



# Wythenshawe Community Housing Group (WCHG) Hate Crime Policy

<b>Date of approval</b>	September 2023
<b>Responsible director</b>	Executive Director – Customers and Communities
<b>Policy monitoring body</b>	Customer Experience Committee
<b>Resident input into Policy date</b>	Resident engagement with Diverse Groups as part of Independent Community Safety Review & Customer Experience Committee - September 2023
<b>Date for policy review</b>	September 2026
<b>Linked strategies/policies</b>	See Section 14
<b>Version/date</b>	V 1 – September 2023
<b>Owner</b>	Bernie Woodward - Community Safety Manager

## **1. Introduction**

- 1.1 Wythenshawe Community Housing Group (WCHG) recognises the significant impact hate related behaviour can have on individuals and communities, often leaving people feeling isolated and vulnerable. WCHG is committed to delivering the best possible services for people experiencing hate crime or hate related incidents. WCHG believes that no one should live in fear of hate related behaviour and will take reports seriously and treat reports of hate incidents as a priority. WCHG wants customers and Colleagues experiencing hate incidents to feel confident that positive action will be taken and encourages residents to report such incidents
- 1.2 This policy supports WCHG's purpose to provide good quality homes and services to our tenants and leaseholders and to play a leading role in creating safer, healthier communities.
- 1.3 This Policy also applies where colleagues, customer representatives, contractors, partners or agents are subjected to hate crimes or incidents whilst working or acting on behalf of WCHG.
- 1.4 If you require assistance with translation of this policy, large print, easy read, braille, or an audio copy, contact us by phone on: 0300 111 0000 or 0800 633 5500 or by email: [communication@wchg.org.uk](mailto:communication@wchg.org.uk)

## **2. Scope**

- 2.1 This Policy sets out our approach to dealing with hate related behaviour and how we will work in partnership with the community as well the police and other agencies, to tackle wider issues relating to hate incidents and hate crime.
- 2.2 This policy applies to:
  - Those who are victims and witnesses of hate related behaviour and live in our properties or visit our properties.
  - Those who are victims and witnesses and are not our tenants but are experiencing hate related behaviour being perpetrated by people who live in our properties or regularly visit our properties.
  - Those who are the perpetrators of hate related behaviour and live in our properties or visit our properties.
  - Those who are the perpetrators of hate related behaviour and are not our tenants but are perpetrating conduct motivated by hate and their conduct is having a direct impact on our housing management functions.
- 2.3 This includes people who live in our general needs' accommodation, supported and elderly persons schemes, leaseholders, as well as people who live in other tenures (where their conduct is having a direct impact on our housing management function)
- 2.4 The aims and objectives of this policy are to:
  - Define what we mean by hate behaviour and what customers can reasonably expect from us.
  - Give victims the confidence and the appropriate platform to report hate related behaviour.

- Demonstrate a zero-tolerance approach to all forms of hate related behaviour
- Develop responses that focus on preventing further harm from occurring.
- Foster environments that promote cohesive communities
- Investigate all reports effectively ensuring a victim-centred approach.
- Work with partners to raise awareness and the reporting of hate related behaviour.
- Adopt a triple track approach of Prevention, Intervention and Enforcement taking firm action against perpetrators whenever we have sufficient evidence, and it is appropriate to do so.
- Ensure we target support to the most vulnerable customers and high-risk cases
- Raise awareness amongst residents and customers, the need to act reasonably and be considerate of the different values and lifestyles reflected across our neighbourhoods and communities.
- Ensure relevant employees of WCHG are trained and equipped to respond quickly and effectively to reports of hate related behaviour
- Ensure that information is treated confidentially.
- Respond appropriately to any behaviour that is motivated by hatred and prejudice and is designed to threaten, intimidate, or abuse our customers, colleagues or contractors.
- Promote fair and equal treatment for everyone and to improve relations and understanding between people that share a protected characteristic and people that don't.
- Ensure we communicate effectively to our customers relating to the services we provide, specific locality wide issues and also how we have resolved or supported customers subjected to hate related behaviour.
- Demonstrate strong leadership, commitment, and accountability on preventing and tackling hate related behaviour that reflects a shared understanding of responsibilities with other local agencies

