

30 January 2020

Our ref: 5925065

Thank you for your request received on 2 January 2020, for the following information:

Q1. Does your local authority have a policy for issuing Community Protection Warnings/Community Protection Notices? If yes, please can this be attached.

Q2. Do you use Community Protection Warnings/Community Protection Notices when there is other legislation in place that could be applied?

Q3. Do you have any systems of oversight to ensure that Community Protection Notices are being used correctly? For example: oversight by a senior officer, or a chance for recipients to appeal the Community Protection Notice within the local authority?

Q4. Does your local authority use pre-written Community Protection Warnings/Community Protection Notices where the issuing officer 'fills in the blanks'?

Q5. How do you apply the 'detrimental effect' threshold required for the issuing of a Community Protection Notice? For example, do you define 'detrimental effect' as conduct that causes nuisance or harm, or conduct that others find very annoying?

Q6. What information about the appeal process is given to Community Protection Notice recipients?

Q7. Is information about Community Protection Warnings/Community Protection Notices that have been issued shared with relevant interested partners, such as housing or police? If so, how is this done?

Q8. What training is given to officers that issue Community Protection Warnings/Community Protection Notices, in terms of content and duration?

We have processed this request under the Freedom of Information Act 2000.

Response

The council holds the information requested and it is attached/ the answers to your questions are below

Q1. Does your local authority have a policy for issuing Community Protection Warnings/Community Protection Notices? If yes, please can this be attached.

We refer to the Home Office Guidance for Practitioners when considering using the CPN tool.

Q2. Do you use Community Protection Warnings/Community Protection Notices when there is other legislation in place that could be applied?

Sometimes but each case is assessed case by case by the issuing officer if it is considered suitable to use a CPN.

Q3. Do you have any systems of oversight to ensure that Community Protection Notices are being used correctly? For example: oversight by a senior officer, or a chance for recipients to appeal the Community Protection Notice within the local authority?

The majority of CPNs issued by Council officers are as a result of the case being processed through our Community Safety Multi Agency Risk Assessment Conference (MARAC) process.

Q4. Does your local authority use pre-written Community Protection Warnings/Community Protection Notices where the issuing officer 'fills in the blanks'?

No.

Q5. How do you apply the 'detrimental effect' threshold required for the issuing of a Community Protection Notice? For example, do you define 'detrimental effect' as conduct that causes nuisance or harm, or conduct that others find very annoying?

We refer to the Home Office guidance – ie behaviour that is likely to have a detrimental impact upon the victims or communities quality of life

Q6. What information about the appeal process is given to Community Protection Notice recipients?

There is no appeal to a CPN written warning. All our CPNs have the legally required advice appended to the notice for the recipient to consider.

Q7. Is information about Community Protection Warnings/Community Protection Notices that have been issued shared with relevant interested partners, such as housing or police? If so, how is this done?

Yes – cases where a CPN is used by a Council officer are recorded on the Council's Community Safety Teams IT system – ECINS. If another agency is actively involved in the case they are party to the electronic case management of the CPN using ECINS.

Q8. What training is given to officers that issue Community Protection Warnings/Community Protection Notices, in terms of content and duration?

Community Safety Officers employed by the council, and those partnership officers involved in the work to tackle anti-social behaviour, adhere to the Home Office

guidance for practitioners and also partake in internal supervision and familiarisation training when using such powers as the Community Protection Notice. This applies for all the tools and powers under the Anti-Social Behaviour, Crime and Policing Act and associated acts. The Council has a guide to using the tools and powers and this was created for the partnership in 2016 and is an aide memoire for officers and reflects the Home Office guidance.

The managers responsible for this internal training are qualified to the BTEC level 5 or Chartered Institute of Environmental Health. Any areas of ASB case management that are considered to require specialist legal advice are referred to our legal services.

Officers issuing CPNs do so on a case by case basis with conditions being considered for the behaviours identified and complained about. Duration is on a case by case basis however it is not uncommon for the duration of a notice to be between 6 and 12 month.

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.

