



Solihull
Community Housing
Shaping our neighbourhoods

Anti-Social Behaviour Policy

Version History		
Revision	Date	Revision Description
1.0	October 2021	Policy release
2.0	February 2025. Active 1 April 2025	Minor amendments including response times, case closure, RSH consumer standards, updated Supporting Policies and Strategies
3.0	December 2025	Removed reference to Private Sector ASB and updated Tenancy Types to reflect the SMBC and SCH Tenancy Policies, removed text number
4.0	August 2026	Expanded sections for Domestic Abuse, Hate Incidents and Hate Crime, and Exploitation now included. Aligned response times to days and removed reference to hours. Expanded reference to Supporting Policies and Strategies

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1.0 Policy Statement

- 1.1 This document tells you about Solihull Community Housing's (SCH) anti-social (ASB) responsibilities and what we do to tackle ASB.
- 1.2 This is SCH's policy document, which will tell you what we mean by 'anti-social behaviour' and sets out our objectives for the ASB service.
- 1.3 SCH is committed to ensuring all residents of Solihull enjoy their right to peace, quiet and security in and around their homes and will not tolerate anti-social behaviour from SMBC/SCH tenants or their visitors.
- 1.4 SCH will promptly address ASB concerns between or against SMBC/SCH tenants, taking swift action to prevent and remove activities that cause nuisance or annoyance to tenants, residents of Solihull, partner agencies, and its staff. The service will provide a high level of support to victims and take appropriate and efficient enforcement action when necessary.

[Anti-social behaviour ~ Solihull Community Housing Website](#)

2.0 Policy Objectives

- 2.1 We will investigate and take seriously all complaints of ASB by putting the victim first. We will do this by:
 - Complying with the requirements of the Regulator of Social Housing's Neighbourhood and Community Standard.
 - Using early intervention tools such as warning letters, mediation, and support programs to establish clear standards of behaviour and to reinforce the message that anti-social behaviour will not be tolerated. These tools also help prevent poor behaviour from escalating into more serious issues, promoting a positive and respectful community.
 - Considering the needs and circumstances of the most vulnerable when applying the powers to ensure reasonableness and proportionality to satisfy the Human Rights Act 1998 and the Equality Act 2010, along with other relevant legislation.
 - Providing adequate support for victims and witnesses of ASB, including helping them feel safe and heard throughout the process.
 - Collaborating and sharing information with partner agencies such as the police, SMBC, and health services to tackle ASB holistically and effectively to quickly deal with issues as they arise.
 - Encouraging anyone who experiences or witnesses ASB to get involved in helping resolve the issue. Whenever possible, we will listen to their views and take them into account when deciding how to manage each situation.
 - Ensuring that all stakeholders have a clear understanding of our approach to dealing with ASB; this includes customers, staff members, elected members, SCH Board members, and partner agencies.

- Closely monitoring the quality of the service that we provide by setting annual performance targets and embedding learning from complaints, tenant satisfaction measures (TSMs), and customer feedback, and using this data to assist us in shaping and continually improving the service.
- Continually seeking to deliver an effective and efficient service which is lean and offers value for money.

3. Introduction

- 3.1 This policy has been developed in line with the Anti-Social Behaviour Act 2003, the Crime and Disorder Act 1998 as amended, and the Anti-Social Behaviour, Crime and Policing Act 2014 as amended, to ensure that anti-social behaviour is dealt with consistently and robustly and that prompt, proportionate and justified action is always taken using a victim-centred approach.
- 3.2 The policy conforms to relevant legislation and regulation and supports SCH's Corporate Strategy and Delivery Plan.
- 3.3 Solihull Community Housing (SCH) manages and maintains council homes and delivers housing services on behalf of Solihull Metropolitan Borough Council (SMBC). Although SCH provides day-to-day housing services, the Council remains the owner of housing stock and is your landlord. The Council retains the responsibility for ensuring your home is managed in line with the Customer Standards.
- 3.4 SCH recognises that:
 - ASB can have a devastating impact on individuals and whole communities; it affects community cohesion and, if left unchallenged, can lead to the breakdown of communities.
 - Every individual is entitled to peaceful enjoyment of their home and surrounding areas regardless of the tenure of the property.
- 3.5 As one of the main partners in the Safer Solihull Partnership, we take a lead role in tackling ASB. It is important to do everything reasonably possible to tackle ASB and to deliver a high-quality service.
- 3.6 The Regulator of Social Housing's Neighbourhood and Community Standard require housing providers to work in partnership with local authorities, the police, and other relevant organisations to deter and tackle anti-social behaviour and hate incidents in the neighbourhoods where they provide social housing. The Regulator's specific requirements are for landlords to:
 - Have a policy on how they work with relevant organisations to deter and tackle ASB in the neighbourhoods where they provide social housing.
 - Clearly set out their approach for how they deter and tackle hate incidents in neighbourhoods where they provide social housing.
 - Enable ASB and hate incidents to be reported easily and keep tenants informed about the progress of their case.
 - Provide prompt and appropriate action in response to ASB and hate incidents, having regard to the full range of tools and legal powers available to them.
 - Support tenants who are affected by ASB and hate incidents, including signposting to agencies who can give tenants appropriate support and assistance.

