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## **Anti-Social Behaviour, Hate Crime and Domestic Abuse Policy**

Directorate: Communities  
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**live • grow • thrive • together**

**1. Introduction**

Salix Homes recognise that all our customers have the right to the peaceful enjoyment of their homes and neighbourhoods, and that left unchallenged, anti-social behaviour (ASB) can have a destructive and damaging effect on their lives. We are committed to working with customers and local communities to effectively tackle ASB and to create safe, sustainable communities.

We consider all forms of ASB including Hate Crime and domestic violence and abuse to be unacceptable and will apply the principles contained in this policy to ensure that our resident’s lives are not blighted by ASB.

In tackling ASB, we will ensure that we comply with all appropriate legislation and regulations in place. In particular, we will make use of the tools and powers made available to us through:

- Housing Act 1985 and 1996
- Crime and Disorder Act 1998
- Equalities Act 2010
- Anti-Social Behaviour Act 2003
- The Protection from Harassment Act 1997
- Crime and Security Act 2010
- Domestic Violence Crime and Victims Act 2004
- Anti-Social Behaviour, Crime and Policing Act 2014
- Any other legislation/regulations that confer powers upon Registered Providers to deal with ASB

This policy will be applied to all properties managed by Salix Homes including properties leased through our Private Sector Leasing (PSL) arm Salix Living and any other contractual housing management agreements that Salix Homes may enter into.

The policy will ensure that we adopt a victim centred approach to tackling ASB that is fair, transparent and proportionate.

**2. Aim / Purpose of the Policy**

This policy sets out a framework for how Salix Homes will endeavour to prevent and tackle ASB where the alleged perpetrator and/or complainant lives in, or is visiting a property managed by Salix Homes or within it’s neighbourhood.

This policy also applies where staff, customer representatives, contractors, partners or agents are subjected to abusive, threatening and intimidating behaviour (including hate behaviour) whilst working or acting on behalf of Salix Homes

Through this policy Salix Homes aim to:

- Demonstrate leadership and strategic commitment from our ASB service
- Provide an accessible and accountable ASB service
- Ensure we take swift action to protect people and communities
- Ensure we adopt a supportive approach to working with victims and witnesses
- Recognise and prevent incidents of hate crime, harassment and racial harassment
- Empower victims to make informed choices about their lives

- Encourage individual and community responsibility
- Ensure that we have a clear focus on prevention and early intervention
- Ensure that a value for money approach is embedded in our service
- Ensure that the Respect – ASB Charter for Housing, is central to service delivery

We are committed to taking a victim-centred approach when responding to ASB complaints, ensuring that every complaint is taken seriously and complainants feel fully protected and supported. We will deal with each occurrence or incident reported to us on a case-by-case basis and any investigations will be carried out in a confidential, sensitive and supportive manner.

Salix Homes will ensure that all actions that we undertake are reasonable and proportionate and are rigorously assessed to ensure that we comply with our duties under the Equalities Act 2010 legislation.

### 3. Policy

#### Definition of ASB

Salix Homes utilises the following definitions of ASB, as outlined in the Anti-Social Behaviour Crime and Policing Act 2014):

“conduct that has caused, or is likely to cause, harassment, alarm or distress to any person”,

“conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises”

“conduct capable of causing housing-related nuisance or annoyance to any person”

Tenants are responsible for the behaviour of every person (including children), living in, or visiting their home. The tenant is responsible for their behaviour in their home, in shared areas and in the locality of the home. The tenant or anyone living with or visiting their home must not do anything which causes or is likely to cause a nuisance or annoyance to any person residing, visiting or engaging in lawful activity in the locality of the tenant’s home. Nuisance amounts to ASB and this includes but is not limited to the following:

- Violent or abusive behaviour or any form of harassment
- Threatening behaviour
- Failing to control pets
- Being drunk and disorderly in public
- Vandalism and graffiti
- Prostitution
- Noise nuisance
- Domestic violence and abuse
- Illegal drug use and drug dealing
- Criminal behaviour
- Litter and fly tipping
- Inappropriate use and storage of motor vehicles
- Hate motivated behaviour
- Use of a Salix Homes property for any criminal activity

There are some types of behaviour that may **not** be considered as ASB, such as a baby crying, people carrying out DIY at a reasonable time of the day or dogs barking intermittently.

