



No.	71
Policy Title	Harassment and Hate Crime Policy
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Nehemiah Harassment and Hate Crime Policy

1. Policy Statement

Nehemiah understands that discrimination and harassment can attack a person’s dignity and self-respect. Nehemiah will investigate thoroughly all incidents of harassment and hate crime reported to us and take action where we have the power to do so. Our actions will be prompt, firm, and proportionate to the nature of the problem.

Nehemiah will always adopt a victim-centered approach and treat as harassment any incident that a customer perceives to be motivated by hate and prejudice. Nehemiah will not tolerate harassment of any nature and will work with victims to find solutions.

This policy has been developed to deal with all forms of harassment and hate crime, including those which are racially motivated.

The policy enables Nehemiah to deliver its mission statement ‘to build successful, sustainable and diverse communities by providing housing and wellbeing services in a culturally sensitive way to our current and our future customers’.

It sets out the principles for addressing and tackling harassment and hate crime and it must be considered in conjunction with Nehemiah’s Anti-social behaviour policy and Equality & diversity strategy/policy

2. Harassment Definition

Nehemiah defines harassment as any behaviour or discrimination which is deliberately intended to harm or intimidate a person. It is usually motivated by prejudice on the grounds of: - race; ethnic origin; colour; national origin; religion;

gender (including gender identity); age; disability; or sexual orientation. Which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, humiliating or offensive environment for an individual.

Hate Crime Definition

“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; or religion or perceived religion; or sexual orientation or perceived sexual orientation or a person who is transgender or perceived to be transgender.” Cps.gov.uk 2016

Harassment and hate crime can take many forms including:

- Verbal abuse or conduct that ridicules a person's race, ethnic origin, colour, national origin, religion, gender, age, disability, physical appearance or sexual orientation, such as mimicking a person's accent, speech or mannerisms.
- Provoking hatred of a racial group.
- Threatening behaviour (source: Gov.UK)
- Political platforms which incite racial disharmony.
- The display or distribution of derogatory materials, including on social media, which relate to race, ethnic origin, colour, ethnic origin, colour, national origin, religion, gender, age, disability, or sexual orientation
- Damage to property, for example, breaking windows in the home
- Arson or attempted arson
- Offensive graffiti or posters on or near the home
- Threatening behaviour, for example, spitting or failing to control dogs
- Intimidation
- Assault and bullying
- Making malicious and unfounded complaints to the landlord
- Bullying (which includes cyber bullying on social media)
- Threatening letters or telephone calls
- Vandalism to vehicles
- Activities intended to deter a person from occupying a particular dwelling

3. Aims

- To comply with the requirements under the Public Sector Equality Duty
- To provide the framework to ensure that our customers are able to go about their daily lives without fear of becoming victims of harassment or hate crime
- To work towards preventing harassment or hate crime before it starts, where possible, and identifying areas of repeated incidents upon which to allocate resources
- To treat hate crime as a priority and aim to reduce the number of hate crime incidents

- To establish close working relationships with Nehemiah's customers and partner agencies to combat occurrences of harassment or hate crime
- To ensure that our customers experiencing harassment or hate crime can approach Nehemiah in confidence knowing that staff will be sympathetic and supportive

3i Objectives

- To treat all reports of harassment and hate crime extremely seriously and as a matter of high priority
- To place focus on tenancy and community sustainment by taking early action and only using legal action where all other means to resolve the issue have failed
- To ensure our customers know about our services in relation to harassment and hate crime and how to access them
- To collect, record and report upon all relevant data on harassment and hate crime
- To consider the support needs of all parties involved, victims, witnesses and perpetrators alike (for example, some perpetrators may have mental health issues)

4. Multi Agency Approach

Nehemiah recognises that tackling the complex issue of harassment and hate crime is not the sole responsibility of the housing provider and cannot be dealt with alone.

Nehemiah works with other agencies in the local Community Safety Partnership (CSP). Including:

- Local authorities
- Police
- Fire Service
- Probation Service
- Clinical Commissioning Groups
- Community Safety Partnerships
- Community and voluntary groups including those representing or working with particular communities.

