

Hate Crime and Hate Incidents Policy

Summary

This policy outlines Portsmouth Homes' commitment to preventing and addressing hate crimes and hate incidents within our managed properties and communities, ensuring safety and respect for all residents. It defines hate crimes and hate incidents, details reporting and response procedures, and our partnership working and legal compliance.

Effective date

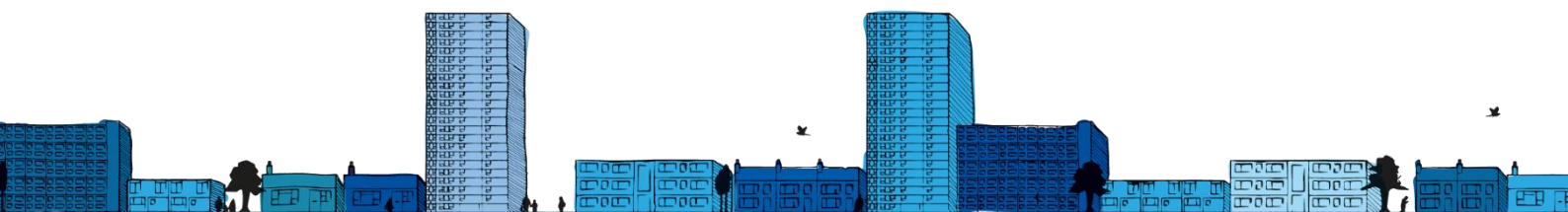
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Review

We will review this Policy every 3 years or when there has been an update to legislative, regulatory, best practice or operational changes.

Version

Version 1.0



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Scope

This policy applies to reports of hate crimes and hate incidents and covers all incidents:

- Involving Portsmouth Homes tenants, leaseholders, shared owners or members of their household
- That occur within a neighbourhood in which we manage properties and the Hate crime / incident involves Portsmouth Homes residents or,
- That take place at our 'workplace, including staff and contractors acting on our behalf

Any reference in this policy to 'we', 'our' or 'us' refers to Portsmouth Homes.



Any reference in this policy to 'tenant', 'customer' or 'resident' refers to a Portsmouth Homes tenant, leaseholder or shared owner.

Purpose

This policy outlines how we are committed to preventing and addressing hate crimes and hate incidents in your home and community.

As a landlord, we have a duty, under the Anti-social Behaviour Act 2003 to respond to the issues affecting the properties we manage. We now have a range of additional powers to take action against hate crime under the Anti-social Behaviour, Crime and Policing Act 2014.

- Prevent and respond to hate crimes and incidents.
- Protect residents and staff from discrimination, harassment, and victimisation.
- Promote safe, inclusive communities.
- Ensure legal and regulatory compliance.

We recognise that our staff and residents come from diverse backgrounds, with varying experiences and needs. We are committed to promoting equality and fairness and combating discrimination.

This applies to everyone, regardless of gender, racial or ethnic background, disability, religion or belief, sexual orientation gender reassignment, age, marital or parental status.

We treat everyone fairly and encourage others to do the same. We will make reasonable adjustments to our service when we identify additional needs in a household, in line with our policies.

Definitions?

What is Hate Crime and what are Hate Incidents?

A hate crime is any criminal offence which is perceived by the victim, or anybody else, to be motivated by hostility or prejudice towards someone's:

- Race
- Religion
- Sexual orientation
- Transgender identity
- Disability

These aspects are known as protected characteristics.

A hate crime can include verbal abuse, intimidation, threats, harassment, assault and damage to property.



A hate incident is behaviour which isn't a crime, but which is perceived by the victim, or anybody else, to be motivated by hostility or prejudice based on the five protected characteristics.

Depending on the circumstances or vulnerabilities a tailored response may be required, but the categorisation will not change.

Other definitions

- Accused (an alleged perpetrator) – person accused of carrying out Hate Crime and / or Hate Incident.
- Complainant – person making the complaint of Hate Crime and / or Hate Incident.
- Victim – a victim is a person who has experienced nuisance, harassment, alarm or distress or any other Hate Crime and / or Hate Incident.
- Witness – a person who observes a crime or incident that has taken place.

How to report Hate Crime or a Hate Incident?

Hate Crime or Hate Incidents can be reported to the us by a resident, third parties or by a member of staff / contractor.

In situations where someone's life is in danger, there is an immediate threat of violence, a crime is in progress, or a person is seriously ill or injured and needs urgent help, **call the police on 999** before contacting us.

For non urgent reports to the Police, call 101 or. [Report a crime | Hampshire and Isle of Wight Constabulary](#).

Our responsibilities

We will deal sensitively with all reports of Hate Crime and will remain professional and non-judgemental when working with both the complainant and accused.

We want to raise awareness of what a hate crime is to everyone and help people understand that it is unacceptable to target individuals based on their identity. We will work with the Police when we receive a report of a hate crime / incident.

