they hold about me, in order to progress a review of my case.

|   |      |
|---|------|
|   |      |
| Signature of person experiencing the anti-social behaviour, if different to the applicant | Date |

Please send your completed Anti-Social Behaviour Case Review Application Form to:-

**INSERT CONTACT DETAILS FOR AREA SPOC**

## **APPENDIX C**

### **Anti-Social Behaviour Case Review - Guidance Notes for Applicants**

#### **Anti-Social Behaviour Case Review Threshold**

If you have been affected by anti-social behaviour, you can ask for an Anti-Social Behaviour Case Review. This is a formal, multi-agency review of what organisations have done to try to stop the anti-social behaviour.

The Anti-Social Behaviour Case Review should only be used if you think

- the anti-social behaviour is on-going and
- there has been no response, or an inadequate response, from the agencies responsible for dealing with it.

You must give agencies the chance to respond to each of the incidents of anti-social behaviour. The timescale for an 'adequate response' may vary, depending on the type of behaviour and complexity of your case.

We look at what else the police, the council or housing can do to deal with serious persistent, or targeted, anti-social behaviour, that we have not yet been able to resolve.

The Anti-Social Behaviour Case Review is NOT a complaints process.

Before you fill in the application form, check you meet the criteria or threshold. You must have made three or more '*qualifying complaints*' (reports) about related incidents of anti-social behaviour. The anti-social behaviour must have happened on separate occasions, within the last six months.

#### *Explanatory Notes*

A '*qualifying complaint*' must be :-

- reported to the right organisation within one month of it happening
- reported in writing, by e-mail, by telephone or by visiting the offices of the right 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 (PCSO) on duty)
- about repeated, or persistent, incidents of the same type of anti-social behaviour.

We can only consider anti-social behaviour that has happened in the last six months.

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

#### **Completing the Anti-Social Behaviour Case Review Application Form**

These notes are to help you fill in the Anti-Social Behaviour Case Review application form.

Please give full details on your application form. We are unable to progress incomplete applications. You must answer all questions marked \*. There are other questions for you to give us more information to support your application.

## PUBLIC

For help filling in the form, contact [\(INSERT LOCAL CONTACT DETAILS\)](#).

### **Q1. On what basis are you making an 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 making an application on someone else's behalf.

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

If you prefer, someone else can apply 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 give 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, give your personal details.

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

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

### **Q4. Briefly describe the type of anti-social behaviour that has been happening.\***

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

### **Q5. Give details of the anti-social behaviour incidents – Who reported each incident? When was each incident reported? Who was it reported to and how?\***

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 – so what happened?
- Who reported the anti-social behaviour? (This should be the person detailed at Question 2 or Question 3)
- What date was the incident reported?
- Which organisation was it reported to?
- How was it reported? For example, in writing, over the telephone, in person, online.

If there are more than five reported incidents of the anti-social behaviour, please send us the information separately.

## PUBLIC

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

We want to understand the effect the anti-social behaviour is having.

**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?**

Tell us what you expect from the Anti-Social Behaviour Case Review.

**Q9. Have you any special circumstances that we need to take into account? If so, please give details.**

Include anything about your personal situation that you feel is relevant to the application.

**Q10. Please give any other information relevant to your Anti-Social Behaviour Case Review application.**

### Signature\*

#### How we will use your information

In order to undertake an Anti-Social Behaviour Case Review we need to share 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, Joined Up Care Derbyshire, the local housing provider. In addition, the Youth Justice 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 review 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 we consider appropriate to be involved in the review, 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 Anti-Social Behaviour Case Review application is received.

## **PUBLIC**

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 ASB 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.

You should ensure the information you provide is accurate and confirm this by ticking the box.

More information about how we will use your personal data is in our Privacy Notice, which is available at [INSERT LINK OR DETAILS OF HOW TO FIND LOCAL AUTHORITY PRIVACY NOTICE.](#)

### Third Party Applications

If you are applying for the Anti-Social Behaviour Case Review on behalf of someone else, you must provide 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 Anti-Social Behaviour Case Review 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 Anti-Social Behaviour Case Review application

Your Anti-Social Behaviour Case Review application must be either submitted on-line at [INSERT LOCAL URL](#) or in hardcopy to:-  
[INSERT CONTACT DETAILS FOR LOCAL AREA SPOC](#)

If you need help with the application form, please contact [INSERT CONTACT DETAILS FOR LOCAL AREA SPOC.](#)

### What happens next?

When a completed Anti-Social Behaviour Case Review application form is received, we will confirm receipt, within 5 working days.

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We will review the information you have provided, to decide whether your case meets the Anti-Social Behaviour Case Review threshold. If it does not meet the threshold, we will write to you, within 15 working days of us receiving your completed application.

If your completed application meets the threshold, we will hold an Anti-Social Behaviour Case Review. This will take place within 35 working days of us receiving your application. Organisations, such as the police, housing, environmental health, social care and health providers, will share information. They will:-

- discuss the issues you raise;
- discuss action that has already been taken; and
- (where possible) recommend other action to try to resolve the problem.

You, or the person applying for the Anti-Social Behaviour Case Review 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 can give us a written victim statement.

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

If you are not satisfied with the outcome of the Anti-Social Behaviour Case Review, 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 Anti-Social Behaviour Case Review application. For more information, go to <https://www.derbyshire-pcc.gov.uk/help-support/anti-social-behaviour-case-review/>

We welcome the chance to review cases of anti-social behaviour, but Anti-Social Behaviour Case Review applications may be rejected if they are thought to be unreasonably persistent, prejudicial, discriminatory, malicious, unreasonable or vexatious.

We regularly review our anti-social behaviour processes so, if you have any feedback on your experience of the Anti-Social Behaviour Case Review, please let us know.

Information about how to report anti-social behaviour, and other useful information, is available in the Derbyshire ASB Hub - [www.saferderbyshire.gov.uk/asbhub](http://www.saferderbyshire.gov.uk/asbhub)

We offer support for victims of anti-social behaviour. Call Derbyshire Victim Services on 0800 612 6505 or text 'DVS' to 82228.

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**APPENDIX D**

**Template Letters**

**Letter 1 – Confirm receipt of application**

Ref: **INSERT CASE NO**

**INSERT APPLICANT'S NAME**  
**INSERT APPLICANT'S ADDRESS**

**INSERT DATE**

**Anti-Social Behaviour Case Review Applicant – (INSERT APPLICANT'S NAME)**  
**Person affected by the anti-social behaviour – (INSERT VICTIM'S NAME, WHERE DIFFERENT TO APPLICANT)**

Dear **(INSERT APPLICANT'S NAME)**

Thank you for completing the Anti-Social Behaviour Case Review Application Form.