4. Definitions

- 4.1 For the purpose of this policy, SCH will use the term as defined in the Anti-Social Behaviour, Crime and Policing Act 2014 as amended. Anti-social behaviour means:
- Conduct that has caused, or is likely to cause, harassment, alarm, or distress to any person, or
 - Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
 - Conduct capable of causing housing-related nuisance or annoyance to any person.
- 4.2 Those who may be affected by the conduct include, but are not limited to:
- Tenants and leaseholders of SCH and their visitors.
 - Owner occupiers, private rented tenants or any person suffering harassment, alarm, and distress.
 - Any other person lawfully carrying out work for SCH, SMBC or any commissioned contractor.

5. Types of ASB by Classification and Service Standards

- 5.1 Not every allegation reported to us will be treated as ASB. Some behaviours such as everyday living noises or minor lifestyle differences may not meet the threshold for ASB and therefore may not be investigated under this policy. Examples of such behaviour are:
- People mowing their lawns or using other garden maintenance equipment at reasonable times and frequency.
 - People vacuuming or using other domestic appliances at reasonable times and frequency.
 - People carrying out DIY repairs at reasonable times.
 - Noise generated by everyday living, i.e., walking across laminate flooring wearing shoes.
 - Cooking smells
 - Children playing in their homes or in the locality of their homes or a designated playing area.
- 5.2 Although people are expected to hear a certain amount of noise from their neighbours, they are not expected to have to endure unreasonable and persistent levels of noise nuisance. Some of the examples above could be a noise nuisance if they were to regularly occur late at night or for an excessive period of time. Anyone in any doubt should contact us for advice and assistance.
- 5.3 Children playing ball games is not considered to be ASB unless they are also engaged in other more serious nuisance, such as verbal abuse or criminal damage. We will not usually take action against children for playing ball games. We will not fit "no balls games" signs to our communal areas or open green spaces as they are not enforceable.
- 5.4 Solihull Community Housing is committed to managing and minimising ASB, therefore the intervention required will be considered on a case-by-case basis at the discretion of the investigating officer. Legal action will only be sought as a last resort where all other interventions have failed.

5.5 For monitoring purposes, reports of ASB will be recorded under one of the following categories:

	Type of nuisance	Intervention available	Service Standards
VERY SERIOUS	• Hate related incidents (based on Age, Race, Sexual Orientation, Gender, Disability etc.) • Domestic Abuse • Physical Violence (other than Domestic Abuse) • Exploitation	• Offer advice and support, signposting where appropriate. • Collaborate with partner agencies including Police, Environmental Health, Adult and Children Services, Youth Offending Service, Probation Services, Education Welfare, NHS, Mental Health Team, SMBC's Neighbourhood Services. • Warning Letter • Acceptable Behaviour Agreement • Parental Agreement • Restorative Justice / Mediation • Civil Injunction • Criminal Behaviour Order • Closure Order • Notice of Seeking Possession • Possession • Domestic Violence Protection Order	1st Contact within 1 working day. Agree an action plan within two working days.
SERIOUS	• Verbal abuse / Harassment / Intimidation • Drug production / supply • Threatening Behaviour • Drug smells / substance misuse • Alcohol related ASB • Prostitution / Sexual Acts • Criminal Behaviour / Crime • Dangerous dogs	• Offer advice and support, signposting where appropriate. • Collaborate with partner agencies as appropriate. • Warning Letter • Acceptable Behaviour Agreement • Parental Agreement • Community Resolution • Restorative Justice / Mediation • Civil Injunction • Criminal Behaviour Order • Closure Order • Notice of Seeking Possession • Possession • Community Protection Notice • Public Space Protection Order • Noise Abatement notice/prosecution • Community Protection Notice • Fixed Penalty Notice • Injunction • Possession • Local Resolution • Mediation	1st Contact within 3 working days. Agree an action plan within 5 working days.
MINOR	• Domestic Noise • Vandalism and damage to property • Litter / Rubbish / Fly tipping. • Garden Nuisance • Misuse of Communal areas / Public Space loitering • Animal Nuisance exc. dangerous dogs • Graffiti • Car repairs / Vehicle nuisance	• Offer advice and support, signposting where appropriate. • Collaborate with partner agencies as appropriate. • Warning Letter • Acceptable Behaviour Agreement • Parental Agreement • Community Resolution • Restorative Justice / Mediation • Civil Injunction • Community Protection Notice • Public Space Protection Order • Fixed Penalty Notice • Recharge • Noise Abatement Notice/Prosecution	1st Contact within 5 working days. Agree an action plan within 10 working days. Not all minor ASB cases will be subject to an action plan or risk assessment. Officers will confirm when an action plan applies on a case-by-case basis.

