

## **GRANTA HOUSING SOCIETY RACIAL & RELIGIOUS HARASSMENT POLICY AND PROCEDURE**

### **POLICY**

The Society is committed to providing equality of opportunity to the whole spectrum of its residents and wishes to ensure that they can peacefully enjoy the use of their home. Where peaceful enjoyment is not permitted because of prejudice against an individual or a group of individuals' lifestyle(s), the Society will act swiftly to investigate and tackle allegations of racial and religious harassment in line with the procedures detailed below.

The key objectives of this policy are:-

1. To enable to Society's Officers to deal swiftly and effectively with any reports or incidents of racial and religious harassment.
2. To enable the victim to contact appropriate agencies who can provide support and counselling, particularly those who have experience and expertise in dealing with the victims of racial and religious harassment.
3. To enable the Society where it is able, to pursue legal proceedings against the perpetrators of racial and religious harassment.
4. To allow the Society's Officers to assist and encourage the victim where they so wish to contact the Police or other relevant legal advisors to pursue their own criminal or civil action, where appropriate, against the perpetrator of the harassment.
5. To demonstrate the Society's commitment to reducing incidents motivated by racial and religious prejudice.

### **PROCEDURE**

1. The Society is aware that racial and religious harassment is a particularly brutal form of prejudice, which is often very traumatic and distressing for the victims, and others who may believe themselves to be at risk from similar abuse. It is therefore the intention of the Society as part of its overall commitment to equal opportunities for all sections of the community, and the elimination of discrimination in housing, to deal with all cases of harassment swiftly and decisively and for this reason all timescales will be applied rigidly.
- 2 (a) Ideally, immediately, but where this is not possible within one working day of a report of racial or religious harassment against a resident perpetrated by another tenant or member of the public, the Housing Manager will arrange for a full investigation into the circumstances of the case to be carried out. The visiting Housing Officer will record all details of the complaint in the prescribed form attached as Appendix 1.

- 2 (b) The investigation will normally involve interviewing the victim and any other witnesses to the alleged harassment in order to assess the extent and nature of the incident. (If it is necessary to arrange for an interpreter, the Society will do so at its own expense). Where there is evidence of any criminal damage having been caused by the alleged perpetrator, this will be assessed, noted and photographed by the visiting Officer. Where appropriate and with the consent of the victim (see 2 (f)), the Police will be called in to investigate.

At the earliest appropriate opportunity the Housing Officer must ensure that any repairs to the property resulting from the incident, including the removal of racist and religious graffiti are arranged for by the Society's Maintenance Department. All such repairs should be given the highest priority practical for rectification.

- 2 (c) Immediately on completion of the visit the Housing Officer should compile a written report (using the form attached as Appendix 1) providing full details of the incident. The report should include reference to the following:-

- racist and/or religious graffiti
- written abuse (including threats)
- abusive telephone calls
- verbal abuse
- damage to property (not just Granta property)
- physical assaults
- excessive noise

- 2 (d) The report must highlight the effect of the incident(s) on the victim's household. This should include any health factors or information about how this is (or is likely to be) detrimental to the health of the victims household or to the education of any children involved.

- 2 (e) The report should provide details of any other people or agencies involved in the case, examples of which are listed below:-

- Police Officer (if applicable) dealing with the case
- Solicitor / advice or Law Centre acting on the residents behalf
- local / national Support Groups
- Social Services
- Schools / Colleges
- Local Councillor / MP
- Local Authority Departments

Where any statutory or voluntary body is not included in the case and the Housing Officer feels they could be of assistance to the victim, the victim should be notified of their existence and given the opportunity to make contact with the individual or group concerned if they so wish.

- 2 (f) Where the victim does not wish the incident to be reported to the Police or any other agency, their request should be respected, but the Society will use its discretion as to whether or not the matter is reported to the Police in extraordinary circumstances, especially where a criminal offence has been committed.

- 2 (g) If the victim is a tenant of the Society and requests a transfer, this should be noted in the report. A transfer form should then be completed with the assistance of the Housing Officer if necessary, and reviewed by the Housing Manager in their absence, immediately on its return. The application will then be prioritised in line with the Society's transfer Policies and Procedures.
- 2 (h) In serious cases, the victim may require emergency rehousing and this should always be discussed and agreed with the tenant(s). The Housing Officer should be able to provide details of emergency options (if these are not known then contact should be made with the relevant Local Authority Housing Advice Department), for example the Womens Refuge, a homeless hostel, bed and breakfast accommodation or a reciprocal arrangement with the Local Authority.