I will check your application to see if it meets the threshold for an Anti-Social Behaviour Case Review.

I will be in touch with you again, before **(INSERT CORRECT DATE, WHICH IS 15 WORKING DAYS FROM RECEIPT OF COMPLETED APPLICATION FORM)**

Please report further incidents of anti-social behaviour to the relevant organisation:-

Derbyshire Constabulary on 101 (or 999 in an emergency)  
**(INSERT CONTACT DETAILS FOR LOCAL AUTHORITY/HOUSING PROVIDER)**

We offer support for victims of anti-social behaviour. Call Derbyshire Victim Services on 0800 612 6505 or text 'DVS' to 82228.

You can also find useful information in the Derbyshire ASB Hub -  
[www.saferderbyshire.gov.uk/asbhub](http://www.saferderbyshire.gov.uk/asbhub)

Yours Sincerely

**INSERT LOCAL SPOC CONTACT DETAILS**

**PUBLIC**

Letter 2 – Victim consent required

Ref: **INSERT CASE NO**

**INSERT APPLICANT'S NAME**  
**INSERT APPLICANT'S ADDRESS**

**INSERT DATE**

Anti-Social Behaviour Case Review Applicant – **(INSERT APPLICANT'S NAME)**  
Person affected by the anti-social behaviour – **(INSERT VICTIM'S NAME)**

Dear **(INSERT APPLICANT'S NAME)**

Thank you for completing the Anti-Social Behaviour Case Review Application Form.

I note that you are making an application on behalf of someone else. A third-party application requires their written consent, or evidence of your authority to act on their behalf (e.g. Power of Attorney). Unfortunately, I cannot process your application until I receive this information.

Please send this extra documentation to the below address:-  
**(INSERT ADDRESS DETAILS FOR LOCAL SPOC)**

Yours Sincerely

**INSERT LOCAL SPOC CONTACT DETAILS**

**PUBLIC**

Letter 3 – Confirm receipt of application to victim, if not applicant

Ref: **INSERT CASE NO**

**INSERT VICTIM'S NAME**  
**INSERT VICTIM'S ADDRESS**

**INSERT DATE**

Anti-Social Behaviour Case Review Applicant – (INSERT APPLICANT'S NAME)  
Person affected by the anti-social behaviour – (INSERT VICTIM'S NAME)

Dear **(INSERT VICTIM'S NAME)**

I write to confirm receipt of the Anti-Social Behaviour Case Review Application Form, submitted on your behalf by **(INSERT APPLICANT'S NAME)**.

I will review the application to check if it meets the threshold for an Anti-Social Behaviour Case Review.

I will send updates about the application to **(INSERT APPLICANT'S NAME)**. You can withdraw your consent for **HIM/HER** to act on your behalf. If you wish to withdraw your consent, you must tell me in writing.

Please report further incidents of anti-social behaviour to the relevant organisation:-

Derbyshire Constabulary on 101 (or 999 in an emergency)  
**(INSERT CONTACT DETAILS FOR LOCAL AUTHORITY/HOUSING PROVIDER)**

We offer support for victims of anti-social behaviour. Call Derbyshire Victim Services on 0800 612 6505 or text 'DVS' to 82228.

You can also find useful information in the Derbyshire ASB Hub -  
[www.saferderbyshire.gov.uk/asbhub](http://www.saferderbyshire.gov.uk/asbhub)

Yours Sincerely

**INSERT LOCAL SPOC CONTACT DETAILS**

**PUBLIC**

Letter 4 – Threshold not met

Ref: **INSERT CASE NO**

**INSERT APPLICANT'S NAME**  
**INSERT APPLICANT'S ADDRESS**

**INSERT DATE**

Anti-Social Behaviour Case Review Applicant – (INSERT APPLICANT'S NAME)  
Person affected by the anti-social behaviour – (INSERT VICTIM'S NAME, WHERE DIFFERENT TO APPLICANT)

Dear **(INSERT APPLICANT'S NAME)**

Further to my letter dated **(INSERT DATE OF TEMPLATE LETTER 1)**, I have reviewed your Anti-Social Behaviour Case Review application. I am unable to progress your application because it does not meet the threshold. This is because **(INSERT REASON(S) WHY APPLICATION DOES NOT MEET THRESHOLD)**.

You can find more information about the threshold in the Guidance Notes for ASB Case Review Applicants.

We take all reports of anti-social behaviour seriously so I will ensure your case is discussed at the next meeting with the police and housing.

If you are not satisfied with the decision, you can lodge an appeal with the Office of Police and Crime Commissioner for Derbyshire. Your appeal must be within 28 days of the date of this letter.

For more information about making an appeal, go to <https://www.derbyshire-pcc.gov.uk/help-support/anti-social-behaviour-case-review/>

Please report further incidents of anti-social behaviour to the relevant organisation:-

Derbyshire Constabulary on 101 (or 999 in an emergency)  
**(INSERT CONTACT DETAILS FOR LOCAL AUTHORITY/HOUSING PROVIDER)**

We offer support for victims of anti-social behaviour. Call Derbyshire Victim Services on 0800 612 6505 or text 'DVS' to 82228.

You can also find useful information in the Derbyshire ASB Hub - [www.saferderbyshire.gov.uk/asbhub](http://www.saferderbyshire.gov.uk/asbhub)

Yours Sincerely

**INSERT LOCAL SPOC CONTACT DETAILS**

**PUBLIC**

Letter 5 – Threshold met

Ref: **INSERT CASE NO**

**INSERT APPLICANT'S NAME**  
**INSERT APPLICANT'S ADDRESS**

**INSERT DATE**

Anti-Social Behaviour Case Review Applicant – (INSERT APPLICANT'S NAME )  
Person affected by the anti-social behaviour – (INSERT VICTIM'S NAME, WHERE DIFFERENT TO APPLICANT)

Dear **(INSERT APPLICANT'S NAME)**

Further to my letter dated **(INSERT DATE OF TEMPLATE LETTER 1)**, I write to let you know that your application meets the threshold. The partner agencies involved will be undertaking a full Anti-Social Behaviour Case Review.

