



This policy details how we manage reports and cases of hate crime; what may constitute hate crime; how we work with partners to seek an effective resolution; and how we aim to support complainants and deal with respondents in line with effective use of legal tools at our disposal in line with Housing Law and our tenancy agreements.

Hate Crime Policy

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Part 1

About this policy

Document management

Directorate	Finance
Policy sponsor	Deputy Chief Executive and Chief Financial Officer
Policy owner	Director of Housing and Customer Services
Policy author	Director of Housing and Customer Services
Summary	This policy details how we manage reports and cases of hate crime; what may constitute hate crime; how we work with partners to seek an effective resolution; and how we aim to support complainants and deal with respondents in line with effective use of legal tools at our disposal in line with Housing Law and our tenancy agreements.
Target audience	Housing colleagues - Neighbourhoods and Housing Management. Care and Support

Review process

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Part 2

Overview

Intent

Longhurst Group is committed to tackling hate incidents and crime in order to provide safe and secure neighbourhoods and to create sustainable communities. We recognise that we live in an open, multicultural and diverse society and appreciate the benefits that such diversity brings to our communities and encourage all residents to welcome and appreciate the diverse cultures that are part of their locality.

Longhurst Group values the diversity of our residents and believe that all residents, their families and visitors to their home have a right to live without fear of abuse, intimidation, harassment, humiliation or attack, irrespective of gender, age, disability, race, religion, sexual orientation, gender identity or appearance.

Longhurst Group understands that hate incidents and crime can have a serious and devastating impact on an individual's sense of security, health and wellbeing but also has a negative impact on communities in relation to cohesion and integration. We condemn all forms of hate incidents and crime and will treat all incidents reported to us as an emergency.

The key objectives of this policy are to;

- Understand and define what Hate Crime and Incidents are;
- Understand the term 'mate crime';
- Detail the legal and regulatory framework that provide us with the tools to respond to hate crime and incidents and that we are required to comply with;
- Outline our approach and commitment to dealing with hate crime and incidents effectively and efficiently;
- Outline how we will assess the risk to complainants and undertake a victim centred approach;
- Monitor performance to assess the quality and effectiveness of service.

Policy statement

This policy supports the Group's values and is a commitment to improving lives and supporting colleagues by detailing our response to complaints and allegations of Hate Crime and Incidents.

In responding to complaints and allegations of Hate Crime and Incidents, we intend to;

- Provide clear information on how to report hate crime and incidents, including how a third party can also report a hate crime or incident;
- Inspire confidence amongst residents that we want to deal with all hate crime and incidents and encourage reporting of individual incidents;
- Respond rapidly and effectively to hate crime and incidents at an early stage to try to prevent further incidents and / or the escalation of the seriousness of incidents and to improve the safety and welfare of adults and children that are affected by such incidents;

- Investigate reports of hate crime and incidents sensitively, provide victims with support and undertake a victim centred approach taking all reasonable steps to prevent it;
- Increase awareness and understanding amongst residents and colleagues of hate crime, including reports from third parties. This will be supported through the provision of training.
- Create a consistent approach for recording and monitoring hate incidents and look to identify repeat incidents;
- Work in partnership with various key agencies when dealing with hate crime and incidents, sharing intelligence and taking joint action where required to help create safer communities

Scope

The terms 'Longhurst Group' and 'the Group' incorporate all member companies and subsidiaries.

This policy applies to all customers who hold a tenancy with the Group, including leaseholders and shared owner and Care and Support, and all colleagues within the Group.

The policy does not form part of any colleague's contract of employment and the policy may be amended at any time.

Part 3

Policy details

Definition of Hate Incident / Crime

We define a hate incident / crime as:

*"Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person**, as being motivated by prejudice or hate."*

-ACPO Good Practice and Tactical Guidance on Hate Crime 2005

**If a third party perceives an incident to be motivated by prejudice or hate then this same definition will apply.

Repeat victimisation of hate crime occurs:

"Where a person or immediate family member suffers more than one hate incident in a 12-month period following the date the first crime was reported".

-Home Office & ACPO 2005

Hate incidents / crime is hatred, bias or prejudice that is based upon the actual or perceived age, gender, disability, race, religion, sexual orientation, gender identity or appearance.