### **3. Definition**

#### **3.1 Hate Incident and Hate Crime**

##### 3.1.1 WCHG defines hate incidents and hate crime as:

“Any incident or crime committed against a person or property which is perceived by the victim or anyone else to be motivated by hostility or prejudice towards someone based on their race, religion or belief, gender identity, disability, age, sexual orientation or alternative sub-culture”

##### 3.1.2 Hate incidents can be defined as but not limited to:

- Littering outside homes or through letterboxes
- Excessive noise reports
- Throwing eggs and stones at properties
- befriending vulnerable people to take advantage of them.
- Verbal abuse
- Bullying
- Name calling
- Insults

- Malicious complaints

### 3.1.3 Hate crimes can be defined as but not limited to:

- On line abuse
- Offensive graffiti and fly posting
- Ridiculing cultural differences e.g. food, dress, language
- Physical attacks – such as physical assault, damage to property, and arson
- Threat of attack – including offensive letters, abusive or obscene telephone calls, texts, emails or via social media, groups hanging around to intimidate and unfounded malicious complaints
- Abusive gestures
- Violent attack
- Vandalism to property
- Theft
- Verbal abuse
- Harassment, stalking and intimidation

3.1.4 We will adopt a victim centred approach when taking reports of hate related behaviour, ensuring we treat the incident as the victim perceives it, not how we may perceive it. A hate incident and/or hate crime is based on the perception of the individual, so if the victim feels the incident is motivated by hate, then it will be recorded and investigated as such.

#### Reporting Hate related incidents

Any person can report an incident in a number of ways:

- Phone during office hours
- Out of hours reporting line
- By e-mail at anytime
- Online via the customer portal
- Using our website, Twitter and Facebook
- In person at any of our offices during office hours
- By writing to us
- By a third party such as family member or support worker

3.1.5 We recognise that some types of hate behaviour will be crime related, and cannot be effectively tackled without collaborative working relationships with the Police as the lead agency, as well as those members of the public who are being directly affected. When a hate crime is reported, we will share this information with the police and support the police to investigate the crime.

3.1.6 Where a hate crime is being reported we will encourage the victim to

- Report it directly to the Police, or
- Report it to Crimestoppers if they wish to remain anonymous, or,
- Report it via True Vision which is a Police website-based reporting system.

3.1.7 We operate a harm centred approach when dealing with reports of hate related behaviour, and where a customer is assessed as vulnerable, for example is isolated/has poor mental or physical health/has support needs, will offer support as well as signposting to other agencies

#### **4. Policy**

4.1. WCHG recognises that tackling hate related behaviour cannot be the responsibility of one group or agency alone. Partnership working brings the best results and through integrated working WCHG are committed to working with our partner agencies and the local community to take a stand against hate related behaviour, moving away from a situation where communities tolerate problems to one where everyone works together to tackle the problems and improve the quality of life for all.

4.2 WCHG will not tolerate hate related behaviour directed towards our tenants, leaseholders, their visitors or any others engaged in a lawful activity in the locality of our homes, including our colleagues, contractors and others acting on our behalf

4.3 WCHG will seek to

- Respond to reports of Hate Behaviour in a timely manner within 24 hours of the report being made
- Respond effectively to reports and take all reports seriously.
- Offer customers an interview in a safe place of their choice
- Encourage and publicise the reporting of hate behaviour.
- Ensure a service for reporting Hate Behaviour is available and accessible for all customers, colleagues, partner agencies and members of the public.
- Acknowledge that each case of Hate Behaviour is different and take a harm centred approach to dealing with the issue, tailoring the support offered to victims and witnesses appropriately.
- Support those who are experiencing incidents of hate related behaviour, and stay in contact with them, keeping them informed of progress throughout their case.
- Use a risk assessment tool to assess levels of risk and vulnerability and identify appropriate levels of support.
- Liaise with partner organisations and work together to find solutions.
- Identify additional support needs of victims and make appropriate referrals to specialist agencies with their consent
- Undertake action that is reasonable and proportionate and be clear with customers on the range of interventions and solutions available.
- Ensure colleagues are trained, resourced and supported to enable them to identify and respond to hate related behaviour. Including how to respond to and recognise safeguarding concerns. The training will be ongoing and will consider best practice and changes in legislation
- Refer any cases to safeguarding when abuse is identified.
- Where appropriate, publicise successful enforcement and prevention actions and initiatives.
- Encourage customer groups to support victims and give evidence of hate incidents.

