



# **Anti-social Behaviour and Hate Crime Policy**

**December 2025**

Anti-Social Behaviour and Hate Crime Policy	Approved: December, 2025	Approver: Services Committee
Version 4.0	Review Date: December, 2028	Page 1 of 16

## Contents

1.	Scope .....	3
2.	Purpose and objectives .....	3
3.	Policy statement .....	4
4.	Definitions.....	4
5.	Our residents' responsibilities .....	5
6.	Defining anti-social behaviour.....	6
7.	Defining hate crime and hate related incidents .....	6
8.	Preventing anti-social behaviour and hate crime .....	7
9.	Responding to anti-social behaviour and hate crime .....	8
10.	Additional considerations in responding to Hate Crime and incidents .....	9
11.	Supporting residents involved .....	10
12.	Continuous improvement to better support residents .....	11
13.	Partnership working .....	11
14.	Data protection and information sharing .....	12
15.	Compliance .....	12
16.	Responsibilities .....	13
17.	Equality and diversity.....	13
18.	Related documents .....	14
19.	Legislation and regulation .....	14
20.	Review .....	14

## Appendix 1 – Noise complaints

Anti-Social Behaviour and Hate Crime Policy	Approved: December, 2025	Approver: Services Committee
Version 4.0	Review Date: December, 2028	Page 2 of 16

## 1. Scope

- 1.1. At SW9 Community Housing (SW9 CH) we are committed to creating safe, welcoming, and inclusive communities for everyone who lives in our homes. This approach applies to all residents, regardless of tenancy type, living in properties owned or managed by SW9 CH.
- 1.2. We take anti-social behaviour (ASB) seriously and will always do our best to support those affected by it. We will investigate cases that take place on the Stockwell Park Estate and street properties we manage and that impact our residents or properties.
- 1.3. There are some situations when our ability to act may be limited. This includes where there is insufficient or no evidence to support a complaint. We may be unable to act or may only be able to offer limited support.
- 1.4. Certain types of ASB, particularly those that involve criminal behaviour or safeguarding concerns, fall outside SW9 CH's authority. In such cases, the matter will be referred to the appropriate external agencies, such as the police, local authority departments, social services, mental health teams or other relevant bodies. There referrals are especially important where legal or statutory obligations apply.
- 1.5. ASB cases can vary in complexity, and not all reports will result in immediate action. We encourage residents to understand that:
  - Investigations may take time, particularly where evidence gathering is required.
  - Some cases may be resolved through mediation or support rather than enforcement.
  - There may be legal or procedural limitations to what SW9 CH can do, even if a complaint is substantiated.
- 1.6. SW9 CH is committed to clear communication throughout the investigation process and will work with residents to ensure concerns are acknowledged and addressed where possible.

## 2. Purpose and objectives

- 2.1. The aims and objectives of this policy are to:
  - Define Anti-Social Behaviour (ASB) so staff and residents are clear what it is and what it is not.
  - Define hate crime so staff and residents are clear that it is a criminal offence.
  - Manage resident expectations and be clear on what we expect from residents.
  - Ensure we always take account of the support needs of vulnerable residents and use those support needs to determine how we can tailor our services.
  - To raise awareness amongst residents, staff and other relevant stakeholders of the tools and powers available, to both staff and residents, to tackle ASB and hate crime.

Anti-Social Behaviour and Hate Crime Policy	Approved: December, 2025	Approver: Services Committee
Version 4.0	Review Date: December, 2028	Page 3 of 16

- Work with partner agencies to prevent and tackle ASB and hate crime where reasonable and practical.
- Respond in a timely way to reports of ASB and hate crime.
- Support complainants and others affected by ASB and hate crime.

### 3. Policy statement

- 3.1. We are committed to taking timely, reasonable and proportionate action to tackle ASB and Hate Crime<sup>1</sup>, using a full range of interventions. This may include both non-legal and legal interventions. We will use this policy and our relevant procedures to achieve this.
- 3.2. We will balance prevention, intervention and enforcement with support and signposting to other services, so our homes and communities are safe and inclusive places to live.
- 3.3. We will work alongside other partner agencies and residents to deter and tackle ASB and hate crime together.