Nehemiah will be guided by the relevant government documents which identify solutions to harassment and hate related issues.

5. Victim and Witness Support

Nehemiah understands the personal distress that harassment and hate crime can cause. Nehemiah will do all it can to help customers feel safe, secure and able to report any incidents. We will respect the confidentiality of victims and witnesses and will keep them informed of the process at all times.

We will work with victims and witnesses to design an action plan that they

feel they can agree with. Where extra support needs are identified we will refer customers to the appropriate agencies and work with these agencies as required.

Tenancy Sustainment – Supporting Perpetrators

Nehemiah will take a holistic approach by assessing the support needs of perpetrators as well as their victims. We will refer our customers to specialist external support agencies where necessary.

6. Customer Feedback

In order to monitor how we deal with anti-social behaviour, including harassment and hate crime, we will aim to obtain feedback from 20% of complainants at the end of their case about their experience of reporting anti-social behaviour to Nehemiah.

We will use the information collated in this survey to continually evaluate and improve the anti-social behaviour service and will include the survey outcomes in our performance reports to Operations Committee and our customers.

7. Data Protection and Information Exchange

Nehemiah will make use of section 115 of the Crime and Disorder Act 1998 and the Data Protection Act 1998, (amended 2018 GDPR), to disclose and exchange information for the detection and prevention of crime and anti-social behaviour with other agencies. Any information exchange will be compliant with the Human Rights Act 1998.

8. Equality and Diversity

We aim to ensure that people are not treated less favorably than others because of their race, ethnic origin, color, national origin, religion, gender (including gender identity), age, disability, or sexual orientation. Our aim is to ensure our policy does not create an unfair disadvantage for any of our customers.

9. Legislation

- Protection from Harassment Act 1997
- Human Rights Act 1998 (amended 2005)
- Crime and Disorder Act 1998, amended in 2002
- Domestic Violence Crime & Victims Act 2004
- The Children Act 1989 & 2004
- Crime & Security Act 2001
- Equality Act 2010
- Anti-Social Behavior and Crime and Policing Act 2014
- The Care Act 2014
- Serious Crime Act 2015
- Housing and Planning Act 2016
- Secure Tenancies (Victims of Domestic Abuse) 2018

- From 11 January 2018, when the Homes and Communities Agency adopted the new trading name Homes England, its regulation directorate, which undertakes the functions of the Regulation Committee, refers to itself as the Regulator of Social Housing. Until legislation is enacted, Homes England and the Regulator of Social Housing continue to be constituted as one body – the Homes and Communities Agency – but operate with two distinct corporate identities.
- Homeless Act 2018
- Data Protection Act 2018 (amended to include GDPR)
- The Protection of Freedom Act 2012 created two new offences of stalking

10. Training and Support for Staff

Nehemiah will ensure that employees dealing with harassment and hate crime have received the appropriate training and support to enable them to deal effectively and confidently with the issues presented.

11. Monitoring and Review

Quarterly reports will be made to Nehemiah Operations Committee to monitor the effectiveness and success of the policy. The policy will be reviewed every 3 years or sooner if legislation or good practice dictates.

12. Link to Other Policies.

This policy should be read and implemented in conjunction with the following Nehemiah Policies:

- Anti-Social Behaviour Policy
- Lettings Policy
- Pet policy
- Safeguarding Children & Adults at Risk Policy
- Tenancy Policy
- Tenancy Fraud Policy
- Tenancy sustainment Policy
- Equality and Diversity Strategy and Policy
- Comments, Compliments and Complaints Policy
- Domestic Abuse Policy
- Whistleblowing Policy

Useful links / Information

- www.gov.uk/report-hate-crime
- www.gov.uk/government/collections/anti-social-behaviour-crime-and-police-bill
- www.sandwell.gov.uk/hatecrime
- www.legislation.gov.uk/ukpga/1998/37/section/115
- www.birmingham.gov.uk/info/20095/antisocial_behaviour_and_neighbour_disputes/565/antisocial_behaviour/2#hatecrime
- www.cps.gov.uk
- 2021 Hate crime strategy: Stakeholder engagement survey (current review or hate crime) closed May 2021. Waiting for feedback.