



Harassment & Hate Crime Policy

Department: Housing Services

Author: Performance Improvement & Policy Team

Date Issued: June 09

To be reviewed: Aug 11

Version Number: 1

CONTENTS	PAGE NO
1. INTRODUCTION	2
1.1 Definition	2
2. AIMS & OBJECTIVES	2
3. POLICY STATEMENT	3
4. ACTION PLANS / MANAGEMENT TOOLS.....	4
5. LEGISLATION REGULATION & GUIDANCE.....	5
6. MANAGING AGENTS	5
7. CONFIDENTIALITY	5
8. EQUALITY & DIVERSITY.....	5
9. MONITORING & REPORTING.....	6
10. HEALTH & SAFETY	6

1. INTRODUCTION

One Housing Group (OHG) is committed to ensuring that its neighbourhoods are safe and welcoming places for all residents. This policy has been developed to deal with all forms of harassment and hate crime, including those which are racially motivated; it sets out the principles for addressing and tackling harassment and hate crime, and it must be considered in conjunction with the OHG **Harassment and Hate Crime Procedure**, the **Anti-Social Behaviour Policy** and **Anti-Social Behaviour Procedure**.

1.1 Definition

OHG defines as *harassment* any behaviour or discrimination which is deliberately intended to harm or intimidate a person. It is usually motivated by prejudice on the grounds of race, ethnic origin, colour, national origin, religion, gender, age, disability or sexual orientation.

OHG defines as *hate crime* a criminal act motivated by a victim's race, ethnic origin, colour, national origin, religion, gender, age, disability or sexual orientation.

Sir William Macpherson's report on the Stephen Lawrence inquiry (1999), defines *racial harassment* as "an incident or series of incidents intended or likely to intimidate, offend or harm an individual or group because of their ethnic origin, colour, race, religion or nationality".

Harassment & hate crime can take many forms including:

- verbal abuse or conduct that ridicules a person's race, ethnic origin, colour, national origin, religion, gender, disability age, or sexual orientation, such as mimicking a person's accent, speech, or mannerisms
- provoking hatred of a racial group
- political platforms which incite racial disharmony
- the display or distribution of derogatory materials which relate to race, ethnic origin, colour, national origin, religion, gender, age, disability or sexual orientation
- unprovoked assault
- damage to property, for example, breaking windows in the home
- arson or attempted arson
- offensive graffiti or posters on or near the home
- threatening behaviour, for example, spitting or failing to control dogs
- repeated unfounded complaints to the landlord
- threatening letters or telephone calls
- vandalism of vehicles
- activities intended to deter a person from occupying a particular dwelling

2. AIMS & OBJECTIVES

Aims:

- to provide the framework to ensure that residents are able to go about their daily lives without fear of becoming victims of harassment or hate crime

- to work towards preventing harassment or hate crime before it starts, where possible, and identifying areas of repeated incidents upon which to allocate resources
- to establish close working relationships with OHG residents and partner agencies to combat occurrences of harassment or hate crime
- to ensure that residents experiencing harassment or hate crime can approach OHG in confidence knowing that staff will be sympathetic and supportive

Objectives:

- to treat all reports of harassment and hate crime extremely seriously and as a matter of high priority
- to place focus on tenancy and community sustainment by taking early action and deploying legal action as a last resort
- to ensure that our residents know about our services in relation to anti-social behaviour and how to access them
- to collect, record and report upon all relevant data on harassment and hate crime
- to consider the support needs of all parties involved, victims, witnesses and perpetrators alike (for example, some perpetrators may have mental health problems).

3. POLICY STATEMENT

OHG understands that discrimination and harassment can attack a person's dignity and self-respect. We will investigate thoroughly all incidents of harassment and hate crime reported to us and take action where we have the power to do so. Our actions will be prompt, firm and proportionate to the nature of the problem. We are committed to providing residents with as safe an environment as possible, both inside and outside of their homes.

We will always adopt a victim-centred approach and treat as harassment any incident that a resident perceives to be motivated by hate and prejudice. OHG will not tolerate harassment of any nature and will work with victims to find solutions.

3.1 Multi Agency Approach

OHG will work in partnership with external agencies and internal departments to resolve harassment and hate crime and to provide support to individuals and communities. We will consider the services of all relevant agencies on assessment of each case. We acknowledge the importance of working in partnership with The Police, Social Services, Local Authorities, in-house support teams and any other statutory and non-statutory agencies that could contribute to the early resolution of a case.