6. Reporting Methods

6.1 Allegations of ASB can be reported to us in the following ways:

- By telephone to the ASB hotline **0121 717 1500**
- Online at www.solihullcommunityhousing.org.uk
- Face to face services are provided by [Solihull Connect](#). Solihull Connect offices are located in:
 - Bluebell Centre, Ground Floor West Mall, Chelmsley Wood, Solihull, B37 5TN
 - The Core, Theatre Square, Solihull, B91 3RG
- You can write to us at our freepost address.
 - Freepost RLSS-UEBA-RTUZ Solihull Community Housing Endeavour House, Meriden Drive Solihull, B37 6BX

In an emergency, where there is an immediate risk to life or property, complainants and witnesses should always dial 999 and ask for the police.

7. Roles and Responsibilities

7.1 **Complainants and Witnesses (regardless of tenure)**

7.1.1 It is important that all witnesses and complainants understand the importance of working with our staff to resolve issues of ASB. This includes:

- Responding to calls and /or letters
- Providing information required
- Providing written statements to support legal action
- Attending Court to give evidence where necessary
- Engaging with suggested methods of resolution

7.1.2 All complainants have a responsibility not to make malicious complaints about their neighbours, visitors or anyone engaged in lawful activity around their property. We take malicious complaints very seriously and will take action that is appropriate and proportionate against anyone found to be doing so.

7.1.3 Failure to collaborate with us may lead to the case being closed due to lack of contact with the complainant.

7.2 **Tenants and Leaseholders**

7.2.1 There are a number of types of agreements in use in relation to the management of SMBC rent and leaseholder properties, including:

- Introductory Tenancies
- Secure (Periodic) Tenancies
- Flexible (Fixed Term) Tenancies
- Non-secure Tenancies
- Leasehold Agreements

7.2.2 Regardless of the type of agreement, there are a number of standard requirements relating to ASB that must be adhered to by tenants and leaseholders. We will take legal action if:

- You or anyone living in or visiting your home has caused or is likely to cause a nuisance or annoyance to anyone in the locality or you have been convicted of using your home for illegal or immoral purposes or of a serious criminal offence.
- You or a person living in or visiting your home is guilty of conduct likely to cause nuisance or annoyance to the landlord, or someone employed in connection with their landlord's housing management functions, where the conduct relates to or affects those functions. There is no requirement for this conduct to have taken place within the locality of your home.
- You or a person living with you has been convicted of an offence committed at the scene of a riot anywhere in the UK.
- You, a member of your household or a person visiting the property has been convicted of a serious offence.
- You, a member of your household or a person visiting the property has been found by a court to have breached a civil injunction.
- You, a member of your household or a person visiting the property has been convicted for breach of a criminal behaviour order.
- Your property has been closed under a closure order and the total period of closure was more than 48 hours.
- You, a member of your household or a person visiting the property have been convicted of a breach of a notice or order to abate noise in relation to your property under the Environmental Protection Act 1990.

This list is not exhaustive

7.3 The Wider Community

- 7.3.1 SCH manages the ASB service where the ASB is between two or more of our tenants, or where the perpetrator is an SMBC/SCH tenant. However, we also encourage the wider community to report ASB to the relevant authorities and work together with local agencies, including us, to resolve issues in their area. We will also support and collaborate with partner agencies to help address ASB affecting the broader community and encourage everyone to avoid engaging in behaviour that constitutes ASB.

8. How we deal with ASB

- 8.1 We will assist customers who are suffering from ASB by responding quickly and efficiently to all reports of ASB. We will recognise that this can prevent situations from escalating.
- 8.2 We have a 'no surprises' policy. Officers will effectively manage customer expectations. We will not make promises that we cannot keep and will always do our best to do what we say we will.
- 8.3 We will always discuss what we will do next. This plan will include what we will do, what we need you to do, and will be mutually agreeable wherever possible.
- 8.4 We will **not** move complainants, witnesses or perpetrators who are tenants of SMBC or SCH as a means to resolving the ASB (except in exceptional circumstances such as

significant risk of harm, where the victim is unable to remain safe in their home, and where consultation has been carried out with partner agencies and SCH Housing Options team). We will deal with the nuisance.

- 8.5 Any action that we take will always be reasonable and proportionate to the behaviour which is taking place. We will assume that all complaints are genuine unless proven otherwise.
- 8.6 Complainants and witnesses will be consulted prior to any action being taken and we will provide complainants with a regular update on the progress of their case. The frequency of contact will be agreed with the officer and will commence from the point of complaint until resolution.
- 8.7 We will always try to minimise the burden on complainants and witnesses to collect evidence. However, it is important that if we ask for diary sheets to be completed that they are filled in and returned to us.
- 8.8 We want complainants and witnesses to feel comfortable in reporting ASB to us and confident that we will act appropriately to deal with their concerns.
- 8.9 Complainants will be encouraged to give statements and attend court if legal action is appropriate, as it may not be possible to take action if a witness is not prepared to come forward. The officer dealing with the case will support you through the court process.
- 8.10 Where a situation warrants it, surveillance equipment may be considered. This could include the use of audio sound recording equipment or cameras.
- 8.11 We will, where possible, make environmental improvements, such as improving lighting and removing graffiti. In some cases, there may be a small charge for certain improvements.
- 8.12 Where appropriate, we will collaborate with partner agencies to prevent ASB from occurring and to support those who are witnessing it.