Salix Homes will assess each report individually when deciding whether or not it is ASB, considering the circumstances around the case.

### **Leadership and strategic commitment**

Tackling ASB is a core strategic and operational business activity for Salix Homes. We will therefore ensure that we commit sufficient capacity and resources to tackle ASB effectively.

We are a member of Salford's Community Safety Partnership and as such we recognise that ASB must be tackled by working in partnership with other agencies including the Police, Salford City Council, Youth Offending Team, health service providers and others. We are committed to taking a joined-up, multi-agency approach to tackling the root causes of ASB which can be complex and wide ranging.

### **Tenant's Obligations**

Salix Homes tenancy agreements set out tenant's responsibilities to behave in a reasonable manner including any visitors to the property. They include specific clauses which includes Hate Behaviour and Domestic Abuse. Salix Homes will take appropriate action against tenant's, household members and visitors if they do not comply with the conditions of the tenancy agreement.

In cases where the alleged perpetrator is a staff member and a tenant, the same principles of the policy and procedure will be applied to the investigation. However, we will notify the relevant line manager and People Services Team concerning the allegation(s) in case there are any conflicts of interest in connection with the employee's job role. To ensure confidentiality, all documentation in connection with the case will be securely stored outside of our main housing management systems.

### **Domestic Violence and Abuse**

Domestic Abuse (DA) can have a devastating and long term effect on the lives of survivors and their families. Salix Homes recognise that (DA) can occur within any relationship (familial or otherwise), regardless of the gender or sex of the persons involved and that (DA) is an unacceptable and widespread problem.

We will take a sensitive, victim-centred approach when responding to cases of (DA), recognising that evidence of abuse may not be readily available. We will be guided by the victim in determining the most appropriate course of action in each case.

When dealing with cases of (DA) we will demonstrate respect and treat people with dignity at all times, without judgement, whilst establishing understanding and trust. We will take decisive action following multi-agency appraisals and offer appropriate (DA) advice as agreed with the victim.

We will always ensure that we are consistent in the way that we deal with each case of (DA) and make sure that customers know what action and support they can expect to receive from us.

Salix Homes uses the Home Office definition of (DA) which is:

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Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological
- physical
- sexual
- financial
- emotional

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

Safety and confidentiality underpins all action that Salix Homes

Safety and confidentiality underpins all action that Salix Homes will consider taking against the perpetrators of (DA). We will use our powers under the Housing Act 1988 and the Anti-Social Behaviour, Crime and Policing Act 2014 to take legal action against perpetrators including evicting them from the premises.

Salix Homes will also provide evidence and work closely with the Police and other agencies to help secure other appropriate legal sanctions wherever necessary, including Domestic Abuse Protection Orders, Non-Molestation Orders, Restraining Orders and warnings or convictions under the Harassment Act.

Salix Homes are members of a number of groups both at strategic and operational level. These include the Community Safety partnership, Partnership Delivery Group Tackling Domestic Abuse Board, MARAC (multi-agency risk assessment conference). Other key Housing Providers, ForHousing and Pendleton Together. We work together to provide joint information to the strategic boards operating in Salford. We also share information about individuals to help protect our communities.

**Hate Crime and/or Hate Related Behaviour**

Dealing with Hate Crime and hate incidents effectively is a vital part of Salix Homes drive to further the causes of equality and diversity in our communities. Hate incidents stem from prejudice against other people based on views about their differences. They are contrary to the central principle of equality and diversity where differences are respected and valued.

People who suffer harm at the hands of others because of their race, gender, disability, sexual orientation or other attributes are denied things we should all be able to take for granted, such as being able to go about our business in peace, to have some choice about where we will live and to be free to adopt a lifestyle that reflects our background and preferences. Tackling all forms of hate motivated behaviour is therefore a key priority for Salix Homes and our commitment to creating safe, sustainable communities.

Salix Homes uses the definitions outlined by the Office for Criminal Justice Reform and the Stephen

Lawrence Enquiry to define hate motivated behaviour which are:

- A hate incident - Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by hostility or prejudice based on a personal characteristic.
- A Hate Crime - Any hate incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by hostility or prejudice based on a personal characteristic.

