

Hate Crime and Harassment Policy

Customer Service

GENERAL - EXTERNAL

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1. Purpose

Riverside believes it is the fundamental right of all people to live free from the fear of violence, threats and abuse and are committed to tackling all forms of Hate Crime and Harassment.

Riverside recognises the effect that hate crime has on people's quality of life and wellbeing and we are committed to tackling all cases of hate crime through a robust, victim-centered approach.

Crimes committed against someone because of their disability, transgender-identity, race, religion or belief, or sexual orientation are hate crimes and should be reported to the police.

2. Scope

This policy covers any customer or other person who reside or visit a property owned or managed by Riverside.

3. Policy

Riverside adopts the joint Police and Crown Prosecution Service definition¹ of Hate Crime which is:

“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; **religion** or perceived religion; **sexual orientation** or perceived sexual orientation; or **transgender identity** or perceived transgender identity.”

There is no legal definition of hostility so we use the everyday understanding of the word which includes ill-will, spite, contempt, prejudice, unfriendliness, antagonism, resentment and dislike.

Hate crimes can include threatening behaviour, assault, robbery, damage to property, inciting others to commit hate crimes and/or harassment.

¹ Crown Prosecution Service, 'Hate Crime: What it is and how to support victims and witnesses,' October 2016, available at <https://www.cps.gov.uk/sites/default/files/documents/publications/Hate-Crime-what-it-is-and-how-to-support-victims-and-witnesses.pdf>

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Legislation

Riverside will aim to adhere to all relevant legislation and requirements as they apply, including:

- a) Anti-social Behaviour, Crime and Policing Act 2014
- b) Equality Act 2010
- c) Housing Acts 1985, 1988 & 1996
- d) Anti-social Behaviour Act 2014
- e) Human Rights Act 1998
- f) Protection from Harassment Act 1997
- g) Racial and Religious Hatred Act 2006

Procedure

Riverside have a separate Hate Crime procedure which sets out the detail and methods of our approach, the support available to victims and how we tackle perpetrators of Hate Crime living in, or visiting, our properties.

Partnership Working

We aim to develop and maintain close, local, working relationships with partner agencies such as the Police, Victim Support, Social Services, Local Authorities, other Registered Providers, and specialist organisations who offer help and support to victims of hate crime. We will participate in local information-sharing protocols to share and receive information to prevent or detect hate crime.

Tackling Hate Crime

When tackling hate crime and harassment, Riverside will strive to;

1. Take a positive, supportive, non-judgemental, and person-centred approach to victims of hate crime to ensure their choice and control is maximised.
2. Acknowledge that each case of hate crime is different and take a harm-centred approach to dealing with the issue, tailoring the support offered to victims and witnesses appropriately.
3. Respond to incidents swiftly and within agreed timescales.
4. Work in partnership with other agencies and support groups, particularly the police, on the collection of intelligence and evidence, and in pursuing prosecutions for hate crime.

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5. Support individuals to obtain legal remedies against their perpetrator either directly (civil) or by signposting to alternative legal advice and representation (criminal).
6. Ensure safety where there is an immediate threat of danger to customers by either improving the security of their existing accommodation or identify suitable temporary accommodation for them.
7. Take ownership where action is required to protect owner occupiers or those in other tenures from the actions of our customers.
8. Work in partnership and effectively signpost where action is required against people in other tenures to protect our customers.
9. Utilise a national standard risk assessment matrix, (recognised by other agencies) applied to any case of hate crime where there is an identifiable victim.
10. Deal with complaints of hate crime in the strictest confidence and in accordance with its legal and regulatory obligations.
11. Keep victims informed of developments at all stages and make them aware that they can ask for no further action to be taken at any stage in the process.
12. Consider and, where appropriate, use intervention measures such as mediation services.
13. Riverside will consider using relevant legal interventions, as provided for in current legislation, including obtaining injunctions against the perpetrators of the Hate Crime, seeking possession of perpetrators' homes, and asking partner agencies to make use of powers available to them.
14. Consider criminal remedies as an option in certain cases (e.g. assault, criminal damage, threatening letters, nuisance phone calls, repeated harassment) and encourage victims to pursue this where we cannot.
15. Remove offensive graffiti promptly within the agreed target time.
16. Support inclusive resident involvement structures and practices that contribute to the effective tackling of all forms of harassment.
17. Where the alleged perpetrator is a member of staff, investigate the incident in accordance with The Riverside Group's Code of Conduct and Disciplinary Procedure
18. Where appropriate, publicise the results of resolved hate crime cases to provide reassurance to customers that it takes swift and decisive action and to deter others from these types of behaviour. Such decisions will be on a case-by-case basis to ensure compliance with relevant legislation and that the publicity is reasonable and proportionate.

Safeguarding Responsibilities

We are committed to safeguarding all our customers and children and will take appropriate action when concerns are raised, suspected, or disclosed. When abuse is disclosed, we will be clear about confidentiality and our safeguarding obligations. This policy aligns with Riverside's Safeguarding policies for adults including Children.

Staff Training and Support

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Riverside will provide training for relevant staff to ensure they are fully competent to deal with reports of Hate Crime and are aware of the policy and associated procedure. Where appropriate we will access local Hate Crime training with specialist providers/agencies.

Domestic Abuse

Riverside take cases of domestic abuse seriously: we have a robust domestic abuse policy which outlines our commitment to address cases in our communities.

Data Protection and Information Sharing

Riverside are committed to ensuring customer confidentiality and are fully compliant with the General Data Protection Regulations 2018 (GDPR) around data processing. Riverside is experienced in processing sensitive personal data and has robust procedures in place for the gathering and recording of consent for processing this information and disclosure. Although Riverside will aim to gain consent prior to any information sharing, there may be instances where we have a statutory duty to share information without consent, e.g. where children are at risk. Riverside carries out data-protection impact assessments when processing any personal data and has a data protection lead officer for advice and guidance.

4. Further Information & Support

- Anti-Social Behaviour Policy
- Domestic Abuse Policy
- Modern Slavery Statement
- Equality, Diversity and Inclusion Policy
- Anti-Social Behaviour Procedure
- Safeguarding Children Policy
- Safeguarding Vulnerable Adults Policy
- Complaints Policy
- Data Protection and Privacy Policy

5. Roles and Responsibilities

Riverside will ensure that relevant staff are confident in their ability to identify and investigate incidents and reports of Hate Crime and Harassment by providing appropriate induction and system training, refresher training, updates on relevant legislation and access to relevant external/internal training from our legal partners and other agencies. We will also ensure that all relevant colleagues are aware of this policy, the associated procedure and set out expectations for staff within Hate Crime and Harassment case management.

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Strategic Risk references: R2 Customer Trust and R9 External Regulatory Environment to the risk section

7. Breaches

If the Hate Crime and Harassment policy is breached, then Riverside will review the policy where needed.

8. Appeal & complaints

Victims and perpetrators of Hate Crime and Harassment can make a complaint to Riverside if they are not satisfied with the way in which their case was dealt with. This is as per our standard complaints policy.

9. Equality, Diversity and Inclusion

Riverside is committed to Equality, Diversity & Inclusion. We strive to be fair in our dealings with all people, communities and organisations, taking into account the diverse nature of their culture and background and actively promoting inclusion. This policy aligns with Riverside's [Equality, Diversity and Inclusion Policy](#) and has been subject to an Equality Impact Assessment.

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