- Keep all information confidential and only pass it on to other agencies with the permission of the complainant, where required to by law or, where necessary for the protection of children and vulnerable adults
- Offer a wide range of measures to support victims which includes, out of hours support, victim support, CCTV cameras and target hardening
- Act as a third-party reporting centre for those wishing to report any incidents of hate related behaviour or hate crimes and will report all cases to the Police.
- Utilise the CCTV system and Assure 24 service to support the ASB team, the police and the Local Authority to act by providing intelligence, evidence and information.
- Utilise the Assure 24 service to support reporters and witnesses of hate related behaviour where appropriate

#### **4.4 Prevention & Support**

4.4.1 WCHG recognises that prevention and support is an essential part of its approach to dealing with hate related incidents anti-social behaviour and uses a full range of measures

4.4.2 If the victim or the person responsible for the incidents has any support needs, or vulnerabilities, these will be discussed in a sensitive manner, and the case officer will encourage engagement with appropriate support services by making referrals and signposting the person to the appropriate specialist agencies, including independent forms of support and advocacy

4.4.3 Our Safeguarding Policy ensures that all our colleagues are trained to identify and prevent safeguarding issues and understands the different aspects of safeguarding that they have a duty to report

4.4.4 Generally, in those cases, where there is no ongoing serious risk of harm or imminent danger, we will look at early intervention/prevention remedies first tools and techniques will be applied based on tried and tested casework resolution, for example.

- conflict resolution
- restorative solutions
- good neighbour agreements
- accessing rehabilitation or support

#### **4.5 Enforcement**

4.5.1 WCHG will fully utilise the range of tools and remedies available to it to ensure that it responds to hate related behaviour in ways which are both proportionate and effective. These include

- Obtaining injunctions against the perpetrators of hate related behaviour
- Seeking possession of perpetrators' homes.

- The use of Ground 7a of the Anti-Social Behaviour, Crime and Policing Act 2014 for absolute possession will be considered in circumstances where a court has already found a tenant or member of their household guilty of a hate crime

#### 4.5.2 We will consider enforcement action.

- Where early intervention techniques have not been successful, and the hate behaviour is continuing.
- Where victims need protection to prevent further incidents from occurring and where the person causing the behaviour is refusing to engage with us and/or appropriate support services.
- Where there is evidence that the behaviour is of a criminal nature
- Where the behaviour is in breach of the tenancy

#### 4.5.3 We will only take enforcement action if it is reasonable and proportionate to do so. It is important that Officers give realistic advice from the outset about what action can be taken, the level of evidence required and the possible timescales

#### 4.5.4 We adopt a victim centred approach and therefore would seek permission first from victims and witnesses to use their evidence in any legal action we were considering. We will also consider using 'hearsay' evidence during an investigation to support the case

#### 4.5.5 If court action is required, we will support reporters and witnesses throughout the court process and beyond. We understand that not everyone feels able to give evidence in court, but cases are most successful where we have witnesses who can give their own account of what they have been experiencing.

### 5. **Partnership Working**

#### 5.1 WCHG recognise that some types of hate related behaviour, including hate crimes cannot be effectively tackled without collaborative working relationships. We will always work closely with the Police, our colleagues in the Local Authority, other agencies and other landlords to develop strategies and initiatives which respond to, and reduce the incidence of hate related behaviour

#### 5.2 We are involved and do contribute to local partnership meetings to identify solutions to prevent incidents of hate related behaviour, protect people who are experiencing hate related behaviour and to challenge those who are responsible for it.

### 6. **Employees**

#### 6.1 If you are an employee and you experience a hate incident from another employee or contractor, report it to your line manager as soon as possible.

#### 6.2 If you are an employee and witness another employee or a customer who you feel has experienced a hate crime or incident, please ask them to report it.