There are 5 centrally monitored strands of hate crime:

- Race
- Religion
- Disability
- Sexual Orientation
- Transgender identity

However other protective characteristics include:

- Age
- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and maternity
- Sex

Salix Homes adopts a zero tolerance approach to all hate crime and hate related incidents and we will use this definition in order to ensure that our response takes full account of any hate motivated dimension to ensure that we take prompt, effective action wherever possible and that appropriate support needs are put in place for the victim.

### **Misuse of the complaints process**

The making of malicious complaint or a complaint that causes a nuisance to the landlord can be a form of harassment or anti-social behaviour whereby an innocent resident or member of staff is subjected to unfounded exaggerated or dishonest complaints by someone seeking to cause detriment to the individual(s) concerned.

A nuisance to landlord complaint is a complaint without any merit which has been made solely to harass or intimidate another resident or a member of staff.

A malicious complaint is a complaint that is false and the intention is to cause harm or damage to another resident or a member of staff.

Whilst Salix Homes will investigate all complaints in line with this policy, part of the investigation in certain circumstances may need to include the possibility that the complaint falls into one or both of the above categories.

If as part of the investigation, it becomes clear that the complainant is malicious or a nuisance to the landlord the Service Director responsible for the area where the malicious/nuisance complaint relates will consider seeking approval of the Senior Management Team to classify the complainant as a nuisance to the landlord.

If the Senior Management Team decide that someone's complaint is malicious or a nuisance to the landlord a number of actions will be considered including:

- Establishing a single point of contact
- Removing an individuals implied license to attend our offices
- Taking legal action under the Anti-social Behaviour, Crime and Policing Act 2014 (nuisance to landlord ground)

### Access and Accountability

Salix Homes will ensure that all of our tenants can easily access our ASB service by providing a range of options for them to report ASB, and will make it as easy and accessible as possible for victims to report incidents to us, this includes:

- In person at one of our offices
- In writing
- By telephone through our 24-hour one call reporting service
- On-line through our web site
- By customer on-line account 'my Salix'
- Through our 24-hour concierge service (high-rise apartments)

We will ensure that complainants and witnesses are kept fully informed at all stages during investigations into an ASB complaint and offer advice and reassurance wherever possible.

All information about our ASB service is available in a variety of formats and translated into relevant community languages on request.

### Taking swift action to protect communities

Salix Homes will take prompt, appropriate and decisive action to deal with ASB before it escalates. This includes early intervention measures, diversionary activities and non-legal measures.

However, we recognise that there will always be a minority of cases where the informal approach will not work, and formal interventions will be necessary to stop the most dangerous ASB from occurring and to provide swift protection for individuals and communities. We will use the full range of legal tools and powers available to us and ensure our employees know how to use them appropriately and proportionately.

All information supplied to us by victims and witnesses will be treated in the strictest of confidence and only disclosed with the express consent of the person supplying us with the information.

We will maintain strong working relationships and strategic links with partners in Salford and through section 115 of the Crime and Disorder Act 1988 we will share information that supports our proactive approach to tackling all forms of ASB.

Salix Homes supports the Community Safety Partnerships 'Community Trigger case review process.' This gives victims of persistent anti-social behaviour cases the right to request a review of their case and bring agencies together to find a solution, if issues haven't been addressed.

### **Supporting victims and witnesses**

The overriding priority of this policy is to protect people from harm and to provide appropriate and timely support for victims and witnesses of ASB. This in turn will help people feel safer and more confident in the response and service that they receive after reporting ASB to Salix Homes.

At the outset of all ASB complaints we will assess the impact that the ASB is having on the victim, to inform the most appropriate response including prioritisation of the case, level of risk and identification of the most appropriate support needs.

We will keep complainants and witnesses fully informed at all stages and offer advice and reassurance wherever possible. During the investigation into an ASB complaint, we will initiate and maintain regular contact with complainants on the progress of their complaint.