9. Partnership Working and Information Sharing

- 9.1 Partnership working is essential if we are to prevent anti-social behaviour and tackle it quickly and effectively.
- 9.2 We work in partnership with various organisations and agencies including but not limited to:
 - Solihull Metropolitan Borough Council
 - West Midlands Police
 - West Midlands Fire Service
 - NHS Medical / Mental Health Teams
 - Probation Services
 - Childrens Services
 - Adult Social Care
 - Youth Offending Team
 - SIAS (Solihull Integrated Addiction Services)
 - Supporting Families Programmes
 - Third or Voluntary Sector Service providers
- 9.3 SCH are members of the Safer Solihull Partnership. We have signed an Information Sharing Protocol which enables us to share relevant and appropriate information when dealing with

cases of ASB.

- 9.4 All information shared is in line with the Information Sharing Protocol, the Crime and Disorder Act 1998 (as amended), and the Anti-Social Behaviour, Crime and Policing Act 2014 (as amended).
- 9.5 SCH will ensure that all information obtained throughout an ASB investigation complies with the General Data Protection Regulation (GDPR) as set out in the Data Protection Act 2018.
- 9.6 We attend various partnership meetings for the purpose of a multi-agency problem solving approach to tackle ASB. These include Business as Usual, Multi Agency Public Protection Arrangements, Multi Agency Adult and Child Exploitation, Safer Solihull Tasking and Co-Ordination Group, Solihull Prevention and Problem-Solving Board, Solihull Exploitation Panel, and Multi Agency Risk Assessment Conferencing (MARAC).

10. Supporting Vulnerability

- 10.1 We recognise the importance of supporting vulnerable members of our communities, and we also recognise that, by definition, those more vulnerable members may be more likely to be a target of ASB or be the cause of ASB.
- 10.2 A person may be considered vulnerable for many reasons, including but not limited to; age, alcohol or drug dependencies, disability (as defined by the Equality Act 2010) or mental health issues.
- 10.3 When we open a case of ASB, we will assess vulnerability in every case as part of the Risk Assessment Matrix (RAM).
- 10.4 When a complainant, witness, or perpetrator of ASB is identified as being vulnerable, a referral may be made to a relevant support service or safeguarding partner. We will work collaboratively with carers and other partner agencies.
- 10.5 Where a complaint is made against someone who we know or suspect is vulnerable, we will make every effort to assist them in engaging with support services. However, we will make it clear to them that should they fail to engage with such services and the ASB continues, this may lead to formal action being taken against them.
- 10.6 We will not accept vulnerability as a reason for a perpetrator being allowed to continue to behave badly.
- 10.7 Where appropriate we will refer to and work with agencies that will be able to support such vulnerable people such as Adult Social Care, Childrens Services, the Mental Health Team, or other support agencies.

11. Safeguarding

- 11.1 Safeguarding is everyone's business, and we all have a part to play in protecting the most vulnerable members of our community.
- 11.2 SCH is a member of the Solihull Safeguarding Children's Partnership committees (SSCP)

and the Solihull Safeguarding Adults Board (SSAB), and we actively participate in multi-agency arrangements to safeguard children, young people, and adults.

- 11.3 The law requires us to ensure that our functions are discharged having regard to the need to safeguard and promote the welfare of children. Provisions within the Care Act 2014 (effective from 1 April 2015) mean that adult safeguarding has also been placed on a statutory footing.
- 11.4 We recognise that when dealing with ASB we may encounter children and adults for whom there are safeguarding concerns. All SCH employees receive safeguarding training and have access to information to enable them to respond appropriately.

12. Supporting Complainants and Witnesses

- 12.1 Everyone who makes a complaint to us will be offered support and reassurance and we will consider each case with the complainant in terms of what support measures are required. We will always be open and honest about what is suitable and available.
- 12.2 We recognise that giving evidence in court can be a stressful and worrying time. We will provide full support and give a full explanation of what to expect.
- 12.3 Whilst attending court witnesses can expect:
- Transport to and from court
 - A separate waiting/consultation room away from perpetrators (where possible)
 - To be accompanied by SCH staff when attending court
 - Compensation for any loss of earnings whilst attending court.
 - Refreshments and lunch throughout the duration of their attendance at court
 - Childcare costs
- 12.4 After being involved in a case that is resolved using court proceedings, the complainants and witnesses will continue to be supported by their officer for a period of time after the hearing. This will vary in length from case to case and will be agreed with the complainant on an individual basis.
- 12.5 Where an employee of SCH, a contractor or subcontractor is the complainant or witness of ASB, they are required to attend court if necessary and act as a representative of the company. We cannot expect tenants, leaseholders, and members of the community to attend court if our employees are not prepared to do so. SCH will provide all the necessary support to employees as witnesses.