### 4. Definitions

Term	Definition
ASB	We describe anti-social behaviour as behaviour that has caused or is likely to cause harassment, alarm, or significant distress to others not of the same household. This includes behaviour by residents, their household, their household pets or visitors, impacting others in that neighbourhood.
Hate crime	A hate crime is a criminal offence motivated by prejudice or hate because of the victim's difference or a perceived difference.
Hate related incidents	Any incident felt to be motivated by prejudice or hate but may not be a crime (these should still be logged and reported to police to help form a wider picture).
Partner Agencies	This includes but is not limited to local authorities, police, mental health, social services, drug and alcohol services.
Safeguarding	Protecting a person's right to live in safety, free from abuse and neglect. For further information, please see our Safeguarding Policy.

<sup>1</sup> Note that what is reasonable and proportionate will vary based on the particular circumstances of the case and people involved (including any resident vulnerabilities).

Anti-Social Behaviour and Hate Crime Policy	Approved: December, 2025	Approver: Services Committee
Version 4.0	Review Date: December, 2028	Page 4 of 16

## 5. Our residents' responsibilities

- 5.1. We offer a variety of options to report ASB and hate crime, including via our website, resident portal, email, social media, contact centre (telephone), third party, in person.
- 5.2. We are limited in the action we can take when we receive anonymous complaints.
- 5.3. We will endeavour to protect the identity of the person reporting the ASB if requested, although in many cases this is evident to the perpetrator.
- 5.4. We will encourage residents to take responsibility for solving personal disputes between themselves and other residents, so we will ask them to:
- be tolerant of others as well as accepting differences in lifestyle.
  - keep to the terms of their tenancy, lease or licence agreement and make sure they, their family and visitors do not cause any anti-social behaviour.
  - if possible, review the guidance on our website before contacting us.
  - address the issue before we get involved by talking to their neighbours, but only if it is safe for them to do so.
  - keep appointments with us or any other organisations involved.
  - take part in mediation or other solutions focused activities if they are offered.
  - commit to accurately recording and providing us with evidence such as incidents logs, noise recordings, witness statements and attend court if needed.
  - report all Hate Crime/incidents and ASB when it involves criminal activity to the Police, for example drug dealing.
- 5.5. If residents do not engage with us (as above), we might not be able to take any action to stop the anti-social behaviour they are reporting.
- 5.6. Residents are responsible for their own behaviour and for the behaviour of anyone living with them (including children and pets) and their visitors.
- 5.7. It is not acceptable for residents to be abusive to our staff or contractors. Where this happens, we will take action to address this.
- 5.8. If residents make false allegations or excessive allegations about minor issues, this may be considered as vexatious/harassment which could result in action being taken against them.

Anti-Social Behaviour and Hate Crime Policy	Approved: December, 2025	Approver: Services Committee
Version 4.0	Review Date: December, 2028	Page 5 of 16

## 6. Defining anti-social behaviour

- 6.1. We describe anti-social behaviour as behaviour that has caused or is likely to cause harassment, alarm, or distress to persons not of the same household. This includes behaviour by residents, their household, their household pets or visitors, impacting others in that neighbourhood. We will also support our statutory partners, such as the police and local authority teams to address anti-social behaviour impacting our residents.
- 6.2. There are some things we will not investigate as ASB. However, we will endeavour to provide the resident with advice on how they might resolve the issue or address issues through our range of policies. This may include the right to take their own civil action against the alleged perpetrator.
- 6.3. These include (but are not limited to):
- Domestic noise caused by people going about their daily lives (e.g. using staircases, flushing toilets, baby crying, heavy footfall etc.)<sup>2</sup>
  - Domestic Abuse, as this will be managed as part of Domestic Abuse Policy.
  - One-off events like a birthday or a religious celebration.
  - Putting out the rubbish on the wrong day.
  - Minor personal differences or fall outs between neighbours (e.g. relating to social media posts).
  - Young people and/or children playing.
  - Disputes between neighbours (e.g., boundary issues or shared driveways).
  - Clashes of lifestyle due to cultural differences (e.g., reports of food odours).
  - Inconsiderate parking.