You are invited to attend the Anti-Social Behaviour Case Review Meeting:-

Date: **(INSERT DATE)**  
Time: **(INSERT TIME)**  
Location: **(INSERT LOCATION)**

Please confirm your attendance to **(INSERT CONTACT DETAILS)**.

**(INSERT IF CURRENTLY NO ADVOCATE)** If you do not wish to attend, you can ask someone to attend on your behalf. You can write a written Victim Statement, the Chair will read out at the meeting.

I will write to you again, within 5 working days of the meeting, to advise you of the outcome of the Anti-Social Behaviour Case Review.

Please report further incidents of anti-social behaviour to the relevant organisation:-

Derbyshire Constabulary on 101 (or 999 in an emergency)  
**(INSERT CONTACT DETAILS FOR LOCAL AUTHORITY/HOUSING PROVIDER)**

We offer support for victims of anti-social behaviour. Call Derbyshire Victim Services on 0800 612 6505 or text 'DVS' to 82228.

You can also find useful information in the Derbyshire ASB Hub -  
[www.saferderbyshire.gov.uk/asbhub](http://www.saferderbyshire.gov.uk/asbhub)

Yours Sincerely

**INSERT LOCAL SPOC CONTACT DETAILS**

**PUBLIC**

Letter 6 – Outcome of review

Ref: **INSERT CASE NO**

**INSERT APPLICANT'S NAME**  
**INSERT APPLICANT'S ADDRESS**

**INSERT DATE**

Anti-Social Behaviour Case Review Applicant – (INSERT APPLICANT'S NAME)  
Person affected by the anti-social behaviour – (INSERT VICTIM'S NAME, WHERE DIFFERENT TO APPLICANT)

Dear **(INSERT APPLICANT'S NAME)**

Further to my letter dated **(INSERT DATE OF TEMPLATE LETTER 5)**, I write to advise you that the relevant partner agencies have undertaken a full Anti-Social Behaviour Case Review.

The Anti-Social Behaviour Case Review has found that:-  
**(INSERT FINDINGS OF ASB CASE REVIEW MEETING)**

The Anti-Social Behaviour Case Review has recommended that:-  
**(INSERT RECOMMENDATIONS OF ASB CASE REVIEW MEETING)**

**(DELETE REFERENCE TO ACTION PLAN, IF NOT PROPOSED)** The attached Action Plan shows what action we have agreed to take. **(REMEMBER TO REDACT PERSONALLY IDENTIFIABLE INFORMATION FROM THE ACTION PLAN)**

**(INSERT EITHER You have OR THE NAME OF THE VICTIM has)** agreed that Action(s) **INSERT NUMBER(S)** should be progressed.

**(INSERT EITHER You have OR THE NAME OF THE VICTIM has)** asked that Actions(s) **INSERT NUMBER(S)** are not progressed.

Each of the organisations will be responsible for their actions in the Action Plan. They will contact you to discuss them further.

If you are not satisfied with the outcome of the Anti-Social Behaviour Case Review, you can lodge an appeal, within 28 days of the date of this letter, with the Office of Police and Crime Commissioner for Derbyshire.

For more information go to <https://www.derbyshire-pcc.gov.uk/help-support/anti-social-behaviour-case-review/>

Your Anti-Social Behaviour Case Review will remain 'open' until the actions have been done. I will keep you updated with progress.

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Thank you for giving us the opportunity to review your case. It means we can work even harder to resolve the anti-social behaviour you have been experiencing.

Yours Sincerely

**INSERT LOCAL SPOC CONTACT DETAILS**

**PUBLIC**

Letter 7 – Closure of ASB Case Review

Ref: **INSERT CASE NO**

**INSERT APPLICANT'S NAME**  
**INSERT APPLICANT'S ADDRESS**

**INSERT DATE**

Anti-Social Behaviour Case Review Applicant – **(INSERT APPLICANT'S NAME)**  
Person affected by the anti-social behaviour – **(INSERT VICTIM'S NAME, WHERE DIFFERENT TO APPLICANT)**

Dear **(INSERT APPLICANT'S NAME)**

Further to my letter dated **(INSERT DATE OF TEMPLATE LETTER 6)**, the relevant partner agencies have completed all the actions, which were agreed at the Anti-Social Behaviour Case Review Meeting. This means that the Anti-Social Behaviour Case Review is now closed.

A further application would only be considered where there is a significant change in the circumstances of the case. You would also need to show that new incidents of anti-social behaviour meet the threshold. If we received multiple requests for an Anti-Social Behaviour Case Review, without good cause, we will follow our vexatious complaints policy.

Thank you for giving us the opportunity to review your case.

Yours Sincerely

**INSERT LOCAL SPOC CONTACT DETAILS**

**PUBLIC**

Letter 8 – Application withdrawn

Ref: **INSERT CASE NO**

**INSERT APPLICANT'S NAME**  
**INSERT APPLICANT'S ADDRESS**

**INSERT DATE**

Anti-Social Behaviour Case Review Applicant – **(INSERT APPLICANT'S NAME)**  
Person affected by the anti-social behaviour – **(INSERT VICTIM'S NAME)**

Dear **(INSERT APPLICANT'S NAME)**

I have received your written request to withdraw the Anti-Social Behaviour Case Review application.

I confirm that the Anti-Social Behaviour Case Review process has now ended.

Please report further incidents of anti-social behaviour to the relevant organisation:-

Derbyshire Constabulary on 101 (or 999 in an emergency)  
**(INSERT CONTACT DETAILS FOR LOCAL AUTHORITY/HOUSING PROVIDER)**

We offer support for victims of anti-social behaviour. Call Derbyshire Victim Services on 0800 612 6505 or text 'DVS' to 82228.

You can also find useful information in the Derbyshire ASB Hub -  
[www.saferderbyshire.gov.uk/asbhub](http://www.saferderbyshire.gov.uk/asbhub)

Yours Sincerely

**INSERT LOCAL SPOC CONTACT DETAILS**

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**APPENDIX E**

**Threshold Assessment Template**

I am writing to inform you that we have received an ASB Case Review application (see ECINS Case ID **(INSERT ID NO)** or attached copy **(AMEND, AS APPROPRIATE)**).

Under Schedule 4, Part 7 of the ASB, Crime and Policing Act 2014, partners are required to comply with the request for information and share information, which will enable the 'relevant bodies' to conduct the ASB Case Review, objectively.

