

Hate Incidents, Hate Crime & Harassment Policy

EG Approval: August 2024	Responsible Board: Ocean Housing Ltd
Next Review: August 2027	Responsible Executive: Managing Director of Ocean Housing

1.0 Purpose and Scope

- 1.1 Ocean Housing is a provider of social housing for people in need in Cornwall. Our mission is *'to be an innovative provider of quality homes and services, with tenants and residents and staff at the heart of Ocean, and Ocean at the heart of the community'*.
- 1.2 This Policy ensures Ocean Housing has an effective strategy for responding to hate incidents and harassment.
- 1.3 This Policy applies to all Ocean tenants and residents, Ocean staff, Board Members, contractors, and visitors whether they are victims or perpetrators of a hate incident, hate crime or harassment.
- 1.4 This policy must be read in conjunction with the Antisocial Behaviour Policy and procedure, as they set out, in detail, the process to be followed when managing hate incidents, hate crime and harassment issues. They also set out the actions that might be taken.

2.0 Policy Statement

- 2.1 Ocean Housing takes all complaints of hate incidents, hate crime and harassment seriously. We will take action to demonstrate we do not tolerate any form of behaviour that unreasonably disrupts and interferes with the lives of our tenants and residents to enjoy their home, garden and neighbourhood.
- 2.2 Ocean Housing is opposed to all forms of hate incidents, hate crime and harassment positively supports residents who are victims of hate incidents and will act against perpetrators of hate incidents, hate crime and harassment whether residents, employees, agents or third parties.
- 2.3 This policy is based on the following guiding principles:
 - A zero-tolerance approach to all hate incidents, hate crimes and harassment
 - A person-centred approach that supports the right of the individual to lead an independent life based on self-determination and choice.
 - Working within a multi-agency framework and through community partnerships to support victims; prevent hate crime and harassment; deal effectively with perpetrators; and promote community cohesion.
 - Ensuring all employees are aware of their responsibilities and are appropriately trained.
 - Recognising hate incidents, hate crime and harassment are under-reported and that victims have often been repeatedly victimised.

2.4 Our principal policy aims include:

- Inspiring confidence amongst residents to report hate incidents, hate crime and harassment and that these behaviours will be challenged.
- Responding quickly and robustly to incidents of hate incidents, hate crime and harassment. All hate incidents will be graded as urgent.
- Inspiring confidence amongst residents to report hate incidents, hate crime and harassment and that these behaviours will be challenged

3.0 Linked Policies

- Anti Social Behaviour Policy
- Data Protection Policy
- Safeguarding Adults Policy
- Safeguarding Children Policy
- Services for Vulnerable People Policy
- Domestic Abuse Policy
- Allocations and Lettings Policy
- Compliments and Complaints Policy
- Data Protection Policy
- Equalities, Diversity and inclusion Strategy

4.0 Legislation and Regulation

- Anti Social Behaviour Act 2003
- Anti Social Behaviour Crime and Policing Act 2014
- Equality Act 2010
- Housing Act 1988
- Housing Act 1985
- Housing Act 1996
- Domestic Abuse Act 2021
- Data Protection Act 2018
- Crime and Disorder Act 1998
- Noise Act 1996
- Care Act 2014
- Mental Health Act 1983
- Environmental Protection Act 1990
- Protections from Harassment Act 1977
- Police and Criminal Evidence Act 1984
- The Misuse of Drugs Act 1971
- Regulator of Social Housing – Neighbourhood and Community Standard

5.0 Definitions

- 5.1 A hate incident is any incident perceived by the victim, or any other person, to be motivated by prejudice or hate. This includes direct or indirect discrimination based on a person's disability; gender; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion and belief; sexual orientation and age.

5.2 Hate incidents can take many forms including but not limited to:

- Verbal abuse like name-calling and offensive jokes
- Harassment and threats of violence
- Bullying or intimidation by children, adults, neighbours, or strangers
- Physical attacks such as hitting, punching, pushing, spitting
- Hoax calls, abusive phone or text messages, online and offline hate mail
- Online abuse
- Displaying or circulating discriminatory literature or posters
- Harm or damage to things such as your home, pet, vehicle
- Graffiti
- Malicious complaints

5.3 When hate incidents become criminal offences they are recorded as a hate crime. The Police and Crown Prosecution Service define hate crime 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 disability or perceived disability; race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; transgender or perceived transgender identity.