## 7. Defining hate crime and hate related incidents

- 7.1. A hate crime or incident is any behaviour which the victim or another person thinks is motivated by a prejudice or hate because of the victim's difference or a perceived difference.
- 7.2. We have a zero-tolerance approach to incidents of harassment or hate crime in any form and will work with relevant agencies to tackle such reports.
- 7.3. Generally, hate crime includes but is not limited to behaviour motivated by the victim's:
- race
  - religion
  - sexual orientation
  - disability
  - gender identity – including transgender.

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<sup>2</sup> SW9 CH have developed a diagnostic tool which helps to differentiate noise which constitutes ASB from noise which does not. Please see the Appendix in this Policy.

Anti-Social Behaviour and Hate Crime Policy	Approved: December, 2025	Approver: Services Committee
Version 4.0	Review Date: December, 2028	Page 6 of 16

## 8. Preventing anti-social behaviour and hate crime

8.1. One of the ways we will prevent ASB and hate crime is by carrying out checks before residents move into our rented homes.

8.2. As part of these checks, we will ask:

- if they have a recent history of ASB or hate crime activity. This may mean we will not be able to house them – we will establish the facts and clearly explain our reasoning
- what support they might need to meet the terms of their tenancy or licence agreement with us. If they need support, we will work with other agencies to make sure this is in place.

8.3. We do not carry out checks of residents moving into our leasehold or shared ownership homes as different rules apply to accessing these homes. However this policy applies in respect to their occupation of the home.

8.4. We will aim to allocate homes sensitively, especially where residents are vulnerable or have been victims of anti-social behaviour before. Please see the Sensitive Lettings Procedure.

8.5. We are committed to preventing incidents of ASB and hate crime at the outset by doing the following:

- Make all new tenants aware of the terms of their tenancy or licence that relate to ASB and hate crime, so that expectations and consequences are clear.
- Leaseholders and Shared Owners are expected to understand the terms of the lease when completing the sale of the home.
- Assess what physical improvements can help reduce ASB across our estates, for example, estate improvements to address safety and security, or CCTV monitoring.
- Proactively work with partner agencies, including local policing teams, community safety partnerships and other local forums to establish appropriate preventative measures, for example community development initiatives and youth diversionary activities, such as summer clubs.
- Publicise our commitment to dealing with ASB and hate crime, for example on our website, social media and in newsletters.
- Ensure staff are well trained, have the knowledge and confidence to identify and investigate incidents/reports of ASB and hate crime and work collaboratively alongside appropriate agencies.
- Work with communities and partner agencies to reduce the potential for ASB.
- Use data to improve the services we offer.

Anti-Social Behaviour and Hate Crime Policy	Approved: December, 2025	Approver: Services Committee
Version 4.0	Review Date: December, 2028	Page 7 of 16

## 9. Responding to anti-social behaviour and hate crime

9.1. Our response will vary for each case and will be tailored to the circumstances of the case and people involved. We will take an empathetic and victim centred approach and always complete a timely risk assessment where opening an ASB or hate related case.

9.2. We will aim to achieve positive outcomes for all concerned. In some cases, supporting a vulnerable resident who may be perpetrating ASB may achieve a better result than enforcement. We will carefully consider all victim and perpetrator vulnerabilities when balancing support and enforcement actions. If the perpetrator does not engage with support or change their behaviour, we may take further action against them.

9.3. Our approach is to:

- be clear if it is ASB or not.
- carefully consider with the complainant whether incidents or crimes are hate-related.
- speak with everyone involved to understand the different views, including others who might have witnessed the incident(s).
- advise residents on how they could change their behaviour to improve their relationship.
- carry out and regularly review the risk assessment to assess the impact on the victim and community.
- record all resident contact within our housing management systems.
- log cases and monitor ASB and hate crime incidents across our homes.
- agree timescales, the creation of and regular reviews of action plans and how we will communicate with residents.
- take the most effective, reasonable and proportionate course of action, taking into consideration the vulnerability of those involved. This includes referrals to funded mediation services.
- work in partnership with the police and other agencies where appropriate.
- let complainants know if we're closing a case and tell them what to do if the behaviour starts again.
- use our data and resident feedback to inform service improvements.