At this stage, I require information from your organisation to enable me to establish whether the application meets the threshold, which is:-

- Three or more 'qualifying complaints' (reports) about related incidents of ASB, that occurred on separate occasions, within the last six months.

*(Extract from the Derbyshire ASB Case Review Practitioner Guidance)*

**Explanatory Notes**

In deciding whether the threshold has been met for undertaking a review, there must be a link between the reports of anti-social behaviour.

For the avoidance of doubt, if the partners receive separate reports about totally unconnected ASB, then they will not be counted together in deciding whether the threshold has been met. This will be the case even if the type of ASB is the same. For example, if noise nuisance is suffered from two different sources, the reports will not generally be counted together.

Also, if a report about the same incident has been made to multiple agencies, it will only count as one incident.

A 'qualifying complaint' (report of ASB) is one which is made within the period of one month, beginning with the date on which the behaviour is alleged to have occurred. Further, a complaint is a report of an ASB incident, which is made to a relevant body, either in writing, by e-mail, by telephone or by visiting the offices of the relevant body. Other than to a Police Officer or Police Community Support Officer on duty, reporting an incident of ASB to an officer of the relevant organisation, whilst he/she is on site, in the community, will not normally be considered to be a qualifying complaint.

I require all information you hold regarding incidents of ASB relating to the following individuals and addresses for the six-month period **(INSERT DATES)**:-

|                 |  |
|-----------------|--|
| <b>Name:</b>    |  |
| <b>Address:</b> |  |
| <b>DOB:</b>     |  |

|                 |  |
|-----------------|--|
| <b>Name:</b>    |  |
| <b>Address:</b> |  |

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|             |  |
|-------------|--|
| <b>DOB:</b> |  |
|-------------|--|

|                 |  |
|-----------------|--|
| <b>Name:</b>    |  |
| <b>Address:</b> |  |
| <b>DOB:</b>     |  |

|                 |  |
|-----------------|--|
| <b>Name:</b>    |  |
| <b>Address:</b> |  |
| <b>DOB:</b>     |  |

I require this information by (**INSERT DEADLINE**). If you are unable to provide the requested information within this time, please contact me directly to provide a verbal appraisal of the information you hold in the first instance.

Please contact me if you require any assistance with completing this request.

---

## PARTNER RESPONSE

|   |        |
|---|--------|
| <b>Do you hold any ASB reports from any of the named individuals?</b>   | YES/NO |
| <b>Are there any ASB reports that are currently being investigated?</b> | YES/NO |
| <b>Do you have any vulnerability markers or flags on your systems?</b>  | YES/NO |
| <b>Do you hold any completed risk assessments for the individuals?</b>  | YES/NO |

If you have indicated to **YES** to any of the above, please provide as much additional information as possible below regarding the incidents reported to your organisation (including attaching copies of documentation, where appropriate).

|   |        |
|---|--------|
| <b>Reference Number</b>   |        |
| <b>Date Received</b>  |        |
| <b>Brief overview of report</b> (include details of reporting party and any named perpetrator/offender) |        |
| <b>Was any action taken?</b>  | YES/NO |
| <b>If yes, please detail the action taken in response, if no, please summarise reasons</b>              |        |

|   |        |
|---|--------|
| <b>Reference Number</b>   |        |
| <b>Date Received</b>  |        |
| <b>Brief overview of ASB report</b> (include details of reporting party and any named perpetrator/offender) |        |
| <b>Was any action taken?</b>  | YES/NO |

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|  |  |
|--|--|
| <b>If yes, please detail the action taken in response, if no, please summarise reasons</b> |  |
|--|--|

|   |        |
|---|--------|
| <b>Reference Number</b>   |        |
| <b>Date Received</b>  |        |
| <b>Brief overview of ASB report</b> (include details of reporting party and any named perpetrator/offender) |        |
| <b>Was any action taken?</b>  | YES/NO |
| <b>If yes, please detail the action taken in response, if no, please summarise reasons</b>                  |        |

|   |        |
|---|--------|
| <b>Reference Number</b>   |        |
| <b>Date Received</b>  |        |
| <b>Brief overview of ASB report</b> (include details of reporting party and any named perpetrator/offender) |        |
| <b>Was any action taken?</b>  | YES/NO |
| <b>If yes, please detail the action taken in response, if no, please summarise reasons</b>                  |        |

|                               |
|-------------------------------|
| <b>ADDITIONAL INFORMATION</b> |
|-------------------------------|

Where information is available on ECINS, please provide the Profile ID(s) and Case ID(s) and ensure I am given access to the necessary information.

If it is determined that the threshold is met, I will contact you again to seek additional case information. The chronology of case information will be circulated to partners with the agenda for everyone to read before attending the ASB Case Review Meeting.

**APPENDIX F**

**Partner Case Information Template**

As you will be aware, we have received an ASB Case Review application (see ECINS Case ID **(INSERT ID NO)** or attached copy **(AMEND AS APPROPRIATE)**). The application meets the threshold in the Derbyshire ASB Case Review Practitioner Guidance. The ASB Case Review Meeting will be held on **(INSERT DATE OF ASB CASE REVIEW)**.

Under Schedule 4, Part 7 of the ASB, Crime and Policing Act 2014, partners are required to comply with the request for information and share information, which will enable the ‘relevant bodies’ to conduct the ASB Case Review, objectively.

I require information from your organisation to enable me to brief all partners prior to them attending the ASB Case Review Meeting. Please return the information to **(INSERT SPOC'S EMAIL ADDRESS)** by **(INSERT DEADLINE OF 7 DAYS BEFORE MEETING DATE)**.

If you are unable to provide the requested information within this time, please contact me directly to provide a verbal appraisal of the information you hold in the first instance.

Please contact me if you require any assistance with completing this request.

---

**INFORMATION REQUIRED**

I require all information you hold regarding the ASB case(s) relating to the following individuals and addresses:-

|                 |  |
|-----------------|--|
| <b>Name:</b>    |  |
| <b>Address:</b> |  |
| <b>DOB:</b>     |  |

|                 |  |
|-----------------|--|
| <b>Name:</b>    |  |
| <b>Address:</b> |  |
| <b>DOB:</b>     |  |

|                 |  |
|-----------------|--|
| <b>Name:</b>    |  |
| <b>Address:</b> |  |
| <b>DOB:</b>     |  |

|                 |  |
|-----------------|--|
| <b>Name:</b>    |  |
| <b>Address:</b> |  |
| <b>DOB:</b>     |  |

Please provide a full chronology, which may include:-

- Details of previous ASB incidents reported by the victim(s)
- Risk assessments for all victims and perpetrators

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- Information about the effect the problem has had on the victim and others in the community
- Details of action previously considered
- Details of action taken
- Perpetrator Proportionality Assessment, if previously completed.

