

Hate Crime Policy

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Prepared By

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Manual Version Control

Version	Date	
1.0	February 2018	Hate Crime Policy
2.0	July 2021	Review and Board approval (transgender identity added to Equality, Diversity, and Inclusion section a per Board request)
3.0	January 2024	Full Review

1. Policy Statement

1.1 This policy sets out our approach to tackling hate crime and working with residents who experience it.

1.2 Pickering and Ferens Homes (PFH) is committed to ensuring that all residents have the right to peace, quiet and security in their own homes and communities. We want to ensure that our neighbourhoods and communities are safe places where people choose to live. It is therefore the policy's intention to ensure that victims are able to live in any PFH property without fear of harassment, intimidation, or attack.

2. Aim & Purpose of Policy

2.1 The aim of this Policy is to set out our approach to hate crime and ensure that we meet the regulatory requirements of the Regulator of Social Housing's Neighbourhood and Community Standard.

2.2 Our aim is to tackle hate crime through the following measures:

- Prevention
- Customer experience and involvement
- Early intervention
- Partnership working
- Enforcement

2.3 The policy includes the service definition of hate crime. It outlines how we will deal with reports of hate crime and what support we will offer the victim. It also advises how we will hold perpetrators to account for their behaviour. The policy does not include how we will deal with hate crime against employees.

3. Requirements

3.1 The policy recognises that hate incidents can affect anyone and is not restricted to a specific gender, race, religion, or class etc. It is important to ensure that appropriate service responses are in place to support all victims of hate crime. We also want to make sure that our approach is consistent and is set within the context of relevant legislation including: -

- The Crime and Disorder Act 1998
- The Crime and Security Act 2001
- The Criminal Justice Act 2003 (as amended)

- The Equality Act 2010 and
- The Regulatory Framework for Housing in England (Regulator of Social Housing).
- The Care Act 2014
- Anti-Social Behaviour, Crime and Policing Act 2014
- Human Rights Act 1998
- Social Housing Act 2023

2.4

4. Hate Incidents and Hate Crime

4.1 In most crimes it is something the victim has in their possession or control that motivates the offender to commit the crime. With hate crime it is 'who' the victim is, or 'what' the victim appears to be that motivates the offender to commit the crime.

4.2 The Police and Criminal Prosecution Service have defined hate crime as:

'Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice' towards someone based on a personal characteristic'.

4.3 When a person's social identity is attacked, it is commonly based on one or more of these five characteristics:

- Disability
- Race or ethnicity
- Religion or belief
- Sexual orientation, or
- Transgender identity.

4.4 Hate crimes can take many forms, including: -

- Physical attacks, such as physical assaults, offensive graffiti, damage to property and arson.
- Threats of attack, such as offensive letters, abusive phone calls or text messages, groups who hang around to intimidate and malicious complaints.
- Verbal abuse, such as insults, harassment, bullying, offensive leaflets and posters and abusive gestures.
- Online abuse for example via social media

4.5 A person may also be a victim of hate crime based on several factors, for example a disabled person may be harassed on both their disability and their race.

5. Safeguarding

5.1 PFH's Safeguarding Policy will be followed if any safeguarding concerns are raised when dealing with reports of hate crime.

6. The Effects of Hate Crime

6.1 Victims can often feel like there is no escape - they are unable to change or hide their identity to protect themselves. However, they may adapt their life to protect themselves, family or friends from victimisation. Hate crime can cause someone to feel humiliated, embarrassed, or angry. The victim is also likely to feel anxiety / stress, fear, and ill health. Where the person is suffering from repeated incidents this may lead to severe distress making life intolerable and in extreme circumstances can result in injury or death.

6.2 Incidents of hate crime can also have widespread and long-term implications for the whole community, damaging community cohesion and threatening community sustainability.

6.3 A person suffering from hate crime may not always report it as such as it may be disguised or may be in the form of repeated requests for advice or help. For example, a person who has had several incidents of broken windows might be suffering from hate crime due to their status, group, characteristic, or affiliation.

6.4 It is important therefore that PFH ensures residents are encouraged to report incidents and are aware of how to report them. Reports can be made in the following ways:

- Website
- Email
- Telephone, including our of hours
- In writing
- Visit
- Via an advocate

6.5 PFH will contribute to the prevention of hate crime by:

- Promoting awareness and training amongst staff and residents
- Encourage reporting
- Ensuring policies and practices are inclusive and promoted
- Foster community engagement, inclusion and tolerance amongst PFH communities and wider communities where possible

7. Dealing with Incidents of Hate Crime

7.1 We will make a distinction between reports of general anti-social behaviour and hate crime. Incidents believed to be motivated by hate or prejudice directed against any person or group of people will be dealt with as high priority for investigation purposes.

7.2 The Resident Services Manager will be responsible for making sure that all necessary actions are taken in line with this policy and that any liaison with other agencies is undertaken and is effective.

7.3 We will ensure that all relevant staff are made aware and trained to identify the needs of victims, and witnesses, so that PFH can provide a responsive and effective service whilst respecting the need for sensitivity and confidentiality.