9.4. Our initial response time will be based on the risk assessment scoring for the case:

Risk Level	Response time (working hours)
Priority 1 (High risk / hate crime)	24 hours
Priority 2 (Medium risk)	48 hours
Priority 3 (Low risk)	72 hours

9.5. We may use a range of non-legal and legal interventions to address ASB or hate crime. Legal action, particularly where this will result in eviction, will generally be a last resort and will only be taken once a proportionality assessment has been completed and referred to our legal representatives.

Anti-Social Behaviour and Hate Crime Policy	Approved: December, 2025	Approver: Services Committee
Version 4.0	Review Date: December, 2028	Page 8 of 16



9.6. We work closely with other statutory agencies to take the appropriate legal action. Some legal powers are the responsibility of other agencies, whilst others are within our remit to progress.

9.7. Examples of interventions we use and who takes the lead include, but are not limited to:

Intervention	Example use:	Lead agency
Words of advice	Low level first issue	SW9 CH
Mediation	Neighbour dispute	SW9 CH contractor
Written warnings	Significant tenancy breach	SW9 CH
Acceptable Behaviour Contracts	Repeated ASB tenancy breaches	SW9 CH (often with Police)
Civil Injunctions	High risk first issue or repeated impacting ASB (protection community or assets) *	SW9 CH (Legal/Court)
Possession proceedings	Repeated and impacting ASB*	SW9 CH (Legal/Court)
Public Space Protection Order	Deter repeated ASB in public spaces	Local Authority
Noise abatement order	Address statutory noise	Environmental Health
Community Protection Notice/warning	To address ASB in the community	Council or Police
Dispersal Order	Moving people away from an area due to actual or history of ASB	Police
Criminal Behaviour Order	On conviction order to require perp to do or not do certain things	Police
Forfeiture action	Leaseholder in serious breach of lease in this case perpetrating serious ASB	SW9 CH (Legal/Court)

\*Where reasonable and proportionate.

## 10. Additional considerations in responding to Hate Crime and incidents

10.1. In addition to the above we will:

- Ensure our risk assessment has a significant weighting where the report is considered hate related leading to a faster and more robust response.
- Consider any cultural and or communication barriers engaging with community groups, specialist organisations or commissioned services to support the resident through the process or improve organisational understanding.
- Report Hate incidents to the Police (even when not a crime) and request they at minimum record as per the College of Policing's guidance for the purpose of monitoring trends and informing action in localities.

Note: Where a resident is unhappy with the management of an ASB or Hate crime issue, (and they have reported 3 or more times in a 6-month period) they can ask the Local Authority to conduct a formal ASB Case Review (formally known as the Community Trigger).

## **11.Supporting residents involved**

11.1. We recognise that experiencing ASB or hate crime can be a very upsetting experience and will work with residents and communities to try and resolve the problem.

11.2. We can support complainants by:

- Arranging access to interpreters if required.
- Making referrals to support agencies where required.
- Providing residents with software to gather evidence of noise nuisance.
- Provide diary sheets for residents to gather evidence.
- Using professional witness services where appropriate.

11.3. We will aim to make evidence gathering for the reporting resident/witness as straightforward and sensitive as possible. All evidence submitted by complainants will be reviewed in a timely manner.

11.4. We will work with residents who are, for any reason, unable to use the software to gather noise evidence, by providing alternative solutions.

11.5. If necessary, we can support with additional safety measures for complainant and witnesses (e.g. through funded target hardening). We can also support by referring to victim support services or by making a referral in line with our safeguarding policies.

11.6. In exceptional cases and where the police advise a victim is at high risk, we may work with local authorities to explore alternative accommodation options. If we think the victim or their family is in immediate harm, we will tell the police or local authority. In some cases, this may be without their permission.

11.7. We will ensure we protect the residents information and only share information with other agencies where there is a need to do so, we will ensure we comply with Data Protection legislation.

11.8. We will further support victims and witnesses by:

- working with partners to provide protection and extra security, such as emergency alarms or CCTV.
- providing support on a case-by-case basis.
- protect and support witnesses during court proceedings.

