

# Housing Hate Crime & Hate Incident Policy

Housing and Communities - Housing Resident Services

Document publish date: 3rd February 2025

Version number 1.0

<b>Version</b>	<b>Author</b>	<b>Date</b>	<b>Changes made</b>
1.0	Chris Pike	03/02/2025	New Policy

# Document

<b>Name of Policy</b>	Housing Hate Crime & Hate incident Policy
<b>Document reference</b>	HCPV01
<b>Purpose of policy</b>	To outline New Forest Council's (NFDCs) approach to dealing with reports of Hate Crimes and Hate incidents.
<b>Policy applies to</b>	This policy and the subsequent arrangements apply to all directly and indirectly employed housing staff within New Forest District Council and, where appropriate, tenants, contractors and members of the public.
<b>Lead officer</b>	Housing ASB & Neighbourhood Manager
<b>First issued</b>	03/02/2025
<b>Latest updated</b>	03/02/2025
<b>Version control</b>	1.0
<b>Review period</b>	At least every 3 years from the date of issues, or because of legislative, organisational change, ASB case review or a corporate complaint investigation.
<b>Updated overview</b>	New Policy

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# Introduction

The purpose of this Policy is to outline the Council's housing landlord response to reports which are classed as a hate crime or a hate incident.

The Council takes all forms of hate crimes and hate incidents seriously and we are committed to reduce hate crimes and incidents across the district.

Hate crime and hate incidents can have a significant negative impact on tenants in social housing. Tenants may experience it directly or they may live in communities where hate crimes or hate incidents have occurred.

Hate crimes and incidents are categorised as a type of antisocial behaviour (ASB). Reports relating to general ASB are dealt with under a separate ASB Policy, and as such, reports of hate crimes or hate incidents which are investigated by the Council should be read alongside the main ASB Policy.

Behaviour towards our staff and contractors is dealt with through our internal accident, incident reporting & investigating policy.

Complaints about the way we manage our response to hate crime or Hate incidents are dealt with through our [corporate complaints Policy](#).

## Objectives:

The Council is committed to tackling hate crimes and incidents by:

- Providing front line staff with the tools and training necessary to deal with hate crimes and incidents effectively.
- Increasing awareness and encourage people to report hate crime or hate incidents.
- Outlining how we will work alongside appropriate partners to deter, and tackle hate crimes incidents.
- Treating reported cases of hate crimes and incidents seriously and dealing with them as urgent cases.
- Outlining how we investigate reports of hate crimes and incidents, and the role of other relevant agencies.
- Supporting those who experience hate crimes or incidents in a sensitive and non-judgmental manner, considering the diverse needs of tenants.
- Ensuring individuals are aware of all the options available to them so that they can make informed decisions.
- Adopting a victim-centred approach and taking in the wishes of the victim to find solutions.

- Acting against the perpetrators of hate crimes where possible and where it is safe for the victim.
- Supporting vulnerable perpetrators by assisting them to sustain their tenancy.

# Legislative and regulatory context

The Regulator of Social Housing launched its new regulatory framework on 1 April 2024. The Regulatory standards relating to ASB are contained in within the Customer Standards including Neighbourhood and Community Standards, Tenant Involvement and Empowerment Standard and the Tenants Satisfaction Measure Standards, which stipulate:

## Safer Neighbourhoods standards

- *Registered providers must have a policy on how they work with relevant organisations to deter and tackle ASB in the neighbourhoods where they provide social housing.*
- *Registered providers must clearly set out their approach for how they tackle and deter hate incidents in neighbourhoods where they provide social housing.*
- *Registered providers must enable ASB to be reported easily and keep tenants informed about the progress of their case.*
- *Registered providers must provide prompt and appropriate action in response to ASB, having regard to the full range of tools and legal powers available to them.*
- *Registered providers must support tenants who are affected by ASB, including by signposting them to agencies who can give them appropriate support and assistance.*

Under the Regulator of Social Housing Neighbourhood and Community standards the Council must work with appropriate partners with a common aim of trying to reduce **ASB**, **hate incidents** and **hate crimes**.

In doing this we must have effective policies and processes to tackle Anti-Social behaviour, hate crimes and hate incidents.

Joint initiatives may include, for example.

- Mediation services,
- Undertaking security measures,
- Environmental improvements,
- Diversionary activities,
- Awareness raising and education,
- Targeted activities.