This list is not exhaustive.

| Date | Case notes |
|------|------------|
|      |            |
|      |            |
|      |            |
|      |            |
|      |            |

**ADDITIONAL INFORMATION**

Where information is available on ECINS, please provide the Profile ID(s) and Case ID(s) and ensure the appropriate partners are given access to the necessary information.

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**APPENDIX G**

**Victim Statement Template**

**ANTI-SOCIAL BEHAVIOUR CASE REVIEW  
ANTI-SOCIAL BEHAVIOUR VICTIM STATEMENT**

Anti-social behaviour affects people in very different ways. We'd like you to come to the Anti-Social Behaviour Case Review meeting to help us understand how it has affected you.

We understand that you may not want to attend the meeting. You can send us a written Victim Statement instead.

There is no set format, so please tell us, in your own words, how the anti-social behaviour has affected you and, where appropriate, other members of your household, or your visitors.

**APPENDIX H**

**Perpetrator Proportionality Assessment**



|   |  |
|---|--|
| <b>Name of alleged perpetrator:</b>   |  |
| <b>Address of alleged perpetrator:</b>  |  |
| <b>Type of action being considered:-</b><br>e.g. injunction, ABC, CPNW/CPN, tenancy demotion, possession etc. |  |

| <b>ACTION ALREADY TAKEN</b>  |  |
|--|--|
| <b>List the informal action taken to date for this matter</b><br>e.g. warning letters, visits, mediation, ABC, etc |  |
| <b>List the formal action taken to date for this matter</b>  |  |

| <b>VULNERABILITIES</b>  |  |
|---|--|
| <b>Does the alleged perpetrator have any vulnerability?</b><br>e.g. victim of domestic abuse, lifestyle, substance use, age<br><br><b>If so, provide details of whether it is believed that the ASB or criminal behaviour is linked to the specific vulnerabilities.</b>  |  |
| <b>Is it believed that the alleged perpetrator is disabled within the definition of the <u>Equality Act 2010</u>?</b><br>e.g. learning disability, mental health, developmental impairment, such as autistic spectrum disorders (ASD)<br><br><b>If so, provide details of whether it is believed that the ASB or criminal behaviour is linked to this disability.</b> |  |
| <b>Does the alleged perpetrator reside with individuals who have a disability or vulnerability?</b>   |  |

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|  |  |
|--|--|
| <b>If so, what actions have been taken to mitigate the risks that enforcement action against the alleged perpetrator will have on these individuals?</b> |  |
|--|--|

| <b>SUPPORT</b>   |  |
|--|--|
| <b>Has the alleged perpetrator been offered, or referred for, any support?</b><br><br><b>If yes, provide details.</b><br>e.g. which agency?, when was last contact made and how? |  |
| <b>Has re-housing been considered and by who?</b>  |  |

| <b>IMPACT</b>  |  |
|--|--|
| <b>What impact is the behaviour having on:-</b><br><br><b>Victims?</b><br><br><b>Wider community?</b><br><br><b>Partner resources?</b> |  |

| <b>SUMMARY</b>  |  |
|---|--|
| <b>Summarise why the proposed action is reasonable, necessary and proportionate</b> |  |

|   |  |
|---|--|
| <b>I can confirm that I have reviewed this case and the facts above and believe that the action suggested is reasonable, necessary and proportionate means to achieving a legitimate aim.</b> |  |
| Signed:   |  |
| Job title:  |  |
| Date:   |  |

|                  |  |
|------------------|--|
| Date review due: |  |
|------------------|--|

This assessment will be reviewed at regular intervals, including when new information material to it is revealed.

**APPENDIX I**

**ASB Case Review Meeting Agenda Template**

**1. Confidentiality Statement**

**2. Introductions / Apologies / Purpose of ASB Case Review**

*Explain why the meeting has been called – i.e. to undertake a fair and objective review of the case and enable the victim's voice to be heard.*

**3. Victim Perspective**

*Opportunity for the victim, or their advocate, to explain the impact of the ASB on themselves, their family and their visitors. This includes physical and emotional health, quality of life and ability to conduct their normal daily activities.*

*Opportunity for the victim, or their advocate to ask any questions they may have about their case.*

**4. Case History**

*Information from partners in attendance and reports from those unable to attend in person.*

*What reports of ASB have been received by each agency?*

*What is the persistence or seriousness of the ASB?*

*What is the cumulative impact of the ASB?*

*Assessment of the harm caused, or potential for harm to be caused, to the victim and the community.*

*Identify who is the victim and who is the perpetrator in neighbour disputes.*

*Are there any malicious or vexatious reports of ASB?*

*Are there any vulnerability factors for any of the victims or perpetrators?*

*What additional information is required?*

**5. Review Action Taken to Date**

*What action has already been considered/taken?*

*Complete Proportionality Assessment.*

**6. ASB Case Review Decision/Recommendations**

*Has all appropriate action been taken?*

*Is there more that partner agencies can do?*

*Is there more that victim or perpetrators can do?*

*Are there any learning opportunities for partners?*

**7. Agree Action Plan**

*What informal action can be taken by each partner to resolve the ASB?*

*What legal action can be taken to resolve the ASB and by whom?*

*Identify reasons why other potential actions are not to be pursued?*

**8. Next steps**

*Agree who will liaise with the victim/their advocate.*

*Agree who will be Lead Officer for each action within the Action Plan.*

**APPENDIX J**

**ASB Case Review Meeting Minutes Template**

ASB CASE REVIEW APPLICATION REFERENCE NUMBER

|  |
|--|
|  |
|--|

**DETAILS OF SPOC**

|                     |  |
|---------------------|--|
| <b>Name</b>         |  |
| <b>Organisation</b> |  |
| <b>E-mail</b>       |  |
| <b>Telephone</b>    |  |

**DETAILS OF APPLICANT**

|  |  |
|--|--|
| <b>Name</b>  |  |
| <b>Address</b>   |  |
| <b>Date application acknowledged</b><br><i>(Template Letter 1)</i> |  |

**DETAILS OF VICTIM (IF DIFFERENT TO APPLICANT)**

|                           |  |
|---------------------------|--|
| <b>Name</b>               |  |
| <b>Address</b>            |  |
| <b>Date consent rec'd</b> |  |

