

# 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.**