Policies and procedures should include:

- How the Council tackles hate crime and hate incidents and how we communicate this to tenants.

- Our approach to investigating reports, including the role of other agencies.
- The support available to affected tenants.
- The action the Council will take to deal with perpetrators of hate crimes or hate incidents.

In managing reports of hate crime and incidents the Council must:

- Keep tenants informed on the progress of their case.
- Be mindful of our data protection obligations and any legal proceeding.
- Take a victim-centred approach to supporting tenants / residents.
- Consider how we can support vulnerable perpetrators of hate crimes or hate incidents to help them sustain their tenancy.

# Definitions

A **hate crime** 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:

- race or perceived race
- religion or perceived religion
- sexual orientation or perceived sexual orientation
- disability or perceived disability
- transgender or perceived to be transgender

A **hate incident** is any non-crime incident which is perceived by the victim or any other person, to be motivated by a hostility or prejudice based on the same personal characteristics as those for a hate crime (either perceived or actual) or based on **alternative subcultures**.

**Alternative subcultures** would typically include those with distractive dress, specific and shared values or shared music styles.

Hate incidents can feel like crimes to those who experience them. While the often-repeated experience of 'lower level' incidents like name-calling or offensive gestures may seem 'too common' or 'too ordinary' to report.

If someone believes something is a **hate incident**, it should be recorded as such by the Council.



# Roles and responsibilities

All housing staff are responsible for promoting a clear message that NFDC does not tolerate Hate Crimes, and will work with partner agencies to take appropriate action to resolve reports and allegations of Hate Crime and Hate incidents.

## Customer Services (CS) & the Housing Support Hub (HSH)

- Customer Services and the Housing Support Hub are likely to receive the initial reports and are responsible for logging the initial query and providing information of response times.

## Tenancy Sustainment Assistant / Neighbourhood Assistant

- Reviewing initial reports made to Housing resident services.
- Review and investigate minor complaints on instruction from the Neighbourhood Housing Officer.
- To provide help, advice, and information to residents on the full range of tenancy and neighbourhood management services.
- Can also be responsible for managing and processing reports on instruction from the Neighbourhood Housing Officer.

## Void Co-Ordinator

- Responsible to administrating the reletting of properties.

## Temporary Accommodation Officer

- Responsible for managing and progressing reports in the NFDC Homeless Temporary accommodation.
- Ensuring that all tenants abide by the licence Conditions, providing advice and support whilst taking initial enforcement action (when appropriate).
- Liaising with other departments and agencies, taking joint action when required.
- Keeping accurate records and updating complainants.
- Referring and liaising with support services to assist alleged perpetrators with managing their licence.
- Identifying cases which fall outside of the definition of ASB and working with residents to effectively resolve the issues using non-legal measures.
- Escalating complex or challenging cases to the ASB & Neighbourhood Housing Manager / Neighbourhood Housing Officer

### Neighbourhood Letting and Sustainment Officer

- To deliver Housing and Neighbourhood management services from the commencement of any type of tenancy provided by the Council.
- To ensure tenancy conditions are explained and to identify vulnerable tenants and to ensure that relevant support is provided through support agencies and others to assist them in maintaining their tenancy.
- To provide help, advice, and information to tenants to assist with sustaining their tenancy.
- To resolve any breaches of tenancy.
- Managing the process of ending tenancies as required,
- Dealing with tenancy requests such as succession, relationship breakdowns, approval of mutual exchanges and ensure compliance of any home improvements carried out by the tenant.
- Referring ASB or Neighbourhood reports to the Neighbourhood housing Officer

### Neighbourhood Housing Officer

- The main contact for residents and are responsible for managing and progressing reports under this Policy.
- Ensuring that all tenants abide by the Tenancy Conditions, taking enforcement action where appropriate.
- Liaising with other departments and agencies, taking joint action when required.
- Keeping accurate records and updating complainants.
- Referring and liaising with support services to assist alleged perpetrators with managing their tenancy.
- Identifying cases which fall outside of the definition of ASB and working with residents to effectively resolve the issues using non-legal measures.

### ASB and Neighbourhood Manager (ASBM)

- Lead Manager for the response to ASB, Hate Crimes and Hate incidents.
- The housing staff will liaise with the ASBM around High Risk or Complex cases whether guidance and support is required.
- ASBM will review cases, looking at what more can be done, and work proactively with Housing Resident team to tackle the situation.
- ASBM can act as a single point of contact of high harm / high risk cases as necessary.
- ASBM will review staff training and processes so Housing Staff are aware and trained to use the appropriate tools to tackle ASB, hate crimes and hate incidents.
- ASBM will identify long standing cases and guide Housing Staff towards resolution.