### **Support for Vulnerable Perpetrators**

Support will be offered and provided to perpetrators who exhibit vulnerabilities or support needs. This will be reviewed on a case by case basis and necessary referrals made internally and/or externally where necessary. This will be assessed during the initial interview and throughout the duration of the case. Where appropriate, Salix Homes will work with specialist services, such as drug and alcohol, mental health and Council services, to ensure appropriate support and advice is provided.

However, it may not always be possible to offer support before action is taken, for example in circumstances where Salix Homes apply for a 'without notice' injunction.

### **Salix Homes Tenancy Sustainment Team**

The purpose of the Tenancy Sustainment Team is to support all customers to sustain their tenancy and encourage and facilitate their independence, quality of life and health & wellbeing, working closely with colleagues, partners and key stakeholders, providing a holistic approach to tenancy sustainment. The Tenancy Sustainment Team also co-ordinate safeguarding concerns raised throughout the business and ensure the correct referrals to Partner Agencies are made to safeguard and support vulnerable Customers. Interventions for vulnerable customers may include the Salix Gateway Model / partnership development opportunities and Salix Homes hardship fund.

We firmly believe that the right of the victim to continue to live without fear from ASB should be of paramount importance. Our approach is always to use the tools and powers available to us to effectively tackle the perpetrators of ASB. However, we recognise that in the most serious and threatening cases, where there is a significant risk of harm to a victim or witness the safest option may be to relocate them for their own protection. In these circumstances we adopt our emergency management relocation process.

### **Encouraging individual and community responsibility**

We will take a pro-active approach to encouraging our customers to be considerate and respectful of



each other and where appropriate and safe. We will encourage ‘self help’ options to resolve more minor nuisance issues by encouraging neighbours to talk to each other to find amicable resolutions including Restorative Justice.

Where appropriate we will actively promote Restorative Justice as a vehicle to resolve neighbour nuisance and disputes.

**Prevention and early intervention**

Salix Homes recognises that preventing ASB from occurring in the first place is the most desirable outcome for customers. We will ensure that our focus is on prevention from the outset of a customer taking up their tenancy with us.

We are committed to working with partner agencies such as the Police, Local Authority and other housing providers to support a joined-up approach to tackling the root causes of ASB and promoting positive behaviours.

We recognise that there are seasonal fluctuations in ASB, for example levels may rise in the summer holidays and around Halloween and Bonfire Night, we will plan specific events and operations at these times.

**Supporting Housing Needs**

Salix Homes in consultation with the police will consider a range of target hardening measures to protect vulnerable customers and allow them to remain in their homes. However, we recognise that in the most serious and threatening cases, where there is a significant risk of harm to a victim or witness the safest option may be to relocate them for their own protection. In these circumstances we will initiate our management move relocation process. However in relation to DA cases, we initially advise the victim to present at Salford Housing Options Point (SHOP) due to the serious nature of the incident reported as Salix Homes do not have emergency accommodation and the customer may need to be re-located urgently.

We accept that on occasion victims (DA) may re-establish a relationship with the perpetrator. This may lead to the perpetrator moving back in with the victim in the new accommodation. In these circumstances we will seek to encourage the victim to receive on-going support from agencies so that their safety can be maintained. If a victim is prioritised for an offer of a new tenancy on the grounds that they have experienced (DA), the new tenancy will be a sole tenancy and wherever possible, depending on the wishes of the victim, this will be away from their local area.

**Value For Money**

Ensuring that our ASB service is delivered as efficiently and effectively as possible is a key consideration for Salix Homes. Whilst we acknowledge that tackling ASB is a priority for our customers, we also recognise that our resources are finite and we need to maximise our resources to skilfully balance the competing demands of cost and quality.

We will systematically evaluate our prevention and intervention activity to ensure that we target our

resources effectively and provide customers with the most timely and appropriate response. We will offer every customer who makes an ASB complaint the opportunity to complete a satisfaction survey and will publicise to all customers information on how we are performing.

**4. Service Standards & Performance Measures**

**Service Standards:**

Category A Priority Cases

Complaint acknowledged within 1 working day  
 Victim interviewed within 1 working day  
 Case referred to Community Safety Team within 1 working day.