Hate incidents / crimes can occur in a variety of forms; examples include, but are not limited to the following:

- Physical assault
- Bullying
- Harassment
- Verbal abuse, insults and threats
- Abuse through social media / cyber
- Damage to property or personal belongings
- Threatening or abusive behaviour including spitting, ridicule of cultural differences, arson or attempted arson, offensive jokes or comments.

Behaviour identified as harassment but not a hate incident / crime will be dealt with through our anti-social behaviour policy, but when we receive a report our initial call handling templates will seek to establish if hate is a likely motivator.

Mate Crime

Mate crime is defined as the exploitation, abuse or theft from any vulnerable person by those they may consider to be their friends. Those that commit such abuse or theft are often referred to as 'fake friends'. For instances of 'mate crime' please refer to the appropriate child / adult safeguarding policy and referral process if applicable.

Mate crime may involve the following:

- Financial Abuse - where the perpetrator might demand or ask to be lent money or property and then not pay it back / return it;
- Physical Abuse - where the person may be assaulted or seriously injured by the perpetrator, possibly for the amusement of the perpetrator;
- Emotional Abuse - where the perpetrator might manipulate or mislead the person, make them feel worthless, call them names or groom the person for criminal offences;
- Sexual Abuse - the person might be coerced into prostitution, sexually exploited by someone they think is their partner or friend or might be persuaded to perform sexual acts they do not feel comfortable with.

Legal and Regulatory Framework

Under the Equality Act 2010 the Group has a general duty to have due regard to the need to:

- Eliminate the unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristics and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristics and persons who do not share it;
- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
- Encouraging people from protected groups to participate where their level of participation is particularly low.

Responding to Reports of Hate Incidents / Crime

In responding to reports of a hate incident / crime we will:

- Adopt a victim-led approach in dealing with hate crimes, which means that if a person or a third party feels that they or someone else has experience a hate crime we will deal with it under this policy;
- Talk to victims and agree the action to be taken and encourage them to report incidents to the Police to pursue the possibility of a criminal investigation;
- Review any potential vulnerability and the risk of harm to the victim through the completion of the sustainability matrix;
- Offer victims and complainants support through our own colleagues but will also try to engage more specialist support services;
- Adapt our response to the individual circumstances and needs of the victim, recognising that every reported hate incident / crime will be different.

Hate crime legislation allows for a third party to report and indeed stand as a witness to a hate crime where they have witnessed the incident. Where we receive a report from a third

party, we will investigate the incident, ensuring that interaction takes place with the victim(s) as well as the third party. The views of the victim will be taken into account, however, should they not wish to pursue the matter this will not necessarily prevent us from taking appropriate action where the third party is willing to provide evidence and be a witness.

Confidentiality

Victims will be encouraged to allow us to share information with other agencies, including the Police and local authority, to ensure that the full range of civil and criminal action can be pursued, and appropriate support provided. However, all information provided by the victim will be treated with the utmost confidence and only passed to external agencies where we are required by law to do so, and in accordance with the Data Protection Act 2018.

Where we do not have the victims' consent and we consider there is a high risk of serious harm to anyone involved, we may make a report to the Police without the victim's consent. The Director of Housing and Customer Services will approve any such disclosure.

Training

All colleagues are responsible for ensuring the policy is incorporated into their working practices.

Appropriate training will be given to colleagues to raise their awareness and to equip them to implement this policy and its related procedures effectively.

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Part 4

Policy implications

Roles and responsibilities

All persons involved with the Group, whether Board Member, or employee have delegated responsibilities. The key roles and responsibilities are listed below.

Group Board

The Board is responsible for ensuring that there is an effective policy with controls in place, but delegation is the Management Team of the Group.

Executive Management Team

The Chief Executive, Executive Directors and Directors collectively are the officers responsible for ensuring the implementation of the Group's objectives in this policy.

Policy Sponsor – Deputy Chief Executive and Chief Financial Officer

This person has strategic responsibility for the policy and how it relates to business plans, key strategies and other elements of the policy framework.

Policy Owner – Director of Housing and Customer Services

Responsible for the policy's suitability; effective implementation; and commissioning new policy development and periodic policy review.

Policy Author – Director of Housing and Customer Services

Responsible for drafting a new policy and proposing any amendments to an existing policy.