**DETAILS OF PERPETRATORS (IF KNOWN)**

|                |  |
|----------------|--|
| <b>Name</b>    |  |
| <b>Address</b> |  |

|                |  |
|----------------|--|
| <b>Name</b>    |  |
| <b>Address</b> |  |

|                |  |
|----------------|--|
| <b>Name</b>    |  |
| <b>Address</b> |  |

**PUBLIC**

**ASB CASE REVIEW THRESHOLD ASSESSMENT**

| DECISION  | Comments |
|---|----------|
| Threshold met / not met<br><i>(delete as appropriate)</i> |          |

|   |  |
|---|--|
| Date applicant advised<br><i>(Template Letter 4 or 5)</i> |  |
|---|--|

**ASB CASE REVIEW MEETING**

|       |  |
|-------|--|
| Date  |  |
| Time  |  |
| Venue |  |
| Chair |  |

**1. CONFIDENTIALITY STATEMENT**

|                                     |          |
|-------------------------------------|----------|
| Declaration signed by all attendees | Yes / No |
|-------------------------------------|----------|

**2. ATTENDEES**

| Organisation | Name | Job Title |
|--------------|------|-----------|
|              |      |           |
|              |      |           |
|              |      |           |
|              |      |           |
|              |      |           |
|              |      |           |
|              |      |           |

**APOLOGIES**

| Organisation | Name | Job Title | Written Report?<br><i>(delete as appropriate)</i> |
|--------------|------|-----------|---|
|              |      |           | Yes / No  |
|              |      |           | Yes / No  |
|              |      |           | Yes / No  |
|              |      |           | Yes / No  |



**PUBLIC**

**ADDITIONAL INFORMATION REQUIRED**

|  |
|--|
|  |
|--|

**5. REVIEW AND ASSESSMENT OF ACTION TAKEN TO DATE**

|   |          |
|---|----------|
| <b>Perpetrator Proportionality Assessment completed?</b>                    | Yes / No |
| <b>Reason(s) for not completing Perpetrator Proportionality Assessment:</b> |          |

| Action taken to date | By whom? | Adequate? | Comments |
|----------------------|----------|-----------|----------|
|                      |          | Yes / No  |          |
|                      |          | Yes / No  |          |
|                      |          | Yes / No  |          |
|                      |          | Yes / No  |          |
|                      |          | Yes / No  |          |

**6. REVIEW DECISION /RECOMMENDATIONS**

|  |
|--|
|  |
|--|

**7. ACTION PLAN**

Complete Action Plan template at [APPENDIX K](#).

**ACTIONS CONSIDERED BUT NOT RECOMMENDED**

| Action | Agency | Reason not pursued / recommended |
|--------|--------|----------------------------------|
|        |        |                                  |
|        |        |                                  |
|        |        |                                  |
|        |        |                                  |

**8. NEXT STEPS AGREED**

|  |
|--|
|  |
|--|

**POST MEETING**

|   |  |
|---|--|
| <b>Date Minutes sent to partners</b>  |  |
| <b>Date Action Plan discussed with victim</b>                                   |  |
| <b>Date applicant / victim advised of outcome</b><br><i>(Template Letter 6)</i> |  |
| <b>Update ECINS</b>   |  |

**PUBLIC**

**APPENDIX K**

**Anti-Social Behaviour Case Review Action Plan Template**

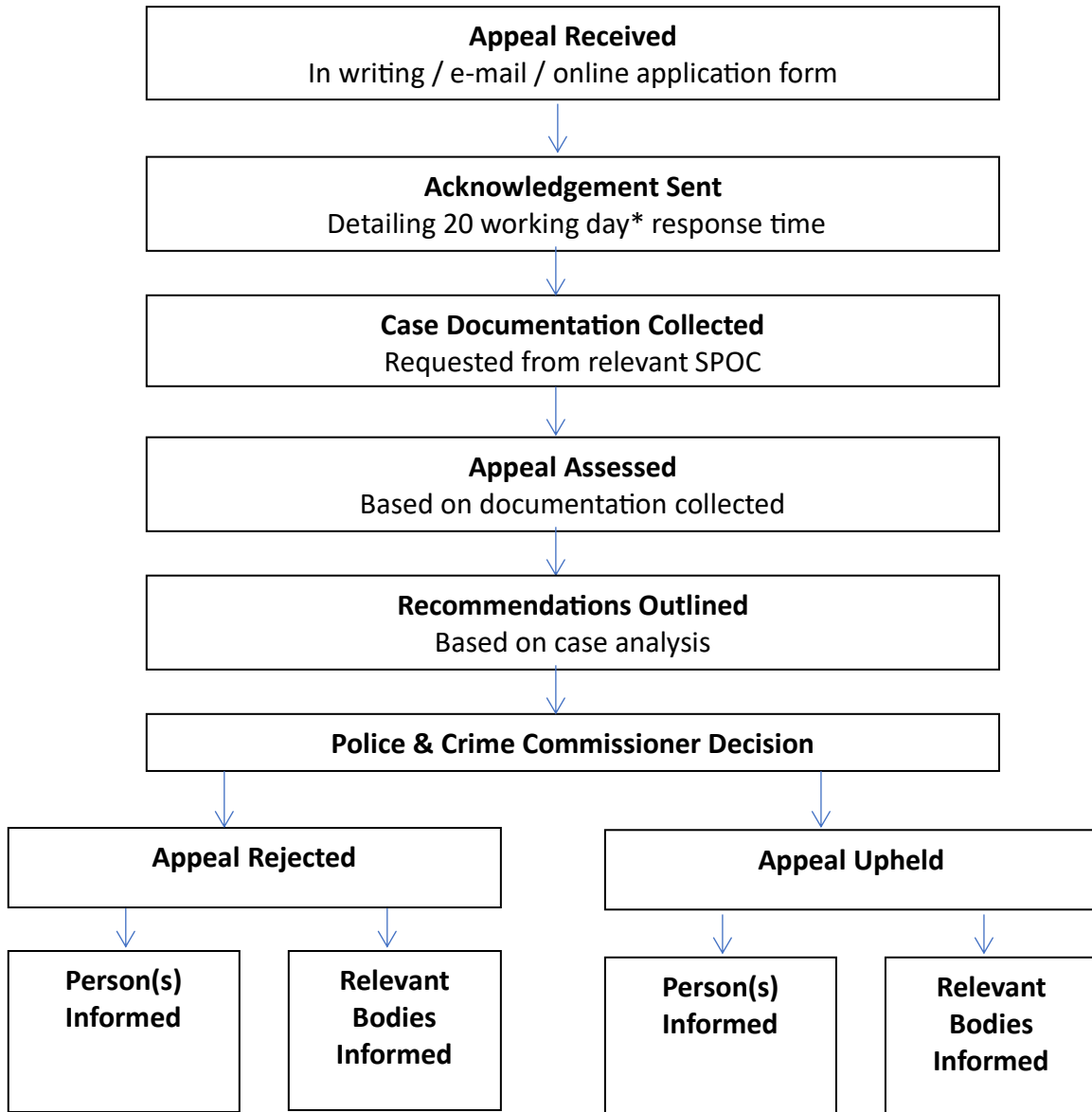
| Action | By Whom? |              | Timescales | Progress Update | Date completed |
|--------|----------|--------------|------------|-----------------|----------------|
|        | Agency   | Lead Officer |            |                 |                |
|        |          |              |            |                 |                |
|        |          |              |            |                 |                |
|        |          |              |            |                 |                |
|        |          |              |            |                 |                |
|        |          |              |            |                 |                |
|        |          |              |            |                 |                |
|        |          |              |            |                 |                |