13. Support for Perpetrators

- 13.1 We are aware that some perpetrators of ASB may have support needs and that by assessing and providing additional assistance for them, it can assist them in modifying their behaviour.

14. Action we can take

- 14.1 Most complaints of ASB do not require legal action as a means of resolution. We will, in the first instance, assess the type of ASB, the risk of harm to the victim, and any vulnerability to identify how we will deal with the complaint. Early intervention through informal approaches will be considered in the first instance before exploring the more formal enforcement tools.

14.2 Early and Informal Interventions

14.2.1 Early intervention through an informal approach can be successful in resolving ASB committed by most perpetrators. These methods should be considered and exhausted first as they can stop bad behaviour before it escalates.

➤ **Verbal Warnings / Written Warnings**

Warnings are issued when there is evidence of ASB occurring or likely to occur. They make it clear to the perpetrator what behaviour is causing the issue and what effect this is having on the victim or the community, and the consequence of not adhering to the warning.

➤ **Community Resolution**

This is where a resolution is found for a less serious issue of ASB where an informal agreement is reached between the parties involved as opposed to progression through legal action. Often this resolution is used in partnership with the Police.

➤ **Restorative Justice (RJ)**

RJ gives a victim of ASB a voice, with an opportunity to communicate with the perpetrator, tell them how their behaviour is impacting on them, and hold the perpetrator to account for what they have done. Often this resolution is used in partnership with the Police.

➤ **Mediation**

Mediation can be an effective tool, solving the issues by bringing all parties together to talk through their concerns. An example of when mediation would be used is when two neighbours fall out over a minor difference, such as the position of a boundary fence.

➤ **Acceptable Behaviour Agreements (ABAs)/Parenting Agreement (PAs)**

These are voluntary written agreements between an individual and SCH, though sometimes other agencies, like the Police, may be involved too. They contain pledges to behave in a certain manner or to stop doing certain things. ABA's / PAs are not legally enforceable but if they are broken it is usual to proceed to another level of action, such as court.

➤ **Support and Counselling**

In many cases there are underlying causes of ASB. Substance misuse or alcohol dependency can drive ASB. We will signpost wherever possible to the appropriate agencies that can offer support and counselling depending on the circumstances of the person concerned in the ASB.

➤ **Surveillance**

As part of our response to dealing with ASB, SCH reserves the right to collaborate with partner agencies to conduct both covert and overt surveillance. Surveillance may be visual or audio. Any surveillance will be proportionate and justified. This will include where necessary the monitoring of SCH's CCTV in our high-rise blocks. At times we will be required to disclose our CCTV images to a third party such as the police where there is a need for the prevention and detection of crime and for the apprehension of offenders.

14.3 Legal Actions

14.3.1 If a perpetrator is unwilling to change their behaviour following attempts along the informal intervention route, then there are some formal tools that SCH may use. These include the legal powers contained in the Anti-Social Behaviour Crime and Policing Act 2014 (as amended). Examples of which are:

➤ **Civil Injunction**

The Civil Injunction is a court order to stop or prevent individuals engaging in ASB.

➤ **Closure Orders**

These can be used to close a property of any tenure when it is being used or likely to be used to commit nuisance or disorder. This is a fast and flexible power that can be used to protect victims and communities by quickly closing premises causing ASB.

➤ **Community Protection Warnings and Notices**

The Community Protection Warning and Notice is intended to deal with on-going problems or nuisances which negatively affect the community's quality of life, such as graffiti, rubbish, or noise, by targeting those responsible. SCH often use this action by working in partnership with Solihull MBC.

➤ **Possession Proceedings**

This is court action that can lead to SCH or council tenants being evicted from their homes. Before this stage is reached the tenants involved will have had several warnings to stop their behaviour. Evicting someone who may have family and children from their home is a very serious matter. SCH would have to prove to the court that on the 'balance of probability' the tenants have indeed broken the terms of their tenancy agreement and that it is reasonable for the court to evict the tenant.

The Anti-Social Behaviour Crime and Policing Act 2014 (as amended) introduced a new absolute ground for possession of secure and assured tenancies where ASB or criminality has already been proven by another court. This means that SCH will no longer need to prove that it is reasonable to grant possession, and the court must grant possession, providing set procedures have been followed.

➤ **Demotion Orders**

Demotion orders allow us to apply to the courts to reduce the security of tenure for tenants and can be a precursor to possession. These orders remove a number of rights including the right to buy and the right to exchange.

Demoted tenancies last for a year and may be extended if notice to seek possession of the property is served during this period. The orders are a serious warning to tenants that if the negative behaviour continues, swift action can be taken to seek possession of their home.