We recognise that it is a big step to report a hate crime or hate incident. We will take into consideration the diverse needs of our residents in line with our Equality, Diversity and Inclusion policy, and Communication and Reasonable adjustment policy.

We take a person-centred and joined up approach to tackling Hate Crime / Incidents, including prevention and early intervention, safeguarding vulnerable people, commitment to multi-agency working and tailoring approaches in line with best practice.

We understand that those reporting Hate Crime / Incidents may be concerned about their information being disclosed to third parties. We will treat all information we receive in



confidence and will seek consent before sharing it in a form that is likely to identify its source. However, in some cases, residents need to be aware that it may be apparent to the accused who the complainant is.

In some instances, we are legally obliged to share information with a third party e.g. Where a child or a vulnerable adult may be at risk. In these cases, we may be required to share information without seeking consent following relevant legislation and policies.

We recognise that some accused may have additional needs and need help to deal with the underlying causes of their behaviour and will signpost and work with specialist agencies to assist them in sustaining their tenancy.

We will work in partnership with other agencies and organisations to prevent and reduce hate crime / incidents and to ensure the best outcome for everyone concerned.

We will manage expectations, and this can sometimes result in having difficult conversations. We will discuss /review the risk assessment and action plan, ensuring key updates are communicated while respecting boundaries of a possible police investigation.

If we decide that a report is not a Hate Crime / Incident, we will advise the complainant of this decision and may still be able to help or offer advice on alternative routes / specialist agencies to resolve the issues raised.

Where there is deemed a risk to harm, we will offer protective measures to help those at risk and feel safer in their home.

Repairs linked to Hate Crime / Incidents ASB will be prioritised and handled according to the Repairs and Maintenance Policy.

We will complete necessary repairs and will not usually charge tenants if the damage was caused by abusive behaviour.

We will respond to reports of Hate Crime / Incidents consistently, which could include:

- Interviews
- Risk assessments
- Home Visits
- Action Plan
- Regular communication
- Multiagency risk management meetings (MARM)
- Mediation
- Explaining to the complainants how their evidence will be used and their role in possible court proceedings.

Whilst cases of Hate Crime / Incidents can be resolved informally through early conversations and mediation, there may be times when we need to take a more formal approach.

We will follow relevant policies, such as ASB, Domestic Abuse, and Safeguarding, and apply the appropriate procedures as required.

We will report our Hate Crime / Incidents data to comply with Home Office reporting requirements.



We record and monitor incidents of Hate Crime / Incidents and use this information alongside customer feedback to monitor our performance.

We continuously review and improve our range of services, by listening to our residents and other key partners, through customer feedback to ensure the needs of complainants and communities are met.

At times, we may also contact residents to ask them about their experience for ongoing improvement of the service.

Your responsibilities

What we expect from our residents:

- We expect residents to take responsibility for their own behaviour and the behaviour of the household and visitors. This includes others and to not damage property in line with your tenancy / leasehold agreement.
- Try to resolve minor issues themselves as appropriate and actively encourage them to do so in the first instance.
- Be a thoughtful and considerate neighbour and treat others with respect and dignity.
- Communicate respectfully, contribute to a positive environment, avoid escalation, have compassion
- Report hate crimes or incidents promptly.
- Consider mediation to resolve complaints and disputes, where appropriate
- Make us aware of any support or additional needs in the household as early as possible
- Engage and communicate with us
- Keep records of incidents and work with us to gather evidence as appropriate.
- Report incidents to the police and other relevant partners
- Complete a Customer Satisfaction Survey following the case closure.

What action do we take to reduce and prevent hate crime and hate incidents

We recognise that by addressing Hate crime / incidents early, it is more likely to be able to stop problems escalating in the majority of cases.

We provide staff with training, clear guidance / framework, policies and procedures so that they can deal with and recognise cases of Hate Crime effectively.

They will use the appropriate enforcement tools, and are aware of the wider issues and underlying causes associated with hate crime / incidents, including equality, diversity, mental health including capacity, safeguarding, ASB and domestic abuse.



We will take a balanced approach to preventing and reducing Hate Crime / incidents; any action we take will be based on the circumstances of each case and will be proportionate to the behaviour.

We will:

- Raise awareness and understanding of hate crime and hate incidents through our resident newsletter *Housetalk*, social media, and community engagement activities.
- Provide early support and guidance to residents who believe they may have experienced a hate incident or crime.
- Encourage reporting and ensure residents know how to access help and support.
- Work in partnership with the police and other agencies to address hate-related behaviour and promote community cohesion.

Examples of informal actions we may take include:

- Offering advice and assistance at an early stage, including encouraging neighbours to find their own solutions where appropriate.
- Interviewing to understand the situation and explore resolution options.
- Issuing verbal or written warnings where necessary.
- Making referrals to support services for both victims and perpetrators.
- Using mediation services at an early stage and where appropriate
- Using Acceptable Behaviour Contracts
- Using Good Neighbour Agreements.
- Providing diversionary activities, particularly for young people, to reduce the risk of repeat incidents.

