

RAILWAY HOUSING ASSOCIATION

POLICY STATEMENT

HARASSMENT AND HATE CRIME

1. Statement of Intent

- 1.1 The Association recognises that it has a duty to maintain a workplace and provide services where everyone is treated with dignity and respect. The Association will not tolerate any form of harassment or hate crime, and will take prompt and effective action.
- 1.2 The Association will adopt a victim centred approach. The interests of the victim are paramount and they will be treated sensitively, courteously and respectfully.
- 1.3 The Association will uphold the principles of the Race Relations Act 1976 (as amended 2000), the 'Statutory Code of Practice on Racial Equality in Housing (England)' published by the Commission for Racial Equality, now known as the Equality and Human Rights Commission, the Crime & Disorder Act 1998, and the Racial and Religious Hatred Act.
- 1.4 This policy will be implemented in accordance with the Association's Equality and Diversity Policy.

2. Definitions

- 2.1 Harassment is deliberate or intentional behaviour that is targeted at individuals or distinct groups because of their particular race, ethnic origin, gender or gender identity, sexual orientation, disability, age or religion. It is the interference with a person's comfort or safety. It is persistent and recurs.
- 2.2 The Association has adopted the definition of a racist incident from the McPherson Report: -

"A racist incident is any incident, which is perceived to be racist by the victim or any other person"
- 2.3 Hate crime is a crime in which the perpetrator's conduct is motivated in whole or in part by hatred, bias or prejudice based on the actual or perceived race, ethnic origin, gender or gender identity, age, religion, disability or sexual orientation of an individual or group.
- 2.4 Harassment and hate crime can include name calling, physical or verbal abuse, intimidation, attacks on or damage to property including graffiti. It may not constitute a criminal offence but is perceived by the victim or any other person as being motivated by prejudice or hate.

3. Implementation

- 3.1 The Association's tenancy agreement clearly states in Clause 3 (6) that tenants must not cause or permit any form of harassment on the grounds of race, colour, religion, sex, sexual orientation or disability, in their home, within the locality of their home, or to any employee or contractor of the Association.
- 3.2 Clause 4(7) of the Association's lease for Leasehold Schemes for the Elderly states that lessees will not do or permit or suffer to be done in or upon the property or any part thereof anything which may be or become a nuisance or annoyance or cause damage or inconvenience to the landlord or the tenants of the landlord or neighbouring owners or occupiers.
- 3.3 The Association has procedures for dealing with complaints of harassment and hate crime, and staff will work within the agreed time-scales of the procedure.
- 3.4 Complaints of harassment or hate crime may be received verbally or in writing from the complainant or someone acting on their behalf. A complaint may also be anonymous.
- 3.5 Every report of harassment or hate crime will be promptly recorded and acknowledged in writing. (Anonymous complaints will be recorded but not acknowledged).
- 3.6 The victim and any witnesses will be interviewed, supported and a detailed assessment will be made.
- 3.7 The Association will arrange access to an interpreter whenever necessary.
- 3.8 Every report of harassment or hate crime will be promptly investigated sensitively and appropriate action will be agreed with the victim.
- 3.9 All complaints and information will be treated as confidential. This will not be shared with other parties, or a victim's identity made known to another party, without their consent. However, information may be shared with a statutory agency such as the Police if this may help to prevent or detect a crime or serious incident or if there is a child protection issue.
- 3.10 Mediation will be arranged if this may resolve the problem.
- 3.11 The Association will, where appropriate, initiate legal action against the perpetrator for breach of tenancy conditions and/or seek other legal remedies on behalf of victims.
- 3.12 If an incident is perpetrated by a member of the Association's staff or contractors, it will be considered a breach of professional conduct. Any complaint about unfair treatment will be dealt with promptly and the action taken may result in dismissal or ending of a contract.

3. Implementation of the Policy, continued

- 3.13 If a member of staff is subjected to hate crime by another employee this will be dealt with in accordance with the Association's Terms and Conditions of employment.
- 3.14 The Association will not tolerate harassment and hate crimes by service users against a member of staff or contractor. Appropriate action will be taken to support the employee or contractor.
- 3.15 Consideration will be given to offering a victim a priority transfer to alternative accommodation, if appropriate.
- 3.16 The provision of appropriate security measures, repairing damage to the victim's home, and the removal of graffiti will be undertaken promptly.
- 3.17 Tenants who are responsible for deliberate damage as a result of harassment or hate crime will be recharged the full cost of the damage.
- 3.18 The Association will have awareness of multi agency forums, local agencies and services so that there is a source of information and advice, support for the victim and/or to investigate the harassment or hate crime should an incident occur.
- 3.19 A victim satisfaction survey will be carried out to find out if the victim was satisfied with the action taken by the Association and if there are ways in which the Association's response could be improved.
- 3.20 Training on equality and diversity will be provided for all staff and Board members.

4. Responsibility

- 4.1 The Director of Housing Services is responsible for the effective implementation of this policy.

5. Monitoring

- 5.1 Incidences of harassment and hate crime will be reported to the next meeting of the Housing Services Committee.

6. Review

- 6.1 This policy will be reviewed on a biennial basis, including consultation with residents.

7. Appeal

- 7.1 There is a right of appeal against any decision made by the Association in relation to dealing with harassment and hate crime. An appeal can be made through the Association's complaints procedure.

This policy applies to the beneficiaries of Joseph Hornby Stockdale Almshouses.

January 2010

This policy can be made available on request in other languages, large type, Braille or in audio format.