Category B Cases

Complaint acknowledged within 1 working day  
 Victim interviewed within 5 working days  
 Perpetrator interviewed within 5 working days

**ASB Performance Measures:**

% customers satisfied with the way their ASB case was handled  
 % customers satisfied with the outcome of their ASB complaint

**5. Risks**

Risk	Mitigating Factors
Failure to provide adequate support to vulnerable customers leads to them being placed at significant risk of harm.	<ul style="list-style-type: none"> <li>• ASB, Hate Crime and Domestic Abuse Policy</li> <li>• Vulnerability Risk Assessments</li> <li>• CRM procedures</li> <li>• Staff training</li> </ul>
Damage to the Organisation following negative outcomes from a serious case review	<ul style="list-style-type: none"> <li>• Safeguarding Policy</li> <li>• Strategic Lead for Safeguarding – Tenancy Sustainment and Partnership Development Manager</li> </ul>
Failure to tackle ASB, Hate Crime and Domestic Abuse effectively leads to Salix Homes' neighbourhoods and properties becoming less desirable places to live	<ul style="list-style-type: none"> <li>• ASB, Hate Crime and Domestic Abuse Policy</li> <li>• CRM Procedures</li> <li>• ASB Officers</li> <li>• Community Safety Officers</li> <li>• Legal SLA</li> </ul>

	<ul style="list-style-type: none"> <li>• Specialist legal staff</li> <li>• Effective Partnership Working</li> </ul>
Failure to design an inclusive and accessible service leads to sections of our communities failing to come forward to report ASB, Hate Crime and Domestic Abuse	<ul style="list-style-type: none"> <li>• ASB, Hate Crime and Domestic Abuse Policy</li> <li>• Equality Impact Assessment</li> <li>• Vulnerability Risk Assessments</li> <li>• CRM procedures</li> <li>• Systematic evaluation of service users</li> <li>• Bespoke service delivery</li> </ul>
Failure to tackle ASB, Hate Crime and Domestic Abuse effectively leads to reputational damage for Salix Homes	<ul style="list-style-type: none"> <li>• ASB, Hate Crime and Domestic Abuse Policy</li> <li>• Independent assessment and accreditation of our service</li> <li>• Effective partnership working</li> </ul>
The service delivered does not represent value for money for customers	<ul style="list-style-type: none"> <li>• Benchmarking</li> <li>• Customer Satisfaction</li> <li>• Systematic evaluation of the effectiveness of the tools and powers used to tackle ASB</li> </ul>

## 6. Related Procedures & Documents

ASB, Hate Crime and Domestic Abuse Procedure  
 Salix Homes Tenancy Agreement  
 Tenancy Management Policy  
 Pet Registration Policy  
 Vehicle Registration Policy  
 Respect ASB Charter for Housing  
 Starter tenancy policy and procedure  
 Customer Feedback & Complaints Procedure  
 Safeguarding Policy  
 PSL Policy & Procedure

## 7. Responsibilities

For more information, please contact the officers listed below:

**Communities Director** - Policy owner and responsible for ensuring the policy is implemented, employees across the business receive training and for ensuring the policy delivers its aims.

**Community Safety Manager** – responsible for ensuring policy is implemented and ASB Officers are trained with specific responsibility for managing ASB, Hate Crime and Domestic Abuse. Also responsible for ensuring policy is implemented and Community Safety Officers are trained with specific responsibility for taking legal action to tackle ASB, Hate Crime and Domestic Abuse.

**Environmental Services Manager** – responsible for ensuring the environmental services team are Estate Officers are aware of the ASB process and sufficiently trained to provide advice to customers.

**ASB Officers** - responsible for managing ASB, Hate Crime and Domestic Abuse in accordance with this policy.

**Community Safety Officers** - responsible for progressing legal cases associated with ASB, Hate Crime and Domestic Abuse in accordance with this policy.

## 8. Related Legislation

Housing Act 1985, 1996, 2004  
Crime and Disorder Act 1988  
Anti-Social Behaviour Act 2003  
The Protection from Harassment Act 1997  
Race Relations (Amendment) Act 2000  
Crime and Security Act 2010  
Regulation of Investigatory Powers Act (RIPA) 2000  
Domestic Violence Crime and Victims Act 2004  
Anti-Social Behaviour, Crime and Policing Act 2014  
Equalities Act 2010