



	<b>Organisation Name</b> Somerset Community Housing Trust	<b>Version: 2</b>
<b>Policy</b>	Hate Crime Policy	
<b>Ref</b>	H:Policies/Hate Crime policy	
<b>Staff affected</b>	All	<b>Effective Date:</b> May 2010
<b>Approved by</b>	SCHT Board	<b>Approval Date:</b> May 2010
<b>Lead Officer/ Policy Owner</b>	Director of Customer Services (Housing & Support)	<b>Review Date:</b> May 2013

### Policy Statement

**Our commitment to sustainable communities where people can thrive recognises that they must be places where all can live without fear of abuse, harassment or violence because of age ethnicity, race, religion, gender, sexual orientation or disability.**

**The Trust is committed to tackling all incidents of hate crime through a robust approach and will take prompt and effective action against perpetrators of such behaviour aiming to protect the victim, stop the abuse and prevent further incidents.**

### 1. Scope

- 1.1 This policy outlines the Trust's approach to effectively tackling all incidents of hate crime where the perpetrator or victim is a Somerset Community Housing Trust tenant, member of their household or visitor. It replaces the 2004 racial harassment policy. It also applies to staff that are victims of hate crime whilst at working with residents.

## **2. Responsibilities**

- 2.1 The Director of Customer Services (Housing & Support) has overall responsibility for the policy and its related procedures.
- 2.2 The Anti Social Behaviour Manager has operational responsibility for planning and managing relevant procedures and practices to ensure the delivery of policy objectives.
- 2.3 Tenancy Compliance officers have operational responsibility for the procedures which underpin this policy and support the effective response to hate crime cases.
- 2.4 All Trust staff and all resident groups and representatives will support our approach to hate crime.

## **3. Definitions**

- 3.1 Hate Crime is any offence committed against person or property which is motivated by the offender's hatred of people because they are seen as being different.

## **4. Principles**

- 4.1 We are committed to ensuring that all residents benefit from the quiet enjoyment of their homes and that the behaviour of other residents does not adversely affect their quality of life.
- 4.2 We strongly believe in equality and are committed to ensuring that residents and staff are free of fear of harassment, intimidation or attack. We condemn all forms of hate crime and will use all available powers and resources to take action against any individual involved in a hate crime incident.
- 4.3 Our tenancy agreement explicitly prohibits a tenant, other family member or visitor to their home from harassing another tenant or member of staff.
- 4.4 At the lettings stage, all new tenants are made fully aware of the conditions of the tenancy agreement and the consequences of breaching their tenancy agreement.
- 4.5 All incidents of hate crime will be investigated and dealt with by a specialist Tenancy compliance officer from the Anti Social Behaviour team:
  - 4.5.1 We will take a 'victim-centred' approach in responding to cases of hate crime.

- 4.5.2 We will accept the account of the victim and generally will not insist upon them providing evidence, unless and until further investigations prove otherwise. This does not mean that the alleged perpetrator is immediately assumed to be guilty.
- 4.5.3 We will respond to reports of hate crime from residents and staff, referral agencies acting on their behalf or any other party. We will follow a clear procedure to ensure a professional and consistent approach.
- 4.5.4 The victim will be advised of the possible courses of action that the Trust can take when responding to the incident and any action taken will be the result of a mutually agreed plan.
- 4.5.6 We will respond quickly to all incidents of hate crime and will offer a visit or office interview within 24 hours where possible, meeting the victim at a safe, accessible location of their choice. We will arrange for an interpreter if this is required, and make arrangements to deal with any other communication difficulties or disabilities that the complainant may have.
- 4.5.7 Where necessary we will offer additional security measures such as letter safes and additional locks to reduce the risk of harm to the victim. Repairs that have arisen as a result of hate crime will be treated as a priority.
- 4.5.8 Any resident experiencing hate crime will be entitled to request an interview by an officer of the same sex and/or ethnic origin.
- 4.5.9 We will take a multi-agency approach, working in partnership with other relevant statutory and voluntary organisation such as the Police, Support Against Racist Incidents (SARI) and Educational Action Challenging Homophobia (EACH). Where local authorities have them we will refer cases to the multi agency case review panel. Staff will be offered counselling and support.
- 4.5.10 We will make use of all relevant legal remedies, such as injunctions, possession proceedings or ASBO's. Some form of evidence will be required where legal action is to be taken; this will be discussed fully with the victim and potential witnesses.
- 4.5.11 We will keep up to date records and signpost victims to relevant local groups or agencies that may be able to offer specialist advice or support to victims of hate crimes.
- 4.5.12 On occasion, where a tenant considers it is the only course of action that will satisfactorily resolve the problem, we will consider offering a management transfer to a different home. This course of action would normally be taken in conjunction with action against the perpetrator.