Data Protection – Data Protection Officer

Responsible for identifying, assessing and mitigating privacy risks with data-processing activities that fall within the policy.

Customer Engagement Team

Responsible for leading on policy consultation with customers and the Customer Forum.

Additional Roles

- Legal responsibility for the Hate Crime Policy is held jointly by the Longhurst Group Chief Executive and the Executive Director of Customer Services.
- Operational responsibility for the Hate Crime Policy is held by the Director of Housing and Customer Services and Head of Housing Services.
- Procedural responsibility for the Hate Crime Policy is held by Housing Managers/Team Leaders.
- Day-to-day responsibility for the Hate Crime Policy is held by Team Leaders, Housing Officers and ASB Advisors.

Data protection

This policy is fully compliant with data protection and GDPR regulations. Personal data is captured following disclosure from our customers and the information processed in Dynamics, our Housing Management system, for the lifetime of the tenancy whilst it is active. Information may be shared with partner agencies, such as the Police, whom we have data sharing agreements in place with. If there is a serious risk of harm to the customer and the sharing of data is required to safeguard that individual, this will be approved by the Director of Housing and Customer Services. Categories of data that may be captured include ethnicity gender, religion and sexual orientation. |

Safeguarding

This policy adheres to the organisational Safeguarding Adults and Safeguarding Children policies.

There are clear impacts on customers experiencing hate crime linked to safeguarding and for all instances of hate crime, a safeguarding referral should be made due to the detrimental impact on both the physical and mental wellbeing of the customer as well as, in worst case scenarios, risk to life, which would require a multi-agency approach. |

Equality, diversity and inclusion

The Group is committed to E, D & I and such will make reasonable adjustments to the policy to recognise, accommodate and support individual needs, where needed. The policy adheres to the Group's approach to Equality and Diversity. Group members will take a proactive approach to ensure that no individual or group is discriminated against or treated differently as a direct or indirect result of this policy. |

Complaints and feedback

Should a customer wish to make a complaint relating to this policy from customers, they can do so by following the organisational complaint process. There is no performance feedback that needs to be provided as part of this policy. |

Risk analysis

The Risk Analysis section within the Policy Development Plan (PDP) identified the following risks and mitigating actions:

- The greatest risk to the organisation is reputation by not dealing with reported cases of hate crime, which will vary in respect of severity, but ultimately could result in the death of a customer. This is mitigated by multi-agency working and safeguarding referrals for customers that we are aware of who have been subject to hate crime. |
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Evaluation, review and performance reporting

This policy will be reviewed on a Triennial basis to ensure that it remains fit for purpose. A policy review may also be required earlier, in response to internal or external changes for example changes in legislation. Prompt and effective action will be taken where improvements are identified.

As part of 1-2-1 case reviews, will carry out audits to monitor compliance. Regular checks will also be completed by our auditors. In addition, it will be reviewed:

- Following information suggesting that the policy is not effective.
- To reflect any service enhancements.

Summary of local variations

There are no local variations applicable to this policy.

Part 5

Compliance

Legal and regulatory compliance

This policy fully complies with the Group's legal and regulatory obligations.

- Complies with Regulator of Social Housing Neighbourhood and Community tenancy standard.
- The Housing Acts
- The Data Protection Act 2018

This list is not exhaustive, and policy authors will undertake thorough research and/or seek professional advice to ensure the Group meets its obligations and complies with the current and relevant legislation and regulations.

Related policies

- Anti-Social Behaviour Policy
- Starter Tenancy Policy
- Transfer Policy
- Domestic Abuse Policy
- Tenancy Management Policy
- Safeguarding Adults Policy
- Safeguarding Children Policy

Part 6

Appendices

A. Glossary of terms

Term	Definition
Legislation	The legal requirements that must be followed.
Policy	A statement of intent describing our approach towards a particular activity or area – usually comprising a set of rules or standards that must be followed.
Policy Development Plan (PDP)	The document used to support planning policy development and review.
Procedure	An agreed way of doing things that describes how a policy will be implemented. The specific steps and/or actions that must be taken to put policy into practice and ensure a consistent service.
Regulation	The rules or standards set by a governing body such as the Housing Ombudsman, Regulator of Social Housing and Financial Conduct Authority.

B. Associated documents

The following documents are associated with this policy:

- Policy Development Plan
- Knowledge Base Articles

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