

Hate Crime & Harassment Policy



Date written:

March 2010

Date(s) reviewed:

20 December 2017; 15 December 2020

Purpose:

This policy sets out our approach to tackling incidents of hate crime and harassment on our estates. The policy is for staff and the public and provides guidance on what we will do to handle incidents of hate crime and harassment. This policy compliments, and operates alongside our anti-social behaviour policy.

Scope:

All residents
All Staff and Contractors

Definitions:

Hate Crime – the Home Office considers this to be any crime which is motivated by “Hatred [which] is the targeting of individuals, groups and communities because of who they are.” Incidents are considered as Hate Crime when a person reporting it perceives it to be such.

Harassment - unwanted conduct on the grounds of one of the seven strands of diversity, which has the purpose or effect of either violating someone’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive

Associated documents:

Anti-Social Behaviour Policy & Procedure
Tenancy Agreement
Equality and Diversity Policy
Domestic Abuse Policy
Complaints Policy
Lettings Policy
Customer Profiling Policy
Safeguarding Policy & Procedure

Date for review: December 2023

Responsibility: Head of Housing

Policy

1. Introduction

- 1.1 We believe that hate crime and harassment are serious crimes that should not be tolerated. It is a basic human right to live securely, in safety and free from fear and harassment and hate crime and its associated incidents directly contravene this.
- 1.2 A hate crime is defined as 'Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.'
- 1.3 It is vital that such crimes and incidents are recorded separately from other anti-social behaviour as the motivation behind such crimes and incidents can often alter the way it is categorised legally and the action we can take. We encourage everyone to report hate crime or harassment if it occurs.
- 1.4 A hate incident is any incident which the victim, or anyone else, thinks is based on someone's prejudice towards them because of their race, religion, sexual orientation, disability or because they are transgender. Evidence of the hate element is not a requirement. You do not need to personally perceive the incident to be hate related. It would be enough if another person, a witness or even a police officer thought that the incident was hate related.
- 1.5 There are several different types of hate crime and the incidents within this can be defined in the following categories, all of which are covered in this policy:

Physical Assault

Physical assault of any kind is an offence. If you've been a victim of physical assault you should report it. Depending on the level of the violence used, a perpetrator may be charged with common assault, actual bodily harm or grievous bodily harm.

Verbal Abuse

Verbal abuse, threats or name-calling can be a common and extremely unpleasant experience for minority groups. Victims of verbal abuse are often unclear whether an offence has been committed or believe there is little they can do. However, there are laws in place to protect a person from verbal abuse.

If someone has been the victim of verbal abuse, they should report this to Bernicia even if they don't know who verbally abused them. They should also report this to the police as the information could still help improve how they police the area where the abuse took place.

Incitement to Hatred

The offence of incitement to hatred occurs when someone acts in a way that is threatening and intended to stir up hatred. That could be in words, pictures, videos, music, and includes information posted on websites.

Hate content may include:

- messages calling for violence against a specific person or group
- web pages that show pictures, videos or descriptions of violence against anyone due to their perceived differences
- chat forums where people ask other people to commit hate crimes against a specific person or group

Damage to Property or Possessions

Damage to property or possessions may include harm or damage to things such as your home, pet or vehicle, including arson, graffiti or throwing rubbish into your garden

The above list is not exhaustive and there may be many other ways in which this crime or incident manifests itself.

2. Policy statements

- 2.1 We are committed to taking action to positively support the victims of any such crimes / incidents by promoting the service we can offer.
- 2.2 We are committed to supporting anyone who takes a stand and reports hate crime or harassment by ensuring a 'victim centred' approach to tackling the issue.
- 2.3 We will ensure that all relevant staff are fully trained to deal with reports of hate crime and harassment and can offer quality advice and support.
- 2.4 We will listen to every report of hate crime or harassment in a fair and unbiased way.
- 2.5 We will treat all reports of hate crime or harassment we receive seriously and in a sensitive manner.
- 2.6 We will respond to all reports of hate crime or harassment within one working day of the initial report being made to discuss and agree how we will investigate and tackle the incident.
- 2.7 We will also acknowledge all reports of hate crime or harassment in writing and provide a copy of our Anti-Social Behaviour and Witness Support Guides.

- 2.8 We will always provide the name and contact details of the person that will be dealing with each case of hate crime or harassment.
- 2.9 We will offer the same level of witness support and advice to people who report hate crime or harassment as to those who report anti-social behaviour, and this is fully stated in our Anti-social behaviour policy.
- 2.10 Where possible, we will aim to identify the people believed to be responsible for acts of hate crime or harassment and take firm action against them.
- 2.11 We will take swift and effective action against perpetrators of hate crime and harassment with the aim of protecting the complainant, stopping the abuse and preventing further incidents.
- 2.12 We will undertake any repairs to property arising from an incident of harassment or hate crime as a matter of priority, and in accordance with our anti-social behavior procedure.
- 2.13 We will work in partnership with the Police and community agencies to prevent and investigate hate crime and harassment, as well as supporting those who suffer from it.
- 2.14 We will promote the tackling of hate crime to our customers using publicity material developed with and approved by customers.

3. Responsibility for implementation

- 3.1 The manager of the Anti-Social Behaviour service will be responsible for the effective implementation of this Policy and for ensuring that all staff are aware of, and appropriately trained in, our policies and procedures relating to the issues and implications of harassment and hate crime incidents.
- 3.2 The manager of the Anti-Social Behaviour service will also be responsible for ensuring effective links with partnership agencies at a strategic level to ensure we can contribute to the wider community actions relating to the prevention and causes of hate crime and harassment.

