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Council

21<sup>st</sup> June 2022

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities - Councillor AS Khan,

**Director Approving Submission of the report:**

Director of Streetscene and Regulatory Services – A Walster

**Ward(s) affected:**

None

**Title:**

Report of Local Government and Social Care Ombudsman -Community Trigger Process

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**Is this a key decision?**

No - This report is laid before Council under Section 31(2) of the Local Government Act 1974 on the direction of the Local Government and Social Care Ombudsman (LGO). Council is asked to acknowledge the LGO recommendations,

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**Executive Summary:**

In April 2022, The Local Government and Social Care Ombudsman (LGO) published a report in the public interest setting out the findings of a complaint against Coventry City Council in respect of the Community Trigger process regarding matters concerning Anti Social Behaviour.

The LGO identified that there was an issue in the Council's Community Trigger process, as it needs to be more proactive to ensure that it better addresses applicants concerns that led to them making their application.

It also found that the Council needs to review and update its process to address these concerns and ensure that relevant officers and agencies receive training to ensure this does not happen again in the future.

**Recommendations:**

Council is recommended to:

1. Acknowledge the recommendations of the Local Government and Social Care Ombudsman (LGO) in its published decision of the 11<sup>th</sup> April 2022, reference number: 21 000 098 and,
2. Note that the Council has accepted and is implementing all recommendations.

**List of Appendices included:**

**Appendices**

Appendix 1 - Report of Local Government and Social Care Ombudsman: Reference 21000 098

**Background papers:**

None

**Other useful documents**

None.

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

Yes

## **Report title: Report of Local Government and Social Care Ombudsman – Community Trigger Process**

### **1. Context (or background)**

1.1 The Council's Community Trigger process was established as a result of the 2014 Anti-Social Behaviour, Crime and Policing act. The eligibility criteria for the Community trigger process states, if a prescribed number of incidents have occurred, either to an individual household or several households in an area, then a review will be carried out to investigate agencies actions to address these reports. If an applicant's application is not upheld, there is a further appeal process.

1.2 However, following a resident's complaint to the Ombudsman it was found that the Council's trigger process did not fully demonstrate how it proactively sought the views of all parties to ensure any review is as all encompassing, with a particular focus on addressing the concerns of the applicant and ensuring their views are heard and addressed.

1.3 The LGOs recommendations following the investigation were:

- The Council should consider the report at a meeting of full Council
- Apologise to the complainant
- Review the Community Trigger policy and procedures to ensure that it reflects a proactive approach and to consult with partners constructively to see what can be done to tackle the problem.
- Ensure that relevant officers and agencies receive training on how to effectively complete a Community Trigger review so this problem does not recur.

1.4 A copy of the LGO's report is attached as an appendix

1.5 It is confirmed that all of these actions have been taken or are in the process of being implemented.

### **2. Options considered and recommended proposal**

2.1 Not applicable

### **3. Results of consultation undertaken**

3.1 Not applicable

### **4. Timetable for implementing this decision**

4.1 All recommendations of the LGO have been implemented, or will be implemented following consultation with the Communities and Neighbourhoods Scrutiny Board (4).

### **5. Comments from the Chief Operating Officer (Section 151 Officer) and the Director of Law and Governance**

#### **5.1 Financial implications**

None

## **5.2 Legal implications**

Section 31 of the Local Government Act 1974 requires local authorities to consider reports of maladministration from the LGO and Section 5(2) places a duty on the Monitoring Officer to “prepare a report to the authority” where (among other things) it appears to the Monitoring Officer that “a proposal, decision or omission by the authority , by any committee, or sub-committee of the authority , by any person holding any office or employment under the authority.....has given rise to or is likely to or would give rise to” any maladministration

## **6. Other implications**

Any other specific implications

### **6.1 How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?**

Provide commentary on how the proposals contribute to the council's core aims as detailed in the Council Plan.

### **6.2 How is risk being managed?**

The recommendations of the LGO's report have been implemented, or are in the process of being implemented via Scrutiny Board 4.

### **6.3 What is the impact on the organisation?**

None

### **6.4 Equality Impact Assessment (EIA)**

Whilst many Anti-Social Behaviour cases will involve aspects of hate speech, it is not felt this matter has any implications with regards to any groups with a protected characteristic.

### **6.5 Implications for (or impact on) climate change and the environment**

None

### **6.6 Implications for partner organisations?**

None

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Members: Cllr A S Khan	Cabinet Member for Policing and Equalities		24/05/22	25/05/22

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