Anti-Social Behaviour and Hate Crime Policy	Approved: December, 2025	Approver: Services Committee
Version 4.0	Review Date: December, 2028	Page 10 of 16

- explaining what will happen at court and letting them meet our solicitor first.
- giving them the name of a dedicated officer they can call upon for support if needed.
- removing offensive graffiti within 24 working hours.
- respecting witnesses wish to remain anonymous in the litigation process, unless they are being targeted in which case their identity would need to be disclosed.
- referring them to other agencies such as Victim Support.

Note: It may not be possible to take any formal enforcement action if there is a lack of sufficient and appropriate evidence.

- 11.9. If residents are dissatisfied with the action we have taken to deal with their report of anti-social behaviour, they can make a complaint via our Complaints Policy.

## **12. Continuous improvement to better support residents**

- 12.1. We will work to innovate, develop and improve the service we provide. This will be informed by our data, resident feedback, staff feedback, Housing Ombudsman recommendations and feedback and emerging sector best practice.

## **13. Partnership working**

- 13.1. ASB and hate crime cannot be dealt with by any one organisation or agency working in isolation. We work alongside other partner agencies, including attendance at multi-agency meetings to tackle these problems together.

- 13.2. We have also developed formal information sharing protocols and partnership agreements to allow us to respond quickly to ASB and hate crime including working with:

- Local Authorities Community Safety Partnerships
- Police
- Community and Voluntary Agencies
- Residents Groups
- Youth Offending Teams
- Other Landlords on multi-landlord estates
- Social Services
- Mental Health Teams

- 13.3. We may make a referral to Social Services or the Police. We will generally seek the permission of the resident. However, we can do this without their permission or awareness if there are proportionate risk-based reasons for doing so in line with relevant legislation.

- 13.4. Where appropriate, SW9 CH will share information with relevant partners so that it can carry out its functions and duties. We will work within the provisions of the Data

Anti-Social Behaviour and Hate Crime Policy	Approved: December, 2025	Approver: Services Committee
Version 4.0	Review Date: December, 2028	Page 11 of 16

Protection Act which provides a background for the sharing of information and the need for confidentiality and privacy.

- 13.5. SW9 CH understands the importance of ensuring that personal data is always treated fairly, lawfully and appropriately and that the rights of individuals are upheld. However, we are clear that where an individual's safety is at risk, we are required to report our concerns to the responsible authorities and share information with them.

## 14. Data protection and information sharing

- 14.1. Where appropriate, SW9 CH will share information with relevant partners—such as regulatory bodies, law enforcement agencies, or trusted third-party service providers—to effectively carry out its functions and duties. We will work within the provisions of the Data Protection Act and, where applicable, the UK General Data Protection Regulation (GDPR), which establish clear guidelines for the sharing of information and the protection of confidentiality and privacy.
- 14.2. SW9 CH is committed to ensuring that personal data is treated fairly, lawfully, and appropriately, with the rights of individuals being upheld at all times. However, if an individual's safety is at risk, we are required to report our concerns to the responsible authorities and share the necessary information to protect that individual.
- 14.3. When we store or share information, we will consider the JAPAN test:

Justified	Is what we are doing justifiable in the circumstances i.e. can we justify the need to collect/store/share/destroy the personal information we are handling?
Authorised	Are we authorised to do this? Or is someone else designated as responsible for managing the recording or disclosure of this personal information?
Proportional	Is what we are doing proportional to the purpose? Could we achieve it by recording or sharing less or no personal information?
Auditable	Have we recorded what we've shared, with whom and why, so there is evidence of our actions?
Necessary	Is what we are doing necessary or can the end result be achieved in some other way without this disclosure?

## 15. Compliance

- 15.1. Responsible teams are expected to complete ASB and Hate Crime training.
- 15.2. ASB and hate crime cases will be logged, managed and reported through our housing (case management) system and will be kept in line with GDPR and data protection policies and data retention schedules.