- ASBM is responsible for the quality of the service and ASB performance.
- ASBM is responsible for updating Policy and Procedure to reflect current and good practice.

#### Neighbourhood Letting and Tenancy Sustainment Manager

- Respond to service requests and complaints in line with the corporate complaint's procedure.
- Monitor staff compliance to the procedure.
- Deputise for the ASB & Neighbourhood manager.

#### Tenant Engagement Manager

- Responsible for data collection and engagement around tenant satisfaction measures.
- Collating the tenants voice and working with the ASBM around service improvement, policy development and implementing learning following complaints.

#### Service Manager for Housing Resident Services

- Responsible for service delivery and complaints made under the corporate complaint process.

#### Strategic Director and Assistant Director – Housing & Communities (AD)

- Responsible for overall delivery of the service and complaints made under the corporate complaint process.

#### Legal Team

- Where appropriate, the Estate Management Team will instruct, liaise, and seek advice from the Legal department when enforcement action is being considered /required.

#### Other Service leads, managers & officers

The Neighbourhood Management Team will also liaise and seek advice from.

- Community Safety
- Service Manager - CCTV, Community Safety & Community Alarms
- Environmental and Regulatory Services
- Housing repairs / operations
- Open Spaces & Pest Control
- Benefit Services
- Service Manager for Housing Options & Tenancy Accounts
- Homelessness Officers
- Homesearch Team
- Tenant Accounts Manager / Rent team

# Our Hate Crime & Hate incident Commitments.

## Preventing Hate Crime & Hate incidents.

We will seek to prevent Hate Crime and Hate incidents on our estates through a variety of measures:

- We use Introductory Tenancies to ensure new tenants fully understand their responsibilities of being a good tenant and neighbour.
- We complete nomination assessments to ensure support needs are identified ahead of a tenancy sign up.
- We undertake comprehensive sign ups where tenancy obligations are explained, support needs are recorded, and tenants are referred for additional support.
- We complete settling in visits on new tenants – to emphasise tenants' obligations and highlight / follow up on any support needs.
- We prevent individuals and families who have a proven history of ASB from becoming NFDC tenants under our allocation procedure.
- We encourage tenants and residents to report incidents of Hate Crime through the advertising of services via the council's website, tenant engagement and community events.
- We raise awareness of Hate Crime by advertising National Hate Crime Awareness week.
- Staff receive regular training on hate crime awareness & safeguarding training.
- We use both informal and formal interventions such as visits, letters and warnings when there is a breach of tenancy.

## Reporting Hate Crime & Hate Incidents

As well as reporting an incident to the Council reports relating to a hate crime should also be made to the Police.

By reporting hate crimes support can be provided to the victim, and ensure the offenders are brought to justice. This also helps the Police and the Council build up patterns of behaviours locally and highlight areas of concerns within our communities.

Reporting hate crimes can be done by:

- calling 999 and reporting directly to the police if the incident is an emergency.
- calling 101 and reporting to the police if the incident is not an emergency.
- online via the Crimestoppers website or by calling 0800 555 111 (if the person wants to remain anonymous.)
- on the True Vision website. True Vision is a national police scheme to help victims report hate crime online.

There are many reasons that may deter people from reporting hate crimes and incidents to the Police or Council, for example the person's state of mind, their perceptions, or expectations of the Police or Council.

The decision to not report a hate crime or incident to the Police may limit some of the actions that the Council can take, however the choice not to report to the Police does not mean we cannot help the person.

If a tenant is a victim of a hate crime or hate incident and wants to make a report to the Council, they should do so at the earliest opportunity.

Reports can be made including letters, telephones, emails, in person and online through our website.

**Telephone:** 02380 285222

**Email:** [housing.hub@NFDC.gov.uk](mailto:housing.hub@NFDC.gov.uk)

**Address:** Lyndhurst (main office), Appletree Court, Beaulieu Road, Lyndhurst, Hampshire SO43 7PA

**Website:** [www.newforest.gov.uk](http://www.newforest.gov.uk)

We will also receive reports from other agencies such as the Police.