3.2 Victim & Witness Support

OHG understands the personal distress that harassment and hate crime can cause. We will do all we can to help residents feel safe, secure and able to report any incidents. We will respect the confidentiality of victims and witnesses and will keep them informed of the

process at all times. We will work with victims and witnesses to design an action plan that they feel they can agree with. Where any extra support needs are identified, we will refer residents to the appropriate agencies and work with these agencies as is required.

3.3 Supporting Perpetrators - Tenancy Sustainment

OHG wants to stop harassment and hate crime occurring, not simply displace it to another area. We will take a holistic approach by assessing the support needs of perpetrators as well as their victims. We will refer residents to specialist external support agencies where necessary. Officers will be able to refer some residents to OHG's in-house floating support team within the One Support Department. Unfortunately the floating support team do not work across all of OHG's boroughs.

3.4 Prevention & Sustainable Communities

OHG not only aims to prevent all forms of anti-social behaviour through supporting people, we also work to create sustainable communities through our Resident Involvement Framework. Residents are encouraged to form relationships with their neighbours by joining Tenants and Residents Associations, Focus Groups and Youth Clubs. The OHG Youth Services Team also works to create diversionary activities for young people. Currently this service is not available to all residents but we aim to roll out youth services across the Group over the course of the next 2 years.

3.5 False Allegations of Harassment or Hate Crime

OHG's approach is to be victim centred. When a report is made, staff must be sympathetic, understanding and believing. However, if growing evidence suggests that the victim is not telling the truth this cannot be ignored. Where the Housing Officer has good reason to believe that the victim has falsely alleged the harassment or hate crime as a means to obtain priority status on a housing transfer application, they will explain to the victim why their allegations have not been accepted and give them an opportunity to give additional information to support the claim. Where the Housing Officer still has good reason to believe the claim is fraudulent, then the decision will be put in writing and the victim advised that they can ask for a review of the case. This will be undertaken by the Regional Housing Manager. If the victim is dissatisfied with the outcome of the review, they can appeal using the Board Panel stage of OHG's [Complaints Procedure](#).

4. ACTION PLANS / MANAGEMENT TOOLS

OHG will work with the victims and witnesses involved in a case to devise an action plan that is agreeable to all and designed to fit the type and severity of the harassment or hate crime occurring. Please refer to the OHG [Harassment and Hate Crime Procedure](#) for details of the management tools that can be employed to tackle harassment and hate crime.

5. LEGISLATION REGULATION & GUIDANCE

Government legislation has an impact on how OHG can implement its harassment and hate crime policy. Listed below are the Acts that have been acknowledged.

- Race Relations Act 1976
- Public Order Act 1986
- The Criminal Justice & Public Order Act 1994
- Protection from Harassment Act 1997
- The Crime & Disorder Act 1998
- European Convention of Human Rights (Human Rights Act 1998)
- Race Relations (Amendment) Act 2000
- Anti-Social Behaviour Act 2003
- Racial and Religious Hatred Act 2006

The above documents are available on the website of the Office of Public Sector Information: www.opsi.gov.uk

6. MANAGING AGENTS

Where OHG own a block, building or property that is managed by another agent, it would be that agent's harassment and hate crime policy that would apply. However, if the resident is a OHG tenant, the agency must seek approval from OHG before taking any legal action against them. The inter-agency relationships are set out in the Management Agreements as authorised by OHG Board.

7. CONFIDENTIALITY

Under the Data Protection Act 1998 and the Human Rights Act 1998, all personal and sensitive organisational information, however received, is treated as confidential. This includes:

- anything of a personal nature that is not a matter of public record about a resident, client, applicant, staff or committee member
- sensitive organisational information

Officers will ensure that they only involve other agencies and share information with the consent of the resident concerned, unless:

- the information is necessary for the protection of children
- OHG is required to by law, for example OHG cannot withhold information from the Police that would assist a criminal investigation.

8. EQUALITY & DIVERSITY

OHG recognises the needs of a diverse population and always acts within the scope of its own **Equality and Diversity Policy**, the Human Rights Act 1998, The Disability Discrimination Act, and Race Relations Act. OHG works closely with its partners to ensure it has a clear understanding of its resident community with clear regularly updated service



user profiles. The Performance Information Team is responsible for recording, analysing and monitoring information on ethnicity, vulnerability and disability.

9. MONITORING & REPORTING

OHG will record data on all forms of anti-social behaviour including harassment and hate crime within its comprehensive Performance Management Framework.

10. HEALTH & SAFETY

Officers will follow OHG's **Health and Safety Policy** and **Lone Working Policy**, at all times when managing all forms of anti-social behaviour including harassment and hate crime. They will also consider the health and safety of all parties involved in any one case and the wider community when taking any action. It is imperative that all parties involved in, or affected by a case, are kept informed throughout the process.