15. Hate Crime and Hate Incidents

- 15.1 A hate crime is any criminal offence which is perceived by the victim, or by any other person, to be motivated by hostility or prejudice towards a person because of a personal characteristic.
- 15.2 SCH recognises the five nationally monitored hate crime strands of race, religion or belief, disability, sexual orientation and transgender identity.
- 15.3 SCH will also treat as hate-related, any criminal offence motivated by hostility or prejudice towards a person because of any protected characteristic under the Equality Act 2010, or other personal characteristic, where this has had a detrimental impact on the victim or community.
- 15.4 Examples of hate crimes include physical attacks, such as physical assault, damage to property, offensive graffiti and arson, threat of attack such as inciting hatred by words, pictures or videos, offensive letters, abusive or obscene telephone calls, groups hanging

around to intimidate and unfounded malicious complaints.

- 15.5 Examples of hate incidents include verbal or online abuse, insults or harassment such as taunting, offensive leaflets and posters, abusive gestures, and dumping of rubbish outside homes or through letterboxes.
- 15.6 We will encourage victims to report any potential hate crime or incident to the police. We will also signpost victims to third party reporting centres if they are not confident directly reporting incidents to the police.
- 15.7 Victims of hate crime or incidents may be reluctant for any further action to be taken following a report to us. We will take their feelings into account but if we believe that there is an immediate risk to the victim's life or safety, then we will report the matter to the police.
- 15.8 If there are any safeguarding issues, then we will deal with these in accordance with our safeguarding policies. We will always explain why we need to do this and that our intention is to help keep the victims safe.
- 15.9 We will ensure that our officers are trained to recognise hate crimes and incidents.
- 15.10 We will investigate any reports in the same way as we do for anti-social behaviour; these are very serious reports with first contact made within one working day and an action plan agreed within two working days. This means that we will carry out a risk assessment with the victim to understand the impact and their needs and agree to any actions that we will take.
- 15.11 We will ensure that we offer support to victims, work with partner agencies and use the wide range of tools available to us to resolve the issue and protect victims.
- 15.12 If the victim of domestic abuse is unable to remain safe in their home, then we will advise them of their options for rehousing and support them in finding alternative accommodation in accordance with the Council's Housing Allocation Scheme and Domestic Abuse Housing Pathway.
- 15.13 Where required we will support with target hardening to support the safety of the victim.
- 15.14 We will investigate any allegations or suspected hate crime or incidents committed by our staff through our internal disciplinary procedures where appropriate.
- 15.15 We will raise awareness of hate crime and related issues in our neighbourhoods and communities through information and advice. We will publicise our approach to hate crime through a range of media including our website, newsletters, and social media. We will recognise and support national awareness campaigns throughout the year, including National Hate Crime Week.

16. Domestic Abuse

- 16.1 Domestic abuse is a distinct form of abuse defined by the Domestic Abuse Act 2021. SCH recognises that domestic abuse can affect anyone regardless of age, sex, gender identity, ethnicity, disability, sexual orientation, or background. Domestic abuse is not classified as a hate crime, although some incidents may involve hate-related elements.

- 16.2 The Domestic Abuse Act 2021 seeks to address domestic abuse at every stage from prevention through to rehabilitation and reinforces the Government's aim to make domestic abuse everyone's business.
- 16.3 Domestic abuse includes physical or sexual abuse, violent or threatening behaviour, controlling or coercive behaviour, economic abuse (which includes abusive behaviour with the intention of acquiring, using or maintaining money or other property, or obtaining goods or services), psychological, emotional or other abuse that takes place within an intimate or family-type relationship. This includes gay and lesbian relationships and family relationships such as the abuse of older people, forced marriage, honour-based crimes, and female genital mutilation (FGM).
- 16.4 We understand that we may receive reports of ASB where the nuisance is a consequence of domestic abuse. For example, a resident might hear an incident of domestic abuse occurring within a neighbour's home which they report as noise disturbance.
- 16.5 We recognise that dealing with these matters using a traditional ASB approach may be inappropriate. We work to ensure that the training we provide our employees, and the processes we use to assess and triage reports of ASB may be a consequence of domestic abuse.
- 16.6 All reports of domestic abuse, whether reported expressly as such, or determined to be so by ourselves after assessment, will be dealt with in line with our Domestic Abuse Policy. We take a safeguarding and domestic abuse victim focused approach to these cases, working in partnership with wider agencies where required.
- 16.7 All domestic abuse reports will be treated as very serious cases, with first contact made within one working day and an action plan agreed within two working days where appropriate. We are committed to providing support to complainants and victims.
- 16.8 There may be cases involving domestic abuse where we also consider this policy in conjunction with the Domestic Abuse Policy. This could be where we feel that one of the tools in the ASB toolkit is most suitable for protecting the victim/survivor, or where there is ASB occurring that is not because of domestic abuse.
- 16.9 There may also be situations where we have to take action against a perpetrator where their behaviour is also having a significant impact on others. We will do so in consultation with relevant teams and partners to ensure that we are taking an informed and appropriate response.
- 16.10 Where we act against known perpetrators of domestic abuse using the tools and powers available under the provision of the Anti-Social Behaviour, Crime and Policing Act 2014, these are complementary to, and not a replacement for, specific domestic abuse legislation such as non-molestation orders, occupation orders, Domestic Violence Protection Notices and Domestic Violence Protection Orders.
- 16.11 We will refer cases to a Multi-Agency Risk Assessment Conference (MARAC) where appropriate for information to be shared on the highest risk domestic abuse cases.
- 16.12 We may, if agreed with the complainant, work with relevant partner agencies to achieve the best level of support, protection, and action in the case of domestic abuse.