This Action Plan will be overseen by **INSERT LOCAL SPOC CONTACT DETAILS** and monitored by the local ASB Solutions Meeting.

**(Ensure personal details on this Action Plan are redacted and not shared with the victim and/or their advocate).**

**Appendix L**

**ASB Case Review Appeal Process Flowchart**



\*We will endeavour to respond, from the initial acknowledgement of appeal to final notification of decision, within 20 working days. Communication of extended response times will be provided in exceptional circumstances.

*(Working days are Monday to Friday excluding weekends and bank holidays).*

## **Appendix M**

### **ASB Case Review Frequently Asked Questions**

This document is also available on the [Safer Derbyshire website](#).

## **Derbyshire Anti-Social Behaviour Case Review Frequently Asked Questions**

Here are the answers to questions that people often ask about the Anti-Social Behaviour Case Review.

### **Where can I find information about the Anti-Social Behaviour Case Review?**

Information about what the Anti-Social Behaviour Case Review is and how to apply, is available on your local authority website. You will find the application form, together with guidance notes to help you. There will also be details of how you can get in touch, if you have any questions or need help with the application.

Links to the local authority websites are available at [www.saferderbyshire.gov.uk/asbcasereview](http://www.saferderbyshire.gov.uk/asbcasereview)

## **UNDERSTANDING THE ANTI-SOCIAL BEHAVIOUR CASE REVIEW**

### **When can I request an Anti-Social Behaviour Case Review?**

You can request a review of the response to your reports of serious, persistent or targeted anti-social behaviour. You can do this if you feel the problem is ongoing and

- there has been no response from agencies

or

- there has been an inadequate response from agencies responsible for dealing with the anti-social behaviour.

You must give agencies the chance to respond to each of the incidents of anti-social behaviour. The timescale for an 'adequate response' may vary, depending on the type of behaviour and complexity of your case.

To request an Anti-Social Behaviour Case Review, you must also meet the 'threshold' or criteria.

### **What is the 'threshold' for an Anti-Social Behaviour Case Review?**

The criteria, or threshold, is:-

Three or more '*qualifying complaints*' (reports) about related incidents of anti-social behaviour, that occurred on separate occasions, within the last six months.

See below for more information about what a 'qualifying complaint' is.

### What is a 'qualifying complaint'?

To be a 'qualifying complaint', each report of anti-social behaviour must be:-

- reported to the right organisation within one month of it happening
- reported to the right organisation by e-mail, by telephone or by visiting the offices of that organisation.
- about repeated, or persistent, incidents of the same type of anti-social behaviour.

We can only consider anti-social behaviour that has happened in the last six months.

For example:

- 2 January – A victim makes a report of anti-social behaviour to the local authority. The anti-social behaviour is not resolved by the local authority.
- 15 March – The victim continues to experience anti-social behaviour and makes a report to the police. The anti-social behaviour is not resolved by the police.
- 31 May – The anti-social behaviour continues, and the victim now makes a report to both the local authority and the police. The victim again receives no assistance from the relevant agencies.

The victim has made three 'qualifying complaints' (reports) of anti-social behaviour between 1 January and 31 May. This is within a six-month period. The relevant agencies must now hold an Anti-Social Behaviour Case Review to consider how to resolve the anti-social behaviour.

However, in this example:-

- 2 January – A victim makes a report of noise nuisance from Neighbour A that happened on New Years Eve.
- 15 February – The victim continues to experience noise nuisance and reports noise from a Valentine's Day party held by Neighbour A.
- 10 April – the victim makes a report to both the local authority and the police about a party held by Neighbour B over the Easter weekend.

The reports are within a month of the anti-social behaviour happening. They have been reported to the correct organisation but the source of the noise is different. This means the reports will not be counted together. Also, if a report about the same incident has been made to more than one organisation, it will only count as one incident.

### I am experiencing anti-social behaviour, but I do not meet the threshold to request an Anti-Social Behaviour Case Review – what should I do?

You should:-

- Speak to the organisation that is dealing with your case. They will give you an update on your case.
- Contact [Derbyshire Victim Services](#). They offer free, confidential advice and support for people experiencing anti-social behaviour.

If you do not meet the threshold now, you may do so in the future. Please keep this information to hand, in case you need it.

**What is the difference between the Anti-Social Behaviour Case Review and a complaint procedure?**

The Anti-Social Behaviour Case Review is not designed to apportion blame. It is there to bring organisations together to fully understand the problem and draw up a multi-agency action plan to resolve the anti-social behaviour.

The complaints procedure is appropriate for concerns, such as:-

- if staff have been rude or disrespectful to you
- if staff have given inaccurate or misleading information
- if staff have promised things, such as telephone calls or meetings, and have not delivered on these
- if the organisation has failed to follow their policy and/or procedure.

If you have followed the complaints procedure and you are still dissatisfied, you will be given information about the [Local Government and Social Care Ombudsman](#), the [Housing Ombudsman Service](#) or the [Independent Office for Police Conduct](#).