In all cases where emergency accommodation is being considered, the Housing Manager or the Director of Housing in their absence must be consulted.

- 2(i) Where the alleged perpetrator is (or is thought to be) a tenant of the Society or a member of a tenants household (including children), the tenant will be interviewed within 2 working days of the report of the incident if possible. There should always be two members of staff present at the interview and a full report should be prepared by the next working day for the Housing Manager or Senior Housing Officer in their absence.
- 2 (j) The Housing Officer will report all incidents of racial and religious harassment to the Police, unless expressly against the wishes of the victim (see 2 (f)). All relevant information about the incident will be made available to the Police who will be given every assistance to bring a prosecution against the alleged perpetrator. In all cases the police will be asked to offer Victim Support.
- 2 (k) Where there is sufficient weight of evidence in support of any allegation of harassment against a tenant or member of the tenants household,(including a successful prosecution by the police) the Housing Manager (or Senior Housing Officer in their absence) will decide whether to serve a Notice of Seeking Possession for breach of the Society's tenancy conditions and then proceed with either possession or injunction proceedings and if necessary both. (A detailed explanation of these types of proceedings is provided in the Society's Nuisance Policy and Procedure).
- 2 (l) Where appropriate, the case will be reported to the appropriate Joint Agency Anti Social Behaviour Action Group. Through this forum the society can exchange appropriate relevant information in relation to the case.  
The Society's Officers will ensure that every support and assistance is provided to enable victims of harassment to remain in peaceable occupation of their own home if they do not wish to move. Staff will keep in close contact with residents who have reported or experienced racial or religious harassment for as long as such contact is required. Attention will also be paid to whether it is possible to improve the physical security of a residents premises.
- 2 (m) The Society will ensure the victims of racial or religious harassment are informed of proceedings at each stage of an investigation and advise them in respect of agreed action taken, in particular the dates and outcomes of any court hearings.

- 2 (n) When an investigation of an allegation of racial or religious harassment is concluded but the case is neither proven or disproven against the alleged perpetrator, the Society will ensure that their attention is brought to the appropriate clause in the tenancy agreement and they are warned of the potential consequences should it be proved in the future that they are or have been involved in acts of racial or religious harassment.
- 2 (o) Given the seriousness with which the Society treats allegations of harassment, if such an allegation was discovered to have been made maliciously, the Society would treat the allegation itself as harassment and would take appropriate action against the instigator of the complaint in line with this policy.
- 2 (p) All allegations of racial and religious harassment will be reported to the next meeting of the Society's Housing Services Committee once a full investigation has taken place.
- 2 (q) The Society will review this policy and procedure in light of any new case law or best practice and after every allegation of harassment to ensure it provides adequate protection for the victims of and remedies against perpetrators of racial and religious harassment.

This policy was reviewed in April 2008 and amended in line with recommendations made by PS 1773 Jenni Johnstone, Hate Crime Manager, Cambridgeshire Constabulary, Parkside Police Station, Cambridge.

**INITIAL RACIAL/RELIGIOUS HARASSMENT VISIT REPORT FORM**

<b>NAME OF VICTIM</b>			
<b>ADDRESS</b>			
<b>POSTCODE</b>		<b>TEL NO.</b>	
<b>GRANTA TENANT</b>	<b>YES / NO</b>		
<b>TENANTS DESCRIPTION OF THEIR ETHNIC ORIGIN (OPTIONAL)</b>			

<b>WHO IS CAUSING THE PROBLEMS?</b>			
<b>NAME</b>			
<b>ADDRESS</b>			
<b>POSTCODE</b>		<b>TEL NO.</b>	
<b>GRANTA TENANT</b>	<b>YES / NO</b>	<b>ETHNIC ORIGIN (IF KNOWN)</b>	

<b>NAME</b>			
<b>ADDRESS</b>			
<b>POSTCODE</b>		<b>TEL NO.</b>	
<b>GRANTA TENANT</b>	<b>YES / NO</b>	<b>ETHNIC ORIGIN (IF KNOWN)</b>	

