

# **Hate Crime and Harassment Policy**

## 1. Policy Scope

This policy sets out our approach to tackling incidents of hate crime and harassment in our neighbourhoods. It provides guidance on what we will do to handle incidents of hate crime and harassment. This policy complements and operates alongside our Anti-Social Behaviour policy.

Hate crime and harassment are serious crimes that should not be tolerated and have a significant impact on individuals, families, groups and communities.

It is a basic human right to live securely, privately, in safety and free from fear and harassment. Hate crime and its associated incidents directly contravene this.

The hate crime policy is in line with all relevant regulation and legislation, including:

- Regulator of Social Housing Consumer Standards
- Crime and Disorder Act 1998
- Protection from Harassment Act 1997
- Public Order Act 1986
- Criminal Justice Act 2003
- Equality Act 2010
- Data Protection Act 2018 and UK GDPR
- Human Rights Act 1998
- Housing Acts 1985, 1996 and 2004
- Anti-Social Behaviour, Crime and Policing Act 2014

And other relevant legislation as applicable.

## 2. Policy Standards

### Standard 1: What is and is not Hate Crime and Harassment

A hate crime is any criminal offence which is perceived by the victim, or anybody else, to be motivated by hostility or prejudice towards someone's protected characteristic:

- Race or ethnic origin
- Religion or belief
- Sexual orientation
- Transgender identity
- Disability

You do not need to personally perceive the incident to be hate motivated. It is enough if another person, a witness, or a colleague perceives that the incident was motivated by hostility or prejudice.

A hate incident is any incident which is not a criminal offence but which the victim, or anyone else, thinks is based on prejudice towards them because of their race, religion,

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sexual orientation, disability or transgender identity. You do not need to prove hostility or prejudice.

We will record and investigate hate incidents (incidents that are not criminal offences) because we recognise that situations can escalate. Incidents can become crimes and recording them is an effective way to collect information and monitor tensions in our communities.

## Types of hate crime and harassment

Hate crime and harassment can take many forms, including:

**Harassment** - It is unwanted behaviour related to a protected characteristic that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.

**Physical assault** - Physical assault of any kind motivated by hostility or prejudice is a hate crime.

**Verbal abuse** - Name-calling, threats or verbal abuse motivated by hostility or prejudice. This is a common and extremely unpleasant experience.

**Incitement to hatred** - When someone acts in a way that is threatening and intends to stir up hatred. This could be through words, pictures, videos, music, or information posted on websites or social media.

**Damage to property** - Harm or damage to things such as homes, pets or vehicles, including arson, graffiti or throwing rubbish into gardens.

**Online hate content** - This may include messages calling for violence against a specific person or group, web pages showing pictures, videos or descriptions of violence against anyone because of their perceived differences, or chat forums where people ask others to commit hate crimes.

This list is not exhaustive and there may be many other ways in which hate crime or incidents manifest themselves.

## What is not hate crime

Not all incidents or disagreements are hate crimes. For something to be considered a hate crime or hate incident, it must be seen to be motivated by hostility or prejudice towards someone's protected characteristics.

**Offensive speech:** Simply causing offence, expressing controversial opinions, or using insulting language (where not threatening) is generally not a crime.

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**Rudeness or bad manners:** Being rude, unprofessional, or unhelpful, even if motivated by prejudice, is not a hate crime unless it crosses into harassment.

**Single, low-level verbal insults:** A one-off insult, hurtful remark, or argument is generally considered a "non-crime incident".

**Humour or Satire:** Jokes or satirical comments that are not threatening or abusive do not fall under hate crime laws

Everyday disputes between neighbours, disagreements about lifestyle choices, or complaints about behaviour that are not motivated by prejudice would not normally be treated as hate crime. These reports may be dealt with under our Anti-Social Behaviour or Tenancy policy.

## **Standard 2: Reporting, Service Delivery and Approach**

We are committed to acting to effectively support the victims and challenge the perpetrators of hate crime and harassment.

We are committed to supporting anyone who takes a stand and reports hate crime or harassment by ensuring a victim-centered approach to tackling the issue. A victim-centered approach means that we will work towards aims specified by the victim, as far as possible.

We will work in a trauma-informed way, ensuring that the process we use limits the possibility of unintentionally causing re-traumatisation or stress.

We use the 3-step model of Recognise, Record, and Respond in our approach to tackling hate crime.

### **Reporting hate crime and harassment**

Anyone can report hate crime or harassment by phone, online, by email, in person at our offices.

Everyone should report hate crime or harassment if it happens. However, we recognise that some people will want to remain anonymous because they fear reprisal. You can report hate crime anonymously if you do not want to give us your name.

We will ensure that reporting hate crime and harassment is accessible and easy, taking account of customers' needs and removing any barriers to reporting incidents.

We will make available a summary of our policy, our procedures and the services we provide to respond to reports of hate crime and harassment, including details of where and how to report it and who to contact. We will be transparent about our performance in tackling hate crime and publish information about our outcomes.

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## How we will respond

We will treat every report of hate crime or harassment as confidential. This means we will not reveal your identity without your permission, unless someone is at risk if we do not.

We will treat all reports of hate crime or harassment as a priority and respond in a sensitive and trauma-informed manner, recognising its devastating impact.

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 with the victim on how we will investigate and tackle the incident.

We will put an officer in charge of each case and give you their contact details.

We will provide regular updates at a frequency agreed with the victim, in the way they prefer. As a minimum, we will aim to update victims of hate crime fortnightly, even when there are no significant developments.

We will support victims by signposting them to appropriate agencies who can provide support and assistance, including specialist hate crime support services.

## Taking action

We will record and investigate every report of hate crime or harassment as the incidents are perceived by the victim or any other person, until evidence proves otherwise.