Working in Partnership

Hate crimes are criminal offences that fall under police investigation; however, we remain committed to supporting residents and addressing all housing-related concerns appropriately. We will continue to act in accordance with the requirements of the Criminal Justice System (CJS).

When a referral is made to another specialist agency, the reason for the referral is provided. If sharing information is not a legal requirement, permission is obtained from the resident. If we do involve agencies, we will remain responsible for managing the case and will provide updates as agreed in the action plan.

We collaborate with other specialist agencies to prevent and hate crime and work towards achieving positive outcomes for all involved. Examples of this include:

- Arranging and / or participating in multi-agency meetings to resolve complex cases providing professional advice and support as required so that these organisations can act confidently to prevent, or tackle hate crime making use of their own resources



- Regularly participating in local Community Safety Partnership meetings with the police and other agencies to ensure strong partnerships with local communities and organisations
- Developing strong working relationships with the local police, probation and support services
- Participating in relevant strategic or preventative initiatives

We also sign up to local information sharing protocols and share information with other agencies where relevant and where the law allows us to.

Enforcement and legal action

Our primary aim is to prevent or help resolve Hate Crime / Incidents. However, in some cases enforcement action will be appropriate in order to resolve it. In line with legislation, policies and processes, there are a number of enforcement routes available, which could include, but not limited to:

- Eviction proceedings using either discretionary or mandatory grounds
- Civil Injunctions
- Community Protection Warning (CPW) and Community Protection Notices (CPN)
- Possession Orders
- Closure Orders (Full and partial)
- Forfeiture of lease
- Dispersal orders

The type of action we take will be determined on a case-by-case basis, taking all of the relevant circumstances into account, having due regard to the Human Rights Act 1998 and Equality Act 2010.

Legal proceedings are started after appropriate investigations have been carried out and all alternative approaches have been considered.

There may be situations where other agencies have the best tools to help resolve the Hate Crime / Hate Incidents and in these cases, we will work with that specialist agency to support their specific action.

Your voice

We provide tenants a wide range of meaningful opportunities to influence and scrutinise the Landlord Strategies, policies and services, to include participation in regular resident meetings and give feedback on services and policies.

If you would like to be included in future resident engagement focus groups and would like to know how to get involved, please contact us for more information:

You can contact our team by:

- Email: housing.engagement@portsmouthcc.gov.uk



- Phone: 02392 834835
- Website: visit the [Resident engagement and community resources on our website](#)

What have we done to make sure this Policy is fair?

We completed an Integrated Impact Assessment (IIA) to consider the positive and negative impacts this Policy may have on people with protected characteristics under the [Equality Act 2010](#). This Policy should have direct and positive equality and diversity impacts.

Regulation and legislation

We recognise the variety of legislation, and we will continue to monitor relevant legal guidance. The list below reflects some of the existing legal framework and relevant publications:

- [Equality Act 2010](#)
- [Care Act 2014](#)
- [Mental Health Act 2007](#)
- [Housing Act 1985](#)
- [Housing Act 1996](#)
- [Housing Act 2004](#)
- [Crime and Disorder Act 1998](#)
- [Human Rights Act 1998](#)
- [Data Protection Act 1998](#)
- [Data Protection Act 2018](#)
- [Local Government Act 2000](#)
- [Freedom of Information Act 2000](#)
- [Anti-social Behaviour Act 2003](#)
- [Anti-social Behaviour, Crime and Policing Act 2014](#)
- [Protection from Harassment Act 1997](#)
- [Neighbourhood and Community Standard](#)
- [Racial and Religious Hatred Act 2006](#)
- [Regulatory standards for landlords](#)



Related documents

This policy should be read in conjunction with:

- [Portsmouth Homes policies, strategies and reports](#)
- Tenancy Agreement / Leasehold Agreement

How to feedback

If you have any questions around the policy or would like to know more about its application, please contact the relevant service in the first instance.

You can get this policy in large print, braille, audio or in another language by contacting your Housing Office. More information is available [translation, interpreting and audio information](#).

Compliments

To help us provide the best service we can. We would like to hear customer views on the services that they use. If the customer is pleased with a member of staff or service, please let us know.

- Telephone: 02392 606383
- Email address: HNBLandlordComplaints@portsmouthcc.gov.uk

Complaints

If a customer is unhappy, they can refer to our Landlord Complaints Policy.

- Online complaint form at [Make a housing complaint](#)
- Telephone: 02392 606383
- Email address: HNBLandlordComplaints@portsmouthcc.gov.uk

Housing Ombudsman Service

If a customer is unhappy, they can contact the Housing Ombudsman Service for advice and guidance at any time.

- Online complaint form on [the Housing Ombudsman Service website](#)
- Telephone: 0300 111 3000
- For more information, visit [Housing Ombudsman's Complaint Handling Code](#)