Hampshire Police can be contacted on:

**Emergency:** 999

**Non-emergency:** 101

**Website:** [www.hampshire.police.uk](http://www.hampshire.police.uk)

Reports of hate crime or hate incidents should be treated as an urgent ASB case and the person making the report should be contacted within **1 working day** of the report.

For recording purposes, we will use the terminology "**Party 1**" and "**Party 2**" to avoid incorrectly labelling victims or perpetrators. Party 1 will refer to the person making the report and Party 2 will refer to the person the report is about.

**Responding and actioning Hate Crimes and Hate incidents.**

Any immediate safety concerns (such as repairs or extra security) should be dealt with by the person taking the initial report.

The Neighbourhood and ASB team will complete the following steps in every case:

- Offer / complete a risk assessment assessing both the risk to the victim(s) and their wishes.
- If the victim(s) wants us to investigate the report, an ASB action plan will be agreed to support our response and investigation.
- If agreed, we will refer the victim(s) to Victim Support and provide them with details of specific hate crime support services.

If Party 1 wants us to investigate and respond to the reported hate crime or hate incident the Council will consider which course of action is suitable to the circumstances, depending on the tenants' rights, victims' wishes, the severity and/or persistent nature of the conduct, and we will have regard to the proportionality and reasonableness of any proposed action.

Unless the nature of the incident is at a level that immediate legal action is required the Council will generally use non-legal measures first, and we may use more than one remedy to address an issue. Details of these are outlined in the Council's **Housing Anti Social Behaviour Policy**.

The Council has a wide range of tools and powers to challenge hate crime and hate incidents and will decide on a case-by-case basis which tool and powers are the most appropriate to use, whilst considering the wishes of the victim.

### Remedies for tackling Hate Crime or Hate incidents.

The main measures that can be deployed in response to hate crime or hate incidents include:

- Provide additional security e.g. extra locks, door chain, bolts, fire retardant letter box.
- Arranging for any urgent repairs to be completed
- Arranging removal of offensive graffiti.
- Referring to supporting agencies.
- Attending or arranging a multiagency meeting with partner agencies.
- Inviting other relevant agencies such as the Police or other agencies / housing providers to attend interviews with perpetrators.
- Taking appropriate action against perpetrator(s) and work with other agencies to assist them to change their behaviour.
- Making a Restorative Justice Referral to a Mediation provider
- Making a third-party police referral.

- Making an Adult safeguarding referral if an adult with care and support needs is being abused or at risk.
- Making a Children Services referral if we feel a child is a risk of harm or abuse.

# Tenants' and Leaseholders' (including shared ownership) rights & responsibilities

Council tenants and leaseholders have clear rights and responsibilities in relation to ASB under their tenancy agreement or lease with the Council.

In general, a tenant/leaseholder has the right to be able to live in their home as they choose and without interference from any person. They have a responsibility to ensure that neither they, nor anyone living with them, or visiting their property acts in an anti-social manner, and this includes the behaviour and actions of children and pets.

In cases where tenants and leaseholders persist in causing hate crimes they could be evicted from their homes through legal action, and the property returned to the Council's housing stock. Eviction will only be requested by the Court as a last resort, when all other interventions have failed and when the behaviour is to such an extent that it warrants asking the court to end the tenancy.

The Council's Lettings Policy enables the Council to exclude those evicted from due to ASB from the Council's Homeseach housing register (in certain circumstances). More information can be found under the Council's [scheme of allocation](#).



# Support

Often a person's vulnerability will make them more likely to be a victim or perpetrator of a hate crime or a hate incident.

We will identify and act upon on any identified support need of residents.

Support might include practical solutions such as property improvements, or additional security. As well as referrals to supporting agencies such as Adult Services, Children Services, Health Services or Victim Support.

The list below is not comprehensive, but gives details of some of the national bodies with an interest in tackling hate crime and supporting its victims.

