

Procedure for escalating the Community Trigger to the Police and Crime Commissioner

When a person who has applied for a Community Trigger Review wishes to escalate their case to the PCC he may do so by requesting the escalation within 4 weeks of notification of the outcome.

Please note, individuals cannot self-refer their case for escalation directly to the Police & Crime Commissioner's office. Applicants must contact the organisation who undertook the Community Trigger review, usually this will be the local authority.

Organisations which carry out Community Trigger reviews are known as the Relevant Bodies.

The following organisations are the Relevant Bodies which may undertake Community Trigger reviews for Devon, Cornwall and the Isles of Scilly:

Cornwall Council
East Devon District Council
Exeter City Council
Council of the Isles of Scilly
Mid Devon District Council
North Devon Council
Plymouth City Council
Teignbridge District Council
Torbay Council
Torrige District Council
West Devon Borough Council

Devon and Cornwall Police

NHS Kernow Clinical Commissioning Group
North Eastern & Western Devon Clinical Commissioning Group
South Devon & Torbay Clinical Commissioning Group

Social Housing Providers – which may be co-opted as required

The escalation procedure can ONLY review the following issues

- a) Whether the Relevant Bodies have rejected an application to use the Community Trigger Review on the basis that the threshold has not been met and the Victim considers that the threshold has been met
- b) Whether the Community Trigger Review has failed to consider a relevant process, policy or protocol;

- c) Whether the Community Trigger Review has failed to consider relevant factual evidenced information.

What will happen if a Community Trigger review is escalated to the Police & Crime Commissioner?

All timescales below are from the date at which the OPCC receives notification from a Relevant Body that a victim would like to use the escalation process.

- **Within 5 working days** – An OPCC officer will be appointed to handle the case. The OPCC officer will request all relevant documentation from the all Relevant Bodies involved in the threshold decision or case review process being questioned. The OPCC officer will also write to the complainant to seek further information on the request for escalation including their reasons as to why their request meets one or more of the following grounds:
 - a. The Relevant Bodies have rejected an application on the basis that the threshold has not been met and the Victim disagrees with that assessment
 - b. The Community Trigger Review has failed to consider a relevant process, policy or protocol;
 - c. The Community Trigger Review has failed to consider relevant factual evidenced information.

- **Within 15 working days** - Case Review agencies to have supplied all relevant documentation to the OPCC Officer. The complainant to have responded to the case officer's request for information.

- **Within 25 working days** OPCC Officer completes report for consideration by the PCC.

- **Within 35 working days** PCC will send his response to all parties. That response will set out the PCC's findings and will include any recommendations on how this matter should proceed.

- The PCC may
 - determine that the Relevant Bodies have considered all relevant processes, protocols, policies and/or relevant factual informationOR
 - make recommendations on one or more of the following matters
 - a. whether or not the Community Trigger threshold has been met
 - b. refer the case back to the Relevant Bodies asking them to consider a particular process, policy or protocol not previously considered;

- c. Refer the case back to the Relevant Bodies identifying additional information which he considers should be considered as part of the Community Trigger Review.

The Office of the Police & Crime Commissioner will make every effort to ensure that escalations from Community Trigger Reviews are dealt with within the timescales given above. If a matter is exceptionally complex or a high volume of paperwork is supplied the procedure may exceed the time limits outlined.

Please note, the PCC does not have any statutory powers with regards to the Community Trigger process and can only make recommendations.

The PCC cannot direct the Relevant Bodies which undertake the Community Trigger reviews to take a different action or overturn their decision.