7.4 PFH will take a victim centred approach to dealing with hate crime focusing on supporting the victim and ensuring that they feel that they are believed and listened to. A person who reports a hate crime will always be treated sensitively, courteously and with respect. We will ensure that we offer a consistent, effective approach to dealing with reports of hate crime and we will specifically do the following: -

- Investigate thoroughly every case of hate crime reported where the alleged perpetrator and or victim is a resident of PFH.
- Provide help and support to victims (and witnesses) in all cases. We will only share information or involve other agencies with the consent of the victim, unless there is any reason to suspect children are at risk or we are required to share the information by law.
- When an incident is reported, we will contact the victim within one working day to take details of the incident and agree an action plan that is tailored to their needs.
- We will let the victim know what action we are taking and how long we believe this will take
- We will keep the victim up to date with our actions and contact them on an agreed basis while the incident is open and being investigated.
- We will notify the victim of our conclusion by personally contacting them and reiterating this in writing.
- Following the investigation if we find that the incident was not motivated by hate we will explain our conclusion to the victim. We will investigate any future report from the victim as hate crime if they report it as such.
- Where a person is not satisfied with the way their case has been handled then they may make a complaint through PFH's complaints policy, setting out their reasons for dissatisfaction and the resolution they seek.
- We will ensure that any damage to property are dealt with quickly and offensive graffiti will be removed within 24 hours.

8. Enforcement

8.1 Staff will not pre-judge alleged perpetrators prior to the investigation. If the perpetrator is a PFH resident, they will be made aware of the consequences of their actions, including how it may affect their Letter of Appointment (Licence) and that they may face losing their home.

8.2 In all circumstances, i.e. whether the perpetrator is a PFH resident or not, PFH will also work with other agencies to combat hate crime, including the Council's ASB team, the Police and victim support groups. 8.2 Following investigation, where there is evidence of hate crime, appropriate action will be taken against the perpetrator, in accordance with the nature and severity of the incident, using the options available at that time. This could include working with the Police, taking civil remedies or serving a Notice to Quit.

9. Information Sharing

9.1 PFH treats all information received in confidence, consistent with our legal responsibilities as a Data Controller to comply with the General Data Protection Regulation (GDPR) and ensure compliance with PFH Data Protection Policy.

9.2 It is recognised that Hate crimes are extremely sensitive incidents for victims to report and PFH shall maintain the confidentiality of a disclosure regarding abuse to the extent allowed by law and unless to do so would result in significant harm or risk of harm to any person on any cases that are reported.

9.3 PFH will however, share relevant information with local agencies such as the police, MARAC, Safeguarding team and other involved agencies where necessary, to deal with cases more effectively by either gathering extra evidence to carry out enforcement measures against the perpetrator or sharing information in the interests of the victim to provide better or more effective support.

10. Our Commitment to Equalities

10.1 PFH seeks to ensure that their actions do not lead to unlawful discrimination. Deliberate acts of discrimination, including victimisation, harassment, instruction or pressure to discriminate, will result in disciplinary actions and/or termination of contracts with external agents.

10.2 We can provide access to interpreters for minority languages including sign language, and we can arrange written material in large print, Braille and first languages where necessary.

10.3 PFH will aim to ensure that no individual or group is treated less favourably on the grounds of age, disability, gender, gender reassignment, marriage and civil partnership,

pregnancy_and maternity, race, religion and belief, sex and sexual orientation. We aim to recognise the needs of individuals and treat each person with dignity and respect.

10.4 We will consider the individual needs of residents who may require additional support and make reasonable adjustments in line with the Equality Act 2010 and in accordance with our EDI Policy.

10.5 We will work with our contractors to ensure that any resident who feels uncomfortable with male only operatives, for example, either can opt to have a female operative, or a female accompanying the operative.

11. Performance Monitoring and Review

11.1 All hate incidents and hate crimes are logged on PFH's housing management system and reported monthly to Directorate, and annually via the Annual Report. All logged reports will be quality checked by the RSM or SSM to ensure cases are logged correctly and actions taken are appropriate and proportionate.

11.2 Any hate incidents/crimes are discussed routinely at staff Check-In's and Team Meetings, which helps remind staff of the importance of recording hate crimes and dealing with them effectively. Team meetings offer the opportunity to raise any concerns, discuss options for further investigation and agree the most appropriate steps to take.

11.3 Those logging the concern should record detailed and factual information, and all related documents and emails should be attached to the record.

11.4 Only staff who have a legitimate need to view the information will have access to hate crime/incident reports and logs.

11.5 PFH will also assess reports against protected characteristics.

12. Policy Review

12.1 PFH will review the Hate Crime policy every 3 years, the review may be brought forward, if necessary, for example on the introduction of new legislation or best practice guidelines, whichever is the sooner.

13. Responsibilities within this Policy

PFH Board, Chief Executive & Leadership Team

The Board, Chief Executive and SLT have ultimate accountability in ensuring the policy is delivered and will approve any major amendments or revisions of PFH's Hate Crime Policy.

Home Services Director

Responsibility for implementation of the Hate Crime Policy falls to the Home Services Director.

Resident Services Manager

The operational management associated with the Hate Crime Policy is the responsibility of the Resident Services Manager who will also undertake regular reviews of the Policy, ensuring compliance with current legislation and regulatory requirements.

14. Associated Policies

Anti- Social Behaviour Policy

Complaints, Compliments and Suggestions Policy

Data Protection Policy (GDPR)

Domestic Abuse Policy

Equality and Diversity Policy

Allocations Policy

Safeguarding Policy

Whistleblowing Policy