<b>NATURE OF HARASSMENT</b>			
VERBAL ABUSE	<input type="checkbox"/>	VANDALISM	<input type="checkbox"/>
		CHILDREN	<input type="checkbox"/>
		PETS	<input type="checkbox"/>
PHYSICAL ASSAULT	<input type="checkbox"/>	ANTI-SOCIAL BEHAVIOUR	<input type="checkbox"/>
		NOISE	<input type="checkbox"/>
		PARKING	<input type="checkbox"/>
RACIST GRAFFITI	<input type="checkbox"/>	VISITORS	<input type="checkbox"/>
		RUBBISH	<input type="checkbox"/>
OTHER (Please specify)			

<b>IS AN INTERPRETER REQUIRED TO ASSIST THE COMPLAINANT?</b>	<b>YES / NO</b>
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<b>FULL DESCRIPTION OF THE INCIDENT(S)</b>

<b>HOW HAS THE COMPLAINANT AND OR THEIR FAMILY BEEN AFFECTED BY THE INCIDENTS? (PROVIDE DETAILS OF ANY DETRIMENTAL EFFECTS ON HEALTH)</b>

**ARE THERE ANY WITNESSES ABLE, OR PREPARED TO SUBSTANTIATE THE COMPLAINT?**

**IF SO, WHO ARE THEY AND HOW CAN THEY BE CONTACTED?**

**HAVE PREVIOUS COMPLAINTS ABOUT THE ALLEGED PERPETRATOR BEEN RECEIVED BY THE SOCIETY?**

**YES / NO**

**IF SO, WHAT ARE THE NATURE OF THE COMPLAINTS?**

**WHEN AND HOW OFTEN DID THEY OCCUR?**

**HAS THE VICTIM EXPRESSED A WISH TO BE RE-HOUSED?**

**YES / NO**

**IF YES, PROVIDE DETAILS OF ANY AREAS OR PREFERENCES THE VICTIM HAS?**

**HAS THE POSSIBILITY OF EMERGENCY RE-HOUSING BEEN DISCUSSED AND IF SO, DOES THE VICTIM WISH THE SOCIETY TO PURSUE THIS OPTION?**

<b>ARE ANY OF THE FOLLOWING AGENCIES INVOLVED IN THE CASE. IF SO, WHO SPECIFICALLY FROM EACH AGENCY IS LIASING WITH THE VICTIM?</b>	
<b>AGENCY</b>	<b>PERSON INVOLVED</b>
POLICE <input type="checkbox"/>	
COMMUNITY RELATIONS COUNCIL <input type="checkbox"/>	
VOLUNTARY AGENCIES <input type="checkbox"/>	
ADVICE CENTRES <input type="checkbox"/>	
VICTIM SUPPORT <input type="checkbox"/>	
LAW CENTRE <input type="checkbox"/>	
SOLICITOR <input type="checkbox"/>	
MEDIATION SERVICE <input type="checkbox"/>	
CITIZENS ADVICE BUREAU <input type="checkbox"/>	
MP/LOCAL COUNCILLOR <input type="checkbox"/>	
SOCIAL SERVICES <input type="checkbox"/>	
HEALTH SERVICE <input type="checkbox"/>	
ENVIRONMENTAL HEALTH <input type="checkbox"/>	
PROBATION <input type="checkbox"/>	
EDUCATION SERVICE <input type="checkbox"/>	
DOG WARDEN <input type="checkbox"/>	
OTHER (SPECIFY) <input type="checkbox"/>	

<p><b>DOES THE VICTIM WISH THE SOCIETY TO LIASE WITH OTHER AGENCIES TO REPORT THE INCIDENT SO FURTHER ACTION CAN BE TAKEN?</b></p> <p style="text-align: center;"><b>YES / NO</b></p>
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**IF YES WHICH AGENCIES AND WHO CAN BE CONTACTED?**

**HAS THE VICTIM SPOKEN TO THE PERPETRATOR?**

YES / NO

**IF SO, WHAT WAS THE RESPONSE?**

**HOW WOULD THE COMPLAINANT LIKE THE SOCIETY TO ACT AND WHAT ACTION DO THEY INTEND TO TAKE?**

**DETAILS OF ANY WRITTEN INFORMATION GIVEN TO COMPLAINANT**

**NAME / DESIGNATION OF INTERVIEWER**

**WHERE DID THE INTERVIEW TAKE PLACE?**

**DATE:**

**DATE PASSED TO HOUSING MANAGER / SENIOR HOUSING OFFICER:-**

**DECISION AS TO WHAT ACTION HAS BEEN AGREED IN LINE WITH THE COMPLAINANTS WISHES:-**

**DATE OF ANY VISIT TO THE ALLEGED PERPETRATOR ARRANGED FOR:-**