5.4 Incidents which are based on other personal characteristics, such as age, belonging to an alternative subculture or gender, are not considered to be hate crimes under the law. These can still be reported but will not be prosecuted specifically as hate crimes by the Police and the Crown Prosecution Service.

Hate crime can take many forms including:

- Assaults
- Criminal damage
- Harassment
- Murder
- Sexual assault
- Theft
- Fraud
- Burglary
- Online and offline hate mail (Malicious Communications Act 1988)
- Causing harassment, alarm, or distress (Public Order Act 1986)

5.5 Where we are made aware of a hate crime, we will encourage the victim to report the matter to the Police, and support them to do so.

6.0 Responsibilities

6.1 All Ocean staff have a duty to respond to reported, or witnessed, hate incidents, hate crime and harassment, and treat victims and witnesses with dignity and respect.

6.2 Ocean Housing Board, supported by the Executive Group, will be responsible for setting targets on an annual basis and monitoring performance against those targets.

6.3 The Head of Neighbourhood Services will have overall responsibility for the implementation of the policy.

- 6.4 The Neighbourhood Services Managers and Home Ownership Manager will ensure the policy is implemented correctly and all relevant processes are followed.
- 6.5 We will provide regular training for our customer-facing staff, who may receive reports of hate incidents, hate crime and harassment, and annual update training for staff responsible for managing these cases.
- 6.6 To effectively tackle hate incidents, hate crime and harassment, it is essential that staff have the correct skills and knowledge. All new staff undergo an induction programme which includes safeguarding, equality, diversity and inclusion training and will have a dedicated training plan based upon the needs of their job role and own personal development. Training and development needs for all staff are reviewed at least annually.

7.0 Information and Publicising the Policy

- 7.1 We will publicise the policy to tenants, residents and staff through the resident's handbook, Ocean website and other media channels as required.

8.0 Equality, Diversity, and Inclusion

- 8.1 Everyone has a right to be treated with dignity, fairness and respect. We will ensure that reports are investigated carefully and thoroughly so our tenants can live in their home free of fear.
- 8.2 Reasonable Adjustments, under the Equality Act 2010, will be considered on a case-by-case basis, both in terms of how we investigate issues and how we respond to them.
- 8.3 We are committed to addressing any communication or language barriers by providing translation services for face-to-face contact and written communication when needed. We will also produce information in alternative formats such as audio or large print where required.
- 8.4 The Equality Act 2010 is important when we seek to resolve hate incidents and harassment as it provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. The Act makes discrimination unlawful in relation to nine protected characteristics and established the Public Sector Equality Duty (PSED).
- 8.5 The PSED applies to a public authority or to a body who is not a public authority when they exercise a public function. For Ocean Housing, it applies in the provision, allocation and management of social housing.
- 8.6 Should it be necessary to pursue legal action against a vulnerable customer, we will justify our reasons for taking the action beforehand, including by carrying out a proportionality review. We will work in conjunction with any support agencies involved with the customer as we move through the enforcement process.
- 8.7 We are aware of our Equality Act duty and will consider these responsibilities when managing cases of hate incidents and harassment.

9.0 Monitoring

9.1 Our performance will be regularly reported to, and monitored by, Ocean Housing's Executive Group and Board Performance will also be reported to the Together with Ocean Panel, and via the website. We will collect data in accordance with the relevant Tenant Satisfaction Measure.

9.2 As a minimum, we will ensure customers can access to a set of clear, comparable tenant satisfaction measures on things they care about to ensure they understand our performance:

- Tenant satisfaction with the landlord's positive contribution to the neighbourhood (TP11)
- Number of complaints received relating to hate incidents, hate crime and harassment relative to our size as a landlord (NM01)
- Percentage of tenants satisfied with our handling of hate incidents, hate crime and harassment
- Percentage of tenants satisfied with the outcome of their hate incidents and harassment case.