17. Exploitation

17.1 We recognise that ASB can sometimes arise from exploitation such as cuckooing, mate crime, financial abuse, and so on.

17.2 Signs of these types of exploitation can include, but are not limited to:

- an increase in the number of visitors at an address
- litter and drug paraphernalia
- damage to property
- noise nuisance

These may be reported to us by other neighbours as ASB.

17.3 Exploitation may include, but is not limited to:

- cuckooing
- mate crime
- financial abuse
- county lines activity
- criminal exploitation
- child criminal exploitation
- child sexual exploitation
- modern slavery
- human trafficking

17.4 Where exploitation is suspected, we will ensure that we collaborate sensitively with partner agencies, undertake safeguarding referrals where appropriate, and consider all available interventions to reduce the risk of harm to victims and the wider community.

17.5 We will seek to ensure the following:

- that our officers are trained to recognise the signs of exploitation as well as using professional curiosity to understand the root cause of reports made to us
- where we do identify exploitation, we notify our appropriate partners, which may include the Police as well as support services.
- that we make any necessary safeguarding referrals and arrange multi-agency risk management meetings where appropriate.
- that we consider the full range of tools available to deal with the harm being caused (including those of our partners) with the overall aim of reducing the harm to the wider community and the exploited person.

17.6 We may be required to take enforcement action, such as partial closure orders, to safeguard the individual from harm.

18. Protection of Staff and Contractors

18.1 We will not, under any circumstances, tolerate abuse, threatening or violent behaviour towards our staff or contractors and will always take swift and robust action to protect our staff.

18.2 All acts of aggression towards staff members will be dealt with as very serious under this policy. We will involve the police if it is appropriate to do so.

18.3 We will ensure together with the employee or contractor's line manager that a prompt and robust response takes place. Where there is a direct threat of harm or violence towards the complainant, we will commence legal action in the county court to obtain an injunction which

will provide protection for the complainant and other employees or contractors.

- 18.4 Where there is a risk of harm or violence from someone at an address, a Warning Marker will be added to our Corporate Warning Marker Register, and any other relevant SCH housing management databases as an alert to all staff that might come into contact with this person.

19. Publicising our Success

- 19.1 We will consider publicity in all cases of ASB where the action we have taken has had a positive impact, whether this is legal or non-legal action. We will never publicise anything with the intention of punishing anyone.
- 19.2 There are many benefits to publicity which include:
- Enforcement – local people will have the information they need to identify any breaches to us.
 - Public reassurance about safety – complainants, witnesses and the community will know what action has been taken to protect them.
 - Public confidence in our service – local people will be reassured that if they report ASB to us, they will be taken seriously and that appropriate action will be taken.
 - Deterrent to the perpetrator – the perpetrator will be aware that any breaches are more likely to be reported if the public know what the order is.
 - Deterrent to others – publicity will spread the message that action will be taken against anyone who causes ASB in the community.
- 19.3 When legal action has been taken and a court order has been granted, it is expected that publicity will always take place, unless there is a legal reason for not publicising successful action. Publicity relating to a court order will always be proportionate to the ASB that has taken place.

20. Performance Monitoring

- 20.1 We will closely monitor the quality of the service that we provide in relation to ASB. We will do this by:
- Monitoring and analysing performance against our annual performance targets
 - Completing customer satisfaction surveys
 - Ensuring managers conduct audits and reviews on a sample of cases using SCH's ASB Case Audit Standards
 - Ensuring that managers speak to dissatisfied customers to try and establish why there is dissatisfaction with the ASB service.
- 20.2 We will regularly, as required, report statistical information about ASB internally, both in SCH and SMBC, and also to HouseMark to enable us to benchmark our service and performance with similar organisations, and help us to identify best practice and service trends to help shape future delivery of the service.
- 20.3 The Team Leaders responsible for ASB will ensure that any issues around performance are reported to the Housing Services Manager and Head of Housing and Neighbourhoods.

21. Closing Cases

- 21.1 We will normally only close cases when the ASB has been resolved and the complainant is happy for us to do so. However, in some circumstances it may be necessary to close the

case without the consent of the complainant.

- 21.2 This might happen when we are satisfied that we have done everything we can, that is reasonable and proportionate, to resolve the complaint or the complainant has failed to respond to requests for contact.
- 21.3 We may also close the case if it is considered that the allegations made are false or malicious or if the complainant refuses to work with SCH officers to resolve the alleged ASB.
- 21.4 We will not assume that the situation has improved if we have not heard from the complainant. We will try and contact them before closing their case, through a suitable method of communication, which may include telephone calls, visiting, writing, email, or through other means such as WhatsApp, or a combination of these methods. Only once all reasonable attempts to contact have failed, will a case be closed.
- 21.5 Prior to closing an ASB case, the complainant(s) will be contacted giving the reasons for the decision. This may be via letter, email or telephone call, or another method that has been pre-agreed with the complainant.
- 21.6 Should the conduct recur in the future, the case may be reopened.