4.5.13 If a management transfer is considered as an option this would normally be on a 'like for like' basis and where possible, depending on the wishes of the victim, away from the victim's local area.

4.5.14 We will continuously monitor the effectiveness of our policy and procedures in combating hate crime and will make amendments as appropriate.

4.5.15 We will work with our local authorities and police at a strategic level, taking part in partnerships against hate crime (where they are in place) to ensure an effective response to hate crime.

4.5.16 We will publicise the issue of hate crimes to our residents, including how and where hate crime can be reported to the Trust.

4.5.17 We will run timely and appropriate training for frontline staff and tenancy compliance officers in respect of hate crime.

## **5. Application**

5.1 A set of detailed procedures will accompany this policy to ensure that:

- 1) All reports of domestic abuse are thoroughly investigated and acted upon.
- 2) The complainant is fully involved in the action planning.
- 3) There is detailed recording of the incidents and the investigations carried out.
- 4) Victims are clearly advised when no further action can be taken to resolve an issue and a case is being closed. We will fully explain our reasons.
- 5) Victims will be referred for further support if they wish.
- 6) There are clear agreed timescales for responding to issues.
- 7) All parties involved in a case are aware of responsible named staff.
- 8) Cases are regularly monitored and reviewed.

## **6. Equal Opportunities Assessment**

6.1 We will monitor the application of this policy regularly to ensure that it is applied fairly and that access to the service is available to all. Along with access to our ASB services, we will report annually on the outcomes of this monitoring.

6.2 Our staff will act sensitively to the needs of individuals in the way that this policy and its associated procedures are applied.

6.3 The application of this policy is something that we consider a positive step to reduce discrimination and harassment in local communities.

## 7. **Monitoring**

7.1 Cases will be individually reviewed at Tenancy Compliance Officer's one to one meetings with their manager, to ensure that this policy is applied appropriately.

7.2 We will report on:

- The number of reports received
- The diversity profile of complainants and perpetrators
- The location of incidents
- Outcomes, e.g., transfer, injunction, support.
- Customer satisfaction.

We will use this information to inform our approach and use of resources.

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## 8. **Value for Money**

8.1 We have restructured and allocated sufficient resources to deal with this problem effectively. We have identified the following as areas for efficiency savings:

- Having available information on local services that offer support and counselling.
- Utilising these agencies in our approach and as part of our action plans.
- Working at a strategic level with local authorities, police and voluntary sector to provide services in an efficient manner.
- Referring all cases to the hate crime case review panels (where they exist) which bring all professionals involved around the table at one meeting.

## 9. **Review**

9.1 We will review this policy every 3 years or after changes in legislation, involving a specialist domestic abuse service provider and tenant service users.

<b>Equalities Impact Assessment</b>	TBA
<b>Legal/Regulatory Framework</b>	TSA Standards – Tenancy & Neighbourhood 1996 Housing Act Section 8.

	Human Rights Act 1999
<b>Performance &amp; Quality Framework</b>	KLOE 6, KLOE 30
<b>Associated Policies &amp; Procedures and other documents</b>	Repairs and maintenance policy Abandoned property policy Allocations policy Re-chargeable policy Complaints policy ASB Policy Trust Service Standards
<b>Policy Category</b>	Housing Management
<b>Consultation</b> <ul style="list-style-type: none"> <li>• Residents' Committee/Focus Group</li> <li>• Affected Staff</li> <li>• Staff Council/Joint Staff Forum</li> <li>• Management Team</li> <li>• GX</li> </ul>	