4. Actioning the policy

- 4.1 This policy will be followed whenever a report of hate crime or harassment is made, or when an anti-social behaviour report is identified as being a result of hate crime or harassment.
- 4.2 Incidents and reports will be treated as hate crime when a person reporting incidents perceives and reports it to be such.

5. Monitoring the policy

- 5.1 We will monitor the effectiveness and implementation of this Policy to ensure that it achieves its aims including delivering high quality services, listening to customer and service user views and regularly consulting on and reviewing service standards and performance. This is the responsibility of the manager of the Anti-Social Behaviour service.
- 5.2 Any review of this Policy will take place in conjunction with customers and will ensure that it takes into account of legislative changes and the development of best practice initiatives internally and externally so that improvements in the opportunities for involvement can continue to be made.
- 5.3 We will provide 'high level' performance information in this service area for monitoring purposes by the Customer Services Committee and Check and Challenge Panel. This is the responsibility of the manager of the Anti-Social Behaviour service.

6. Resources

- 6.1 There are unlikely to be any resource implications that occur from the implementation of this policy that are not already budgeted for.

7. Equality and Diversity

- 7.1 An equality and diversity impact assessment has been undertaken on this policy. In carrying out its services, we are committed to:

- Treating all customers and employees positively regardless of any personal characteristics including gender, age, ethnicity, disability, sexuality, gender reassignment or religion.
- Taking seriously all complaints and investigating and responding accordingly.
- Using plain language and providing information in other languages, large print, audio and Braille on request.

Uncontrolled if printed – This may not be the latest version of the policy

All policies must be printed from Connect only – please make sure it is the latest version.

Policy Planning Document (PPD)

ALL sections must be completed with a review or any creation of a new, policy. For anything that doesn't apply, please state N/A. Anything left blank will be returned to you.

1. Policy Title*	Hate crime and harassment
2. Staff/Departments that must be tested*	ALL
3. Staff/Departments for mandatory read*	As above
4. Supporting documents, procedures & process maps*	ASB Policy and procedure, zero tolerance policy, incident report form, incident investigation form
5. Associated Policies*	ASB Policy, Zero tolerance policy
6. Completed E&D Submitted:*	Yes
7. Reason for review (scheduled/non-scheduled)*	Scheduled
8. Minor or Significant change?*	Minor
9. Details of Changes (if any)*	Definitions of hate crime updated in paragraph 1.5. Updated monitoring arrangements in paragraph 5.3.
10. What good practice and ext. learning sources have been used?*	Gov.uk/Respect Charter
11. Who has been consulted?*	Head of Housing (North & South) & Retirement Housing Manager
12. Does this Policy need to go to Board for approval?*	No
13. If any significant change, who has approved this?*	N/A
14. Have all legal implications been considered in the policy?*	Yes
15. Does this policy meet regulatory requirements?*	Yes
16. How is the impact of this policy measured?*	ASB key performance indicators/feedback
17. How will training be offered to support these changes?*	N/A no changes
18. How will the distribution of knowledge be tested?*	Practice/performance monitoring
19. Any other information	N/A

Please confirm details below

Policy Holder	S Adey
Next Review Date	December 2023

Policy Risk and Compliance Assessment

“Policies are documents devised to advise individuals as to a set of behaviours required on a specific topic. Within an organisation they provide a “voice” to the organisation and ensure consistency as well as providing a mechanism for performance management and monitoring.”

As part of reviewing or developing a new policy it is important you complete one of these Policy Risk & Compliance Assessments to tell us a little more about what you are planning so we can support you and your teams appropriately.

Please answer the following questions as honestly and openly as you are able.

This assessment is not to prevent you doing anything, but to centrally offer you the best advice and support in developing and reviewing your policies whilst minimising risk from the outset.

All policies will require this document prior to being hosted on Connect and the review being logged as complete.

Policy Risk & Compliance Assessment	
Name and Job Title	Gemma Owens – Housing Services Manager
Department	Housing
Title of new policy / policy to be reviewed	Hate crime and harassment
Brief description of the policy, its purpose, and the areas of the business it covers	The policy sets out the organisations approach, response and responsibility in relation to dealing with incidents of hate crime and harassment.

Policy Title: Hatecrime and harassment		
Date: 14/12/20	Name: G OWENS	
	Yes	No
1. Equality and Diversity, Will the policy be likely to impact or involve...		
Any individual specifically because of one of their protected characteristics?	x	
The collection or processing of information relating to the protected characteristics?	x	
An event or initiative only open to certain people or groups of people?		x
The processing of any information relating to a persons protected characteristics?	x	
The monitoring of a service take up, by protected characteristics?	x	
2. Data Protection, Does the policy relate to / involve...		
Collecting data (electronically, with a form or face to face)?	x	
Using, sharing or sending data?	x	
Taking photos?		x
Sending any information outside of Bernicia?	x	
Asking for any information about children?	x	
Any sensitive information (sexuality, ethnicity, race, religion etc.)?	x	
Technology that will automatically makes decisions or evaluates data?		x
Any systematic monitoring – such as CCTV or tracking?	x	
The large scale processing of data? (there is no definition of large scale, so please use of your discretion in line with Bernicia's business)		x
Using electronic communications (text, email)?	x	
3. Money Laundering		
Will you be collecting any cash as part of the activity covered in the policy?		x
4. Health and Safety, Will the policy involve...		
Any predominantly any offsite activity?		x
Undertaking an activity with members of the public?	x	
Using any PPE?		x
Vehicles (or their use) as a key component?		x
Vulnerable adults, young people or children?	x	
Bernicia staff be working on their own or out of hours?	x	