22. Staff Training

- 22.1 Dealing effectively with ASB requires knowledgeable and well-trained staff.
- 22.2 SCH will ensure that staff dealing with ASB are trained, refreshed, and updated on best practice and changes in policy and legislation, and that officers clearly understand this policy and are able to deliver it.
- 22.3 We will also ensure that officers are fully trained in our procedures.

23. Supporting Legislation

- 23.1 Together with our partners, we will make full use of the enforcement powers available to us under relevant legislation, including the following:

- Anti-Social Behaviour, Crime and Policing Act 2014 (as amended)
- Anti-Social Behaviour Act 2003
- Crime and Disorder Act 1998
- Data Protection Act 2018
- UK GDPR
- Domestic Abuse Act 2021
- Equality Act 2010
- Housing Acts 1985, 1996 and 2004
- Environmental Protection Act 1990 and 2002
- Mental Health Act 1983 (amended 2007)
- Human Rights Act 1998
- Freedom of Information Act 2000
- Care Act 2014
- Local Government Act 2000

****This list is not exhaustive****

24. Supporting Policies and Strategies

24.1 SCH's Anti-Social Behaviour Policy links in with existing strategies and policies of both SCH and SMBC that may impact on the reduction of ASB in the borough of Solihull. These can be found on either SCH's or SMBC's website, Government website, or West Midlands Police website:

- Solihull Housing Allocation Scheme
- Solihull Tenancy Policy
- Solihull Tenancy Strategy
- West Midlands Police and Crime Plan
- Safer Solihull Strategic Assessment Plan
- Solihull Domestic Abuse Strategy
- SCH Domestic Abuse Policy
- Government 'From Harm to Hope' Strategy
- Solihull Early Help Strategy
- Solihull Health and Well Being Strategy
- SMBC/SCH Safeguarding Policy
- SCH Complaints Policy
- SCH Vulnerability and Additional Needs Policy
- SCH Equality, Diversity and Inclusion Policy

25. Compliments and Complaints

25.1 We welcome all feedback from our customers and partners.

25.2 If you are pleased with the service that you have received and you would like to pass on your comments to the member of staff concerned or their line manager, or if you are not satisfied with the service that you have received and would like to make a formal complaint, you may do this by contacting us in the following ways:

- By telephoning our Contact Centre on **0121 717 1515**
- Online at www.solihullcommunityhousing.org.uk
- Face to face at [Solihull Connect](#). Solihull Connect offices are located in:
 - Bluebell Centre, Ground Floor West Mall, Chelmsley Wood, Solihull, B37 5TN
 - The Core, Theatre Square, Solihull, B91 3RG
- You can write to us at our freepost address.
 - Freepost RLSS-UEBA-RTUZ Solihull Community Housing Endeavour House, Meriden Drive Solihull, B37 6BX

25.3 Any complaints made will be dealt with in accordance with SCH's Complaints Policy.

26. ASB Case Review (formerly known as the Community Trigger)

26.1 The ASB Case Review (formerly known as the Community Trigger) is designed to ensure that there is a better response from local partners to cases of persistent ASB, especially where the victim is vulnerable or at greater risk.

- 26.2 This gives victims and communities the right to request a case review to examine how local agencies have responded to previous ASB complaints and consider whether further action should be taken.
- 26.3 Solihull has agreed that the threshold for invoking an ASB Case Review will be as follows:
- *You reported three separate incidents relating to the same problem in the past six months to the Council, Police, or your landlord.*
- OR**
- *You reported one incident or crime motivated by hate (due to race, religion, disability, sexual orientation, or transgender identity) in the last six months and no action has been taken.*
- 26.4 A victim of ASB or someone acting on their behalf can ask us to look at the issue. Under the scheme, the Police, Council, and other organisations are required to review their response if someone has complained about ASB and is not happy with the response.
- 26.5 An ASB Case Review can be requested by submitting an online form, by calling the Safer Solihull partnership administrative support officer, or by letter or email.
- Online at: <http://www.solihull.gov.uk/communitytrigger>
 - By phone: 0121 704 6644
 - By email: safersolihull@solihull.gov.uk
 - By post to: Safer Solihull Partnership, Neighbourhood Services, Council House, Manor Square, Solihull, West Midlands B91 3QB

27. Monitoring and Review of the Policy

- 27.1 We will review this policy every three years to ensure that any changes in legislation or best practice are included and updated. We will consult with service users, staff, internal and external partners in the review.

Get in touch

Join us on social media:



Solihull Community Housing



solihullcommunityhousing



Solihull Community Housing

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Text: 07781 474 722

Website: www.solihullcommunityhousing.org.uk

Visit the contact us page on our website to complete an online form with details of your enquiry.

Contact us if you need this document in a large print, different language or alternative format.
For details about how we use your information please refer to our Privacy Notice on our website.

