

This policy details how we manage reports and cases of hate crime; what may constitute hate crime; how we work with partners to seek an effective resolution; and how we aim to support complainants and deal with respondents in line with effective use of legal tools at our disposal in line with Housing Law and our tenancy agreements.

# Hate Crime Policy

## Document management

<b>Directorate</b>	Operations
<b>Policy sponsor</b>	Chief Operations Officer
<b>Policy owner</b>	Director of Customer Operations
<b>Policy author</b>	Director of Customer Operations

## Review process

<b>Approval route</b>	Customer Consultation – Directors Team – Executive Leadership Team
<b>Approved by</b>	Executive Leadership Team
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## Part 2

# Overview

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### Policy statement

This policy supports Amplius's values and is a commitment to improving lives and supporting colleagues by:

- Detailing our response to complaints and allegations of Hate Crime and Incidents.

In responding to complaints and allegations of Hate Crime and Incidents, we intend to;

- Provide clear information on how to report hate crime and incidents, including how a third party can also report a hate crime or incident.
- Inspire confidence amongst residents that we want to deal with all hate crime and incidents and encourage reporting of individual incidents.
- Respond rapidly and effectively to hate crime and incidents at an early stage to try to prevent further incidents and / or the escalation of the seriousness of incidents and to improve the safety and welfare of adults and children that are affected by such incidents.
- Investigate reports of hate crime and incidents sensitively, provide victims with support and undertake a victim centred approach taking all reasonable steps to prevent it.
- Increase awareness and understanding amongst residents and colleagues of hate crime, including reports from third parties. This will be supported through the provision of training.
- Create a consistent approach for recording and monitoring hate incidents and look to identify repeat incidents.
- Work in partnership with various key agencies when dealing with hate crime and incidents, sharing intelligence and taking joint action where required to help create safer communities.

Amplius is committed to tackling hate incidents and crime in order to provide safe and secure neighbourhoods and to create sustainable communities. We recognise that we live in an open, multicultural and diverse society and appreciate the benefits that such diversity brings to our communities and encourage all residents to welcome and appreciate the diverse cultures that are part of their locality.

Amplius values the diversity of our residents and believe that all residents, their families and visitors to their home have a right to live without fear of abuse, intimidation, harassment, humiliation or attack, irrespective of gender, age, disability, race, religion, sexual orientation, gender identity or appearance.

Amplius understands that hate incidents and crime can have a serious and devastating impact on an individual's sense of security, health and wellbeing but also has a negative impact on communities in relation to cohesion and integration. We condemn all forms of hate incidents and crime and will treat all incidents reported to us as an emergency.

The key objectives of this policy are to;

- Understand and define what Hate Crime and Incidents are.
- Understand the term 'mate crime'.
- Detail the legal and regulatory framework that provide us with the tools to respond to hate crime and incidents and that we are required to comply with.
- Outline our approach and commitment to dealing with hate crime and incidents effectively and efficiently.
- Outline how we will assess the risk to complainants and undertake a victim centred approach.
- Monitor performance to assess the quality and effectiveness of service.

This policy is a Day 1 provision for Amplius as a newly established company, it is subject to review as we develop and review our policies over the next 18 months.

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### **Scope**

The term Amplius incorporates all member companies and subsidiaries.

The policy applies to:

- All customers who hold a tenancy with Amplius, including leaseholders and shared owner and Care and Support, and all colleagues within Amplius.

The policy does not form part of any colleague's contract of employment and the policy may be amended at any time.

### Part 3

## Policy details

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### Definition of Hate Crime / Incident

We define a hate incident / crime as:

*"Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person\*\*, as being motivated by prejudice or hate."*

### -ACPO Good Practice and Tactical Guidance on Hate Crime 2005

\*\*If a third party perceives an incident to be motivated by prejudice or hate then this same definition will apply.

Repeat victimisation of hate crime occurs:

*"Where a person or immediate family member suffers more than one hate incident in a 12-month period following the date the first crime was reported".*

### -Home Office & ACPO 2005

Hate incidents / crime is hatred, bias or prejudice that is based upon the actual or perceived age, gender, disability, race, religion, sexual orientation, gender identity or appearance.

Hate incidents / crimes can occur in a variety of forms; examples include, but are not limited to the following:

- Physical assault
- Bullying
- Harassment
- Verbal abuse, insults and threats
- Abuse through social media / cyber.
- Damage to property or personal belongings.
- Threatening or abusive behaviour including spitting, ridicule of cultural differences, arson or attempted arson, offensive jokes or comments.

Behaviour identified as harassment but not a hate incident / crime will be dealt with through our Anti-Social Behaviour policy, but when we receive a report our initial call handling templates will seek to establish if hate is a likely motivator.