Anti-Social Behaviour and Hate Crime Policy	Approved: December, 2025	Approver: Services Committee
Version 4.0	Review Date: December, 2028	Page 12 of 16

- 15.3. Responsible managers will regularly monitor each case of ASB and hate crime against our performance targets, provide appropriate advice and support to the responsible officer dealing with a case, ensure that they receive appropriate training; and ensure that all cases are appropriately recorded.

## 16. Responsibilities

Role	Responsibility
Head of Resident Services	<ul style="list-style-type: none"> <li>- Strategic Lead for ASB</li> <li>- Design and review of Policy and Procedure</li> <li>- Service development</li> </ul>
Head of Resident Services / Director of Finance and Resources	Communication, implementation and operational compliance of this policy.
Senior Neighbourhood Officers / Leasehold Services Advisor	Monitor and review all cases and ensure appropriate actions are taken prior to case closure
Neighbourhood Team / Leasehold Services Advisor	Completing referrals, investigating and monitoring cases, reviewing actions and reporting critical incidents or immediate concerns to the Line Manager.

## 17. Equality and diversity

- 17.1. SW9 CH is committed to the fair, respectful and equal treatment of its residents, employees and applicants.
- 17.2. We will apply this policy consistently, fairly and will not discriminate against anyone based on the protected characteristics; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, determined in the Equality Act 2010.
- 17.3. We will make sure our services and workplaces are as inclusive and accessible as possible and take seriously any concerns that we have not acted in a fair way, dealing with them as quickly as we can.
- 17.4. We are committed to helping residents to access information about their homes and services in a way that suits individual needs. We will also consider any reasonable adjustment requests in line with our Reasonable Adjustments and Vulnerabilities Policy.

## **18. Related documents**

- Anti-social Behaviour Procedure
- Data Protection Compliance Policy
- Equality and Diversity Policy
- Lone Working Policy
- Safeguarding Policy
- Vulnerability and Reasonable Adjustment Policy
- Domestic Abuse Policy
- Neighbourhood Policy

## **19. Legislation and regulation**

- 19.1. SW9 CH is committed to ensuring compliance with all applicable legislation. To achieve this, we will take reasonable measures, including regularly reviewing our policies and procedures and updating them as necessary to reflect any changes in the legal landscape.
- 19.2. The legislation referenced in this policy is not exhaustive and does not include all laws and regulations that may apply to our operations:
- Anti-Social Behaviour Crime and Policing Act 2014
  - Equality Act 2010
  - Housing Acts 1985, 1988 and 1996
  - Human Rights Act 1998
  - The Crime and Disorder Act 1998
  - Mental Capacity Act 2005
  - Mental Health Act 1983
  - Regulator of Social Housing – Neighbourhood and Community Standard

## **20. Review**

- 20.1. This document will be reviewed every 3 years, or sooner if significant changes occur in the relevant legal or operational landscape.

Anti-Social Behaviour and Hate Crime Policy	Approved: December, 2025	Approver: Services Committee
Version 4.0	Review Date: December, 2028	Page 14 of 16

<b>Policy author:</b>	<b>Zoe Christodoulou, Policy and Performance Manager</b>
<b>Policy owner:</b>	<b>Kellie Carson, Head of Customer Services</b>
<b>Adopted from SNG: y/n</b>	<b>Yes</b>
<b>Review schedule (1, 2 or 3 years):</b>	<b>3 years</b>

## Change Record

<b>Date</b>	<b>Reviewed by (name and title)</b>	<b>Version</b>	<b>Summary of changes</b>
August, 2025	Policy and Performance Manager & Neighbourhood Team	V.4.0	Policy aligned with newly merged SNG.

## Appendix 1 – Noise complaints

In establishing whether a noise complaint will be managed under the ASB policy or Noise Policy we will use the following simple tool as a guide.

Noise diagnostic tool - ASB or NM?	Yes	No
Is the noise between 11pm and 7am?	5	0
Is the noise happening regularly?	5	0
Is the noise damaging your health? (or anyone else in your household)	5	0
Is the noise related to substance misuse?	5	0
Is the noise caused by domestic appliances (washing machine), animals or children under 10?	-5	0
<b>Score of &gt;15 = ASB Case</b>		
<b>Score of &lt;15 = Neighbourhood Management Case</b>		