

Hexagon

# Hate Crime & Harassment Policy

POLICY DOCUMENT

## 1.0 Scope and Aims

- 1.1 This policy applies to all Hexagon residents
- 1.2 It is intended to set out Hexagon Housing Association's approach and covers all incidents that could be classed as hate crime and harassment within the areas we manage
- 1.3 A hate crime is any crime committed against someone because of their disability, transgender-identity, race, religion or belief, or sexual orientation.
- 1.4 A hate crime can be threatening behaviour, assault, robbery, damage to property, inciting others to commit hate crimes and harassment.
- 1.5 Harassment is a personalised form of anti-social behaviour aimed at a particular person it can take a variety of forms but is unwanted behaviour that has the effect of violating dignity or creating an intimidating, hostile, humiliating or offensive environment. Examples include;
  - Violence or threats of violence toward a person or their property
  - Abusive or insulting words or behaviour, to include letters, phone calls and text messaging.
  - Writing threatening, abusive or insulting graffiti near the victim's home
  - Any behaviour that leaves the victim humiliated and or intimidated
- 1.6 Some forms of harassment may precede an incident of hate crime motivated by prejudice based on the protected characteristics as defined in the Equality Act 2010.
- 1.7 Hate Crime complaints are treated very seriously. We define a hate crime or incident as an incident that is considered by the victim to be motivated by prejudice or hate, such as;
  - Racist behaviour and racial harassment
  - Homophobic or transphobic behaviour
  - Disability related harassment
  - Faith related harassment
- 1.8 The behaviour reported may be considered a crime in law and we will take appropriate action.

- 1.9 Racial harassment is specifically defined using the Macpherson report which categorises a racial incident as “any incident which is perceived to be racist by the victim or any other person”
- 1.10 The Macpherson definition will be applied to harassment incidents for any of the protected characteristics – if a person, either victim, witness or third party, perceives an incident to be harassment based on a protected characteristic it will be treated as such
- 1.11 The policy will be in line with statutory guidelines and existing tenancy/ lease agreements
- 1.12 Our approach will be victim centred; the emphasis is on taking actions which support victims
- 1.13 When an incident is classed as harassment and the perpetrator is our resident, we want the option of pursuing further action where appropriate

## 2.0 Equality and Diversity

- 2.1 **An equality impact assessment ‘initial screening’ has been carried out which determined the policy has the potential to positively impact on all protected characteristics**
- 2.2 The policy exists to support residents who suffer from hate crime, discrimination and harassment based on any of the protected characteristics, so will assist in creating an open environment for equality and diversity

## 3.0 Consultation

- 3.1 This policy was not selected by the Hexagon Resident Advisory Group in their consultation plan.

## 4.0 Policy Statement

- 4.1 Harassment of any kind is unacceptable; we aim to use the powers available to us to respond proportionately to any reports we receive
- 4.2 Victims of harassment should be protected and supported

- 4.3 If our residents are perpetrating harassment we should consider how we can prevent this
- 4.4 Any report we receive from a person, witness or third party who believes a hate crime or harassment has taken place within the areas we manage, will be recorded and investigated on that basis
- 4.5 Only when evidence is found that contradicts the definition of hate crime or harassment will it be considered otherwise
- 4.6 We will employ a victim-centred approach, we will take steps to ensure those reporting hate crimes and harassment are safe and feel comfortable communicating with us (this includes allowing the victim to speak to an officer of the same gender or ethnic origin where possible)
- 4.7 Making the victim feel safe in their home will be a priority and we will consider reasonable adjustments to their property that may assist with this
- 4.8 In the most serious cases, we will explore the possibility of moving the victim depending on their wishes and the availability of housing
- 4.9 Any repairs required as a result of hate crime and harassment will be treated as an emergency priority
- 4.10 If the perpetrator is our resident, we will consider taking action against them appropriate to the nature of the incident and considering the wishes of the victim, including potential legal measures
- 4.11 We will engage with other agencies (e.g. local authorities, police, advocacy agencies) to support in both assisting the victim and taking action against the perpetrator
- 4.12 When an external agency is better placed to take a case forward, we will co-operate fully with them

## 5.0 Legal framework

5.1 This policy is designed to comply with the following legislation and guidance:

- Neighbourhood Standard - set out by the Regulator for Social Housing

- The Crime and Disorder Act 1998
- Anti-terrorism Crime and Security Act 2001
- Macpherson Report
- Equality Act 2010
- Anti-Social Behaviour, Crime and Policing Act 2014

## **6.0 Related Hexagon policies, strategies and procedures**

- ASB Policy 2020
- ASB Procedure 2020
- DVWAG Policy 2020
- DVWAG Procedure 2020

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Hexagon