- [www.report-it.org.uk/home](http://www.report-it.org.uk/home) (True Vision Website to report any hate crime)
- [www.hampshire.police.uk/ro/report/hate-crime/information/v1/hate-crime/what-is-hate-crime](http://www.hampshire.police.uk/ro/report/hate-crime/information/v1/hate-crime/what-is-hate-crime) (Report Hate Crime to Hampshire Police)
- [www.safer.newforest.gov.uk](http://www.safer.newforest.gov.uk) (partner agencies across the New Forest)
- [www.stophateuk.org](http://www.stophateuk.org) (to report any hate crime)
- [www.sophielancasterfoundation.com](http://www.sophielancasterfoundation.com) (Support for alternative cultures)
- [www.galop.org.uk](http://www.galop.org.uk) (to report anti-LGBT hate crimes and incidents)
- [www.tellmamauk.org](http://www.tellmamauk.org) (to report anti-Islamic hate crimes and incidents)
- [www.cst.org.uk](http://www.cst.org.uk) (to report anti-Semitic hate crimes and incidents)
- [www.reportracismgrt.com](http://www.reportracismgrt.com) (to report Traveller and Roma Hate Crime)
- [www.crimestoppers-uk.org](http://www.crimestoppers-uk.org)
- [www.victimsupport.org.uk](http://www.victimsupport.org.uk)
- [www.report-it.org.uk/your\\_police\\_force](http://www.report-it.org.uk/your_police_force)

In cases of hate crime or hate incidents any intervention or enforcement action may run alongside supportive measures to help prevent hate crimes or incidents occurring/reoccurring.

The council will endeavour to encourage awareness and engagement as a means of helping sustain tenancies.

When assessing what action should be taken consideration will be given to what support the alleged perpetrator would benefit from, such as support around substance misuse, mental health or offending.

Sometimes it may not be possible for the Council or the Police to evidence any alleged hate crime or hate incident. This is often the case in one off or isolated incidents. If the victim is reporting being repeatedly harassed by the same person or group, we may ask the victim to keep a record of the incident to help them contact the Police.

In exceptional circumstances we may consider a management transfer (management move) to safeguard a NFDC tenant. Further information is available in the Council's [scheme of allocation](#)

Any management transfer will be considered under our management transfer procedure.

# Closing reports

The decision to close a report will be discussed and ideally agreed with the Party 1. In cases where Party 1 has been the only party contacted and visited, we will not share the closing of the report with Party 2.

The decision to formally close a case will be provided in writing and include advice and steps to take should the report restart.

All the information from the report will be held on file and will be referred to as necessary.

If Party 1 wishes us to discuss the report with Party 2 the closing of any report will be closed in line with the Council's ASB Policy or the Council's Good Neighbourhood Management Policy.

# Partnership working

MHCLG's Regulatory Framework, under the Neighbourhood and Community Standard, requires registered housing providers to co-operate with relevant partners to help improve social, environmental and economic wellbeing in their areas, and to work in partnership with other agencies to prevent and tackle ASB in the neighbourhoods where they own homes.

Criminal matters such as hate crimes should be reported to Hampshire Police. If it is appropriate for the police to take responsibility for investigating an incident. The Council will work with them to support their investigation.

The Council has strong working relationships and links with agencies and services that support the needs of our residents when tackling the causes and effects of hate crime and hate incidents. Our range of partners is wide, but includes:

- The Council's Community Safety Team
- The Council's Environmental Protection Teams
- Hampshire Police
- Probation Service
- Housing Associations
- Youth Offending Team
- Hampshire Children's and Adult's Social Care
- NHS Mental Health Teams
- Schools
- Victim Support
- Voluntary Sector

We work with our partners in a variety of ways to tackle hate crime and hate incidents, including regular meetings and other joint working arrangements under the Safer New Forest Partnership:

[www.safer.newforest.gov.uk](http://www.safer.newforest.gov.uk)

Of equal importance is our work with residents, resident groups and Tenant Engagement Service to look at ways to prevent, identify and resolve hate crime & hate incidents using a variety of methods including supporting resident led projects, estate meetings, estate inspections and the provision of diversionary activities.

# Confidentiality and information sharing

We can only tackle Hate Crime & Hate incidents effectively by working with our partners and a key element of this approach is the sharing of information in accordance with the Council's statutory obligations under the Data Protection Act 2018 and the General Data Protection Regulations, all tenants will be made aware of how their personal information will be processed. Information recorded on the Council's system and on the tenants, file will be shared with other agencies as necessary.

A copy of the Privacy Notice is found here: [www.newforest.gov.uk/privacy](http://www.newforest.gov.uk/privacy)

# Monitor and Review

This policy will be subject to regular review and amendment when necessary to accommodate new legislation, guidance, or local needs.

The Strategic Director for Housing and Communities has authority to make amendments in consultation with the Portfolio holder for Housing.

This policy will be available on the council's website at [www.newforest.gov.uk](http://www.newforest.gov.uk)