**Will requesting an Anti-Social Behaviour Case Review stop any ongoing action in my case?**

Requesting an Anti-Social Behaviour Case Review should not stop any ongoing action in your case, however, once agencies review all the information, they may decide that there is a more suitable solution or action that can be taken to deal with the anti-social behaviour. This will be discussed with you, after the Anti-Social Behaviour Case Review meeting.

**Can I request an Anti-Social Behaviour Case Review if my case is closed?**

Yes you can, but you need to bear in mind that:-

- if your case is closed and the anti-social behaviour is ongoing, the Anti-Social Behaviour Case Review will consider what else can be done.
- if your case is closed and the anti-social behaviour is not ongoing, the Anti-Social Behaviour Case Review will not be able to agree an Action Plan to resolve the case, as it is already resolved.

If you are not happy with the service you received whilst the anti-social behaviour was being investigated, this should be raised through that organisation's complaints procedure. It is not covered by the Anti-Social Behaviour Case Review process.

**APPLICATION PROCESS****Can someone apply for an Anti-Social Behaviour Case Review on my behalf?**

Yes, if you prefer, someone else can apply on your behalf. This could be family member, carer, elected member or MP. They will need to complete the application form and provide your written consent (or evidence of their authority to act on your behalf, such as a Power of Attorney) so that we can progress the application.

**Can I apply for an Anti-Social Behaviour Case Review anonymously?**

No, anonymous applications will not be accepted. Anonymous, unreasonably persistent, vexatious or malicious applications will be rejected and dealt with in accordance with the council's complaints policy.

If you wish to report anti-social behaviour anonymously, you can contact Crimestoppers to report incidents that are serious, criminal or causing a risk to a person.

**Why do I need to give my consent to share my information?**

An Anti-Social Behaviour Case Review will only progress with the victim's consent. To help us review every aspect of your case, we need to share information with organisations that have been, or should have been, involved in your case. The application form and guidance notes give more detail about who is involved and why.

However, if we have a safeguarding concern, we do not require your consent to share that information.

**What happens if I do not want my information to be shared?**

If you do not consent to your information being shared, we will be unable to process your application for an Anti-Social Behaviour Case Review.

**What happens when I apply for the Anti-Social Behaviour Case Review?**

The step-by-step process is explained in the Applicant Guidance Notes. If you need another copy, contact the Community Safety team at your local council.

**ANTI-SOCIAL BEHAVIOUR CASE REVIEW MEETING****What happens at the Anti-Social Behaviour Case Review Meeting?**

The meeting will be attended by people from all the different organisations that have been, or should have been, involved in any part of your case.

They will:-

- Review the full case history;
- Consider the persistence and seriousness of the anti-social behaviour;
- Consider the impact and harm caused to you and other people;
- Review the personal circumstances of everyone involved;
- Review what the different organisations have already done to tackle the anti-social behaviour;
- Consider if the actions are 'reasonable and proportionate', based on the circumstances of the case. This may also include considering reasons as to why certain actions have, or have not, been taken; and
- Wherever possible, recommend extra action that could stop, or reduce, the anti-social behaviour.

You will be invited to attend the first part of the meeting to help the review panel understand how the anti-social behaviour has affected you and, where appropriate, other people who live with, or visit, you. You will also have the chance to ask any questions you have about your case.

**Why can't I stay for the full Anti-Social Behaviour Case Review meeting?**

The meeting will discuss sensitive and private information about everyone involved in the case, including those people involved in the anti-social behaviour. We are unable to share all of this information with you.

**What happens if I can't, or don't, want to attend my Anti-Social Behaviour Case Review?**

If you cannot, or do not want, to attend the meeting you can:-

- Ask for the meeting to be rearranged to a more convenient time (This may delay the completion of the process);
- Send us a written Victim Statement, to help the panel understand how you have been affected;
- Ask the person who submitted the application to attend on your behalf; or
- Ask your Support Worker from Derbyshire Victim Services to attend on your behalf.

Anti-Social Behaviour Case Reviews will only be held on normal working days - Monday – Friday between the hours of 9am and 5pm (excluding Bank Holidays).

**What can't the Anti-Social Behaviour Case Review do?**

The Anti-Social Behaviour Case Review cannot:-

- Consider anti-social behaviour that has not been reported to the relevant organisation.
- Consider complaints about individual officers, or services.  
You should follow the complaint procedures of that organisation.
- Recommend that the Crown Prosecution Service (CPS) take action or request a review of decisions previously made by the CPS.  
This is dealt with by the CPS complaints procedure and the [Victims' Right to Review Scheme](#).
- Recommend action that is not proportionate to the individual circumstances of the case.  
Sometimes people have unrealistic expectations of what action should be taken, for example, they think that the neighbour should be evicted or sent to prison. Our powers to tackle anti-social behaviour require a certain level of evidence. We have to meet specific legal criteria.

**OUTCOME OF THE ANTI-SOCIAL BEHAVIOUR CASE REVIEW****What happens if I am not satisfied with the outcome of the Anti-Social Behaviour Case Review?**

If you are not satisfied with the outcome, you have the right to appeal. Appeals can be made to the Office of the Police and Crime Commissioner for Derbyshire, within 28 days of you being notified of the outcome of your Anti-Social Behaviour Case Review application.

Information about the appeal process is available on the [Police and Crime Commissioner's website](#).

**Can I apply for the Anti-Social Behaviour Case Review again?**

Another Anti-Social Behaviour Case Review would only be considered if there is a substantial change in the circumstances of your case and you have reported further incidents of anti-social behaviour, which meet the threshold for the Anti-Social Behaviour Case Review.

Multiple applications for the Anti-Social Behaviour Case Review, without good cause will be rejected and dealt with in accordance with the council's complaints policy.

## APPEAL PROCESS

### **Will the Police and Crime Commissioner review my anti-social behaviour case?**

The Police and Crime Commissioner cannot investigate, or review, individual incidents of anti-social behaviour, or do another Anti-Social Behaviour Case Review. If you have not yet reported the anti-social behaviour, please do so through the [appropriate agency](#).

The purpose of the appeal is to consider whether the Anti-Social Behaviour Case Review process has been followed and ensure the circumstances of your case have been fully considered. The appeal process will consider if the steps taken by the relevant agencies to address the anti-social behaviour are reasonable and proportionate, in the circumstances of your case.

If you are not satisfied with the actions resulting from the Anti-Social Behaviour Case Review, you should speak to the Community Safety team at your local council.



Derby & Derbyshire  
Safer Communities

[DDSC.GOV.UK](https://www.ddsc.gov.uk)