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### Mate Crime

Mate crime is defined as the exploitation, abuse or theft from any vulnerable person by those they may consider to be their friends. Those that commit such abuse or theft are often referred to as 'fake friends'. For instances of 'mate crime' please refer to the Safeguarding Adults and Children policy and referral process if applicable.

Mate crime may involve the following:

- Financial Abuse - where the perpetrator might demand or ask to be lent money or property and then not pay it back / return it.
- Physical Abuse - where the person may be assaulted or seriously injured by the

perpetrator, possibly for the amusement of the perpetrator.

- Emotional Abuse - where the perpetrator might manipulate or mislead the person, make them feel worthless, call them names or groom the person for criminal offences.
- Sexual Abuse - the person might be coerced into prostitution, sexually exploited by someone they think is their partner or friend or might be persuaded to perform sexual acts they do not feel comfortable with.

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## **Legal and Regulatory Framework**

Under the Equality Act 2010 Amplus has a general duty to have due regard to the need to:

- Eliminate the unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristics and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristics and persons who do not share it.
- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate where their level of participation is particularly low.

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## **Responding to Reports of Hate Incidents / Crime**

In responding to reports of a hate incident / crime we will:

- Adopt a victim-led approach in dealing with hate crimes, which means that if a person or a third party feels that they or someone else has experience a hate crime we will deal with it under this policy.
- Talk to victims and agree the action to be taken and encourage them to report incidents to the Police to pursue the possibility of a criminal investigation.
- Review any potential vulnerability and the risk of harm to the victim.
- Offer victims and complainants support through our own colleagues but will also try to engage more specialist support services.
- Adapt our response to the individual circumstances and needs of the victim, recognising that every reported hate incident / crime will be different.

Hate crime legislation allows for a third party to report and indeed stand as a witness to a hate crime where they have witnessed the incident. Where we receive a report from a third party, we will investigate the incident, ensuring that interaction takes place with the victim(s) as well as the third party. The views of the victim will be taken into account, however, should they not wish to pursue the matter this will not necessarily prevent us from taking appropriate action where the third party is willing to provide evidence and be a witness.

### **Confidentiality**

Victims will be encouraged to allow us to share information with other agencies, including the Police and local authority, to ensure that the full range of civil and criminal action can be pursued, and appropriate support provided. However, all information provided by the victim will be treated with the utmost confidence and only passed to external agencies where we are required by law to do so, and in accordance with the Data Protection Act 2018.

Where we do not have the victims' consent and we consider there is a high risk of serious harm to anyone involved, we may make a report to the Police without the victim's consent. The Director of Customer Operations will approve any such disclosure.

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### **Training**

All colleagues are responsible for ensuring the policy is incorporated into their working practices.

Appropriate training will be given to colleagues to raise their awareness and to equip them to implement this policy and its related procedures effectively.

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### **Equality, diversity and inclusion**

Amplius is committed to E,D&I and such will make reasonable adjustments to the policy to recognise, accommodate and support individual needs, where needed. The policy adheres to Amplius's approach to Equality and Diversity. Amplius members will take a proactive approach to ensure that no individual or group is discriminated against or treated differently as a direct or indirect result of this policy

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### **Additional needs (addressing vulnerabilities)**

Amplius recognises that, for various reasons, some of our customers and service users may be vulnerable. Policies therefore will take account of the recommendations made by the Housing Ombudsman and Regulatory recommendations on vulnerabilities. Amplius will take a proactive approach when making a decision relating to a customer or service user and where practicable, tailor and adapt our services to suit the needs of customers and support vulnerable people.

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### **Summary of local variations**

There are no local variations applicable to this policy.

## Part 4

# Compliance and administration

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## Legal and regulatory compliance

This policy fully complies with Amplius's legal and regulatory obligations.

- Complies with Regulator of Social Housing Neighbourhood and Community tenancy standard.
- The Housing Acts
- The Data Protection Act 2018

This list is not exhaustive, and policy authors will undertake thorough research and/or seek professional advice to ensure that Amplius meets its obligations and complies with the current and relevant legislation and regulations.

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## Evaluation, review and performance monitoring

This policy will be reviewed on a Triennial basis to ensure that it remains fit for purpose. A policy review may also be required earlier, in response to internal or external changes for example changes in legislation. Prompt and effective action will be taken where improvements are identified.

As part of 1-2-1 case reviews, will carry out audits to monitor compliance. Regular checks will also be completed by our auditors. In addition, it will be reviewed:

- Following information suggesting that the policy is not effective.
  - To reflect any service enhancements.
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## Related policies

- Anti-Social Behaviour and Neighbourhood Management Policy
- Domestic Abuse Policy
- Safeguarding Adults and Children Policy



Part 5

# Appendices

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**A. Associated documents - Internal procedural documents, colleague use only**

- Knowledge Base Articles - LG

Part 6

# Changelog

Amended date	Summary of changes	Version №