We will take swift and effective action against perpetrators of hate crime and harassment with the aim of protecting the victim, stopping the abuse and preventing further incidents.

Where possible, we will identify the perpetrators believed to be responsible for acts of hate crime or harassment and take proportionate action against them.

We will use the legislative framework to protect victims and manage perpetrators to stop incidents from happening again.

We will undertake any repairs to the property arising from an incident of harassment or hate crime as a matter of priority. We will provide additional security measures to make people feel safer in their home.

We will keep you updated on progress and confirm all developments and agreements in writing. We will discuss closing the case with you before we do so.

## Closing cases

We will close cases where reasonable and proportionate steps have resolved the hate crime or harassment, where no further reports are being received, or where no further

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action can be taken. We will discuss the reasons for closing the case with victims throughout this process.

We will notify all parties in writing, including any agencies and services that have been involved in the case.

### **Standard 3: Risk Assessment and Proportionality**

We recognise that hate crime and harassment can have a devastating impact on people's lives. We are fully committed to dealing firmly and fairly with hate crime and harassment in the neighbourhoods we manage.

#### **Our approach**

We will take a victim-centre approach linked to a risk assessment process.

We will complete a risk assessment with everyone who reports hate crime or harassment to understand their circumstances and any vulnerabilities. Where appropriate, we may also gather information from neighbours and partners about the wider community impact.

Based on our assessment, we may take additional steps to support victims, such as referring them to specialist support services, requesting police patrols, arranging for additional security measures, or working with other agencies.

#### **Balancing needs**

The needs of victims and witnesses will not be outweighed by the needs of the person causing the hate crime or harassment.

Where appropriate, we will offer support to people causing hate crime or harassment to help them change their behaviour and sustain their tenancy.

#### **Taking action**

We will use the full range of measures available to us to tackle hate crime and harassment. This includes early intervention tools where appropriate, as well as legal powers when preventative approaches have not worked and the harmful behaviour to an individual or community continues.

We will be realistic about what we can do and will manage expectations. We will clearly explain our actions throughout the case and why certain approaches may or may not be appropriate.

#### **Supporting our communities**

We will work across all tenures to help develop communities that are safe and welcoming to all and promote respectful behaviour towards the different values and lifestyles in our neighbourhoods.

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We will undertake targeted work and awareness campaigns to prevent hate crime incidents from occurring, promoting community cohesion and understanding.

We will use customer feedback to continually improve our service and work with Community Safety partners to make our communities safer.

## **Standard 4: Multi-Agency Partnership Working**

We recognise that we cannot work alone and the impact of hate crime varies from person to person, so we need a multi-agency approach to resolve incidents, protect victims and manage perpetrators.

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, ensuring that the victim's voice is heard throughout the process.

We will work together with partner organisations on strategic planning to help prevent hate crime and harassment by addressing their root causes. We will also monitor community tensions during periods of civil unrest.

## **Standard 5: Data Protection and Information Sharing**

We handle sensitive personal information about hate crime and harassment cases carefully and have clear procedures for when and how we share it. We normally ask for your consent before sharing your information.

However, there are times when we must share information without consent to keep people safe or prevent crime. This helps us work with partners to tackle hate crime and harassment and protect people in our communities.

## **Standard 6: Monitoring and Reviewing**

We will review this policy every three years or when there is a significant change in legislation or regulation.

We will monitor the effectiveness of this policy using key performance indicators, including those related to the Tenant Satisfaction Measures which include hate related incidents.

We will be transparent about our performance and publish information on our approach and outcomes in tackling hate crime and harassment.

We will undertake satisfaction surveys with people who report on hate crime and harassment to understand their experience of the service we provide.

The Customer Services Committee receives quarterly updates on hate crime and harassment across the organisation and uses these to assess the effectiveness of this policy.

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## **Standard 7: Training and Awareness**

We will ensure that all colleagues involved in responding to hate crime and harassment, either directly or indirectly, receive appropriate training in the application of this policy and relevant support procedures.

This will include trauma-informed practice training to ensure colleagues can support victims sensitively and effectively.

We will promote the tackling of hate crime to our customers using publicity material developed with and approved by customers, raising awareness about what constitutes hate crime, how to report it, and what support is available.

**Version Number: V4.0**

**Effective From: May 2026**

**Applicable To:** This policy and its procedures apply to all members and colleagues of Bernicia Group, including Board Members, Trustees, Independent Committee Members, Directors, Involved Tenants, and colleagues whether full-time, part-time, fixed-term, casual employees, and volunteers of Bernicia, and subsidiaries of the group.

**Associated Documents:**

The following resources support the Hate Crime and Harassment policy and Bernicia colleagues to deliver our approach to tackling incidents of hate crime and harassment in our neighbourhoods. These can be found in the policy folder on the intranet:

- POL-0021 – Anti-Social Behaviour Policy
- PRC-0021.1 – Anti-Social Behaviour Procedure
- POL-0014 – Domestic Abuse Policy
- POL-0102 – Safeguarding Adults Policy
- POL-0103 – Safeguarding Children Policy

**Equality, Diversity & Inclusion:** An ED&I Assessment was completed in May 2026. Please contact the Governance team if you require a copy.

**Approved By:** Executive Director of Communities

**Policy Author:** Head of Service (Neighbourhood and Community)

**Policy Owner:** Executive Director of Communities

**Next Review:** January 2029

**Reference Number:** POL-0042

### 3. Change Control

Version Number	Effective Date	Amendment made by	Version approved by	Description of changes
V4.0	May 2026	Head of Service (Neighbourhood and Community)	Executive Director of Communities	Updated to reflect community safety approach.