6.3 If an employee or customer complains to you that another employee has committed an alleged hate crime or incident, you will need to report the issue to their manager, another colleague or Human Resources. Where appropriate the matter will be investigated in line with WCHG's Code of Conduct, Disciplinary and Grievance Policy

## **7. ASB Case Review**

7.1 In situations where a victim is not satisfied that we have taken appropriate action/steps to deal with their report of a hate related incident, they have the legal right under the ASB Crime and Policing Act 2014 to request a formal review of the case. This is known as the ASB Case review

7.2 This ASB Case Review process is managed by Manchester City Council and customers will need to contact them if they wish to invoke the ASB Case Review process

## **8. Complaints**

8.1 Any party involved in a hate related case can make a complaint directly to WCHG if they are not satisfied about how their case has been handled. When a complaint of this type is made WCHG will follow the process set out in our complaints policy and process.

## **9. Data Protection, Confidentiality and Information Exchange.**

9.1 WCHG will not disclose any information about, or provided by, a Complainant without their consent unless there are safeguarding issues that could impact on the safety of children or vulnerable adults or where there may have been a crime committed.

9.2 All information shared in respect of perpetrators will adhere to the principles of the UK General Data Protection Regulation (UK GDPR) and Data Protection Act (DPA) 2018, as it relates to information sharing between agencies for the purposes of the reduction of crime and disorder.

## **10. Responsibility**

10.1 The Executive Director of Customers & Communities shall be responsible for the implementation and review of this policy. The operational day to day delivery of the policy is the responsibility of the Head of Housing.

## **11. Consultation, Monitoring and Review**

11.1 We will monitor and learn from the feedback we receive about how we manage and respond to hate related cases to ensure a high standard of our services, in line with the Tenants Satisfaction Measures Standard introduced in April 2023 by the Regulator for Social Housing

11.2 We will invite customers to scrutinize our service and give us feedback for improvements. WCHG will also ensure we benchmark our community safety services to understand how we are performing and to share and gather best practice. We will from time to time share the benchmarking results with our customers.



11.3 Indicators that will be monitored include but are not limited to:

- Number of new hate related cases arising including by type and locality
- Percentage of cases successfully resolved.
- Satisfaction with the outcome of the case
- The time taken to resolve hate related cases by type
- The use of legal action.
- The use of non-legal action actions to remedy hate related cases
- Case studies and customer experiences
- Equality, Diversity and inclusion indicators

11.4 An annual report to the Customer Experience Committee and Board will provide an assurance of our compliance with the policy and our customer engagement

11.5 The Hate Crime Policy will be reviewed on a 3-year cycle dependant on any significant changes in legislation

## **12. Equality & Diversity**

12.1 WCHG will ensure that the Hate Crime Policy and procedure is accessible to its diverse customers

12.2 WCHG will consider the different needs of our customers when considering action.

12.3 WCHG recognises that customers of all races, ages, religions, gender, sexual orientation, literacy levels and disability should be treated equally and fairly and will make every reasonable effort to ensure that no-one is discriminated against on the basis of any protected characteristic as defined by the Equality Act 2010.

12.4 WCHG will provide information in languages other than English, in braille, large print, easy read and Audiotape. Our receptions and interview rooms are fitted with a hearing loop system.

## **13. Legislative Framework**

13.1 This policy statement incorporates a number of legislative and regulatory requirements, which includes but not limited to:

- ASB Crime and Policing Act 2014
- Equality Act 2010
- Housing Acts 1985, 1988 ,1996 and 2004
- ASB Act 2003
- Crime and Disorder Act 1998
- GDPR 2018
- Data Protection Act 2000
- Protection from Harassment Act 1997
- Policing and Crime Act 2009
- Police Reform and Social Responsibility Act 2011
- Criminal Justice Act 2003
- Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005

- The Human Rights Act 1998
- Domestic Abuse Act 2021
- Public Order Act 1986

#### **14. Associated Policies & Strategies**

- Equality & Diversity Policy
- Domestic Abuse Policy
- ASB Policy
- Data Protection Policy
- Tenancy Management Policy
- Allocations Policy
- Safeguarding Policy
- Code of Conduct
- Grievance Policy
- Disciplinary Policy
- Complaints Policy
- Community Safety Strategy 2023-26
- Community & Neighbourhood Development Strategy
- Living Well Strategy (In development – due May 2024)