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# Racial Harassment Policy – ( this policy is under review)

## **Policy on dealing with Racial Harassment**

Harrogate Housing Association is committed to placing equality and diversity at the heart of our business. We recognise that racial harassment is a manifestation of an unacceptable form of prejudice and we will not tolerate any form of racial harassment, in any circumstances.

This document sets out our policy for dealing with racial harassment, for the benefit of all of our customers and members of their households and their visitors.

### **Aim of this policy**

- To encourage the reporting of harassment.
- To support the people experiencing racial harassment.
- To take action against the perpetrators of harassment.
- To introduce measures to prevent further harassment.
- To promote, where possible, participation in multi-agency arrangements-working with local authorities, other housing associations, community groups and multi-agency panels.
- To encourage customer groups to support complainants and give evidence of harassment.
- To monitor the effectiveness of the action we take.

All staff have a duty to implement this policy. If racial harassment does occur it must be dealt with in accordance with this policy and the accompanying procedure guidelines.

### **The Associations' definition of racial harassment:**

*'A racist incident is any incident which is perceived to be racist by the victim or any other person'.*

Taken from: Report of the Stephen Lawrence Inquiry - Macpherson

It does not matter whether the behaviour is deliberate or unintentional, it is whether an incident is perceived as racial harassment by the victim that matters.

### **Racial harassment may include but is not limited to:**

- Racial/racist abuse. Verbal abuse, threats or insults
- Racially abusive behaviour such as inciting others, spitting
- Personal attacks whether on residents, their friends or relatives or visitors
- Damage to property, homes and vehicles
- Circulating racist materials

As an organisation we are also committed to following the Home Office code on reporting and recording racist incidents.

Our tenancy agreement states that *“tenants or anyone living with them or visiting must not harass others or be involved in threats of harassment. Where committed by a tenant, or member of their household racial harassment will be treated as a breach of tenancy”*.

### **When we can take action**

If the victim and perpetrator are our customers we can take legal action if we have appropriate supporting evidence and the consent of the complainant.

We can only take legal action where the harassment is carried out by an Association customer. If our customer is the victim of harassment and the perpetrator is not a customer of ours we will offer advice, support, details of relevant support groups and will assist with re-housing if requested to do so.

If the perpetrator is a customer but the victim is not we will advise and support the victim. Then we will take appropriate action against the perpetrator based upon the evidence available. The complainant will be informed of our conclusions.

### **Reporting racial harassment**

All reports of harassment will be taken seriously. The individual reporting harassment will be dealt with in a sensitive way that shows an understanding of how they may be feeling. Their safety and security will be a priority.

Residents who wish to report a case of racial harassment should contact their Housing Officer or any another member of staff who they feel comfortable speaking to.

They may also contact an appropriate support agency to approach us on their behalf.

We will;

- aim to visit the customer reporting a case of racial harassment within 2 working days
- with the complainants permission a detailed, accurate written account of the incident will made on a racist incident form, with our assistance. Translation will be made available where English is not a first language
- treat repairs to the property as an urgent priority and take photographs as evidence.
- advise the complainant of how we deal with cases of racial harassment. We understand that the complainant may well be fearful of the consequences of reporting an incident and we will clearly explain all the options available and what we can do.
- if the complainant wishes us to do so, we will refer the case to the police or another agency as soon as possible.
- provide racial harassment log sheets for the complainant to log any future incidents
- let the complainant know the name of the member of staff who will be responsible for investigating the incident and ask if they require regular ongoing liaison.

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- offer to refer to or provide a list of organisations operating in the complainant's area that can provide additional support. For example Victim Support, the police, Citizens Advice Bureau, Black and Minority Ethnic support groups.
  - carry out an investigation and contact witnesses if the complainant gives permission for us to do so.
  - ensure that the complainant is kept informed of how we are dealing with the complaint.
  - where possible support the customer or vulnerable witnesses to live in their own home, when this is their wish. However, a transfer to alternative accommodation will be offered where there are no alternative options or if alternative options have failed.

### **Action against those committing acts of harassment**

Action will vary depending on the severity of the incident, the outcome of our investigations and the wishes of the complainant. No action will be taken without the consent of the complainant. This could include:

- a legal injunction to prevent further incidents. Section 153 of the Housing Act 1996
- possession proceedings to evict perpetrators of serious and/or persistent racial harassment, where there is sufficient evidence to do so. Sections 101 and 102 of the Housing Act 1996.
- involving the police where criminal offences have occurred [there may be no option but to contact the police in serious cases].
- supporting the local authority and/or police in achieving an anti-social behaviour order where appropriate
- where the perpetrator is a member of the public or is unknown, victims will be offered support and advice to pursue the matter.

### **Steps to protect the people experiencing harassment**

In consultation with the complainant we will provide additional security measures as necessary, such as

- fitting additional locks
- using our links with other agencies we would seek to source other protection measures such as 24 hour care-line services where appropriate and if available.
- a transfer either temporarily or permanently to ensure the complainants and their families health and safety. A temporary transfer would be to elsewhere in our accommodation, if at all possible.

### **Publicity**

Our racial harassment policy will be promoted to customers to encourage them to report incidents and to let people know we will take action against residents who harass others. It will be publicised through the Customer newsletter, in a leaflet on dealing with racial harassment, the tenants and shared owners handbook and by making copies of this policy readily available. We will provide translations on request.



## **Working with other agencies**

We will work with other agencies to support residents who have experienced racial harassment.

Where possible we will participate in multi-agency groups for preventing racial harassment.

## **Procedures and training**

The Manager is responsible for ensuring all staff receive training on this policy and that they understand and follow the full procedure document for dealing with complaints of racial harassment. We are committed to training on dealing with racial harassment. We will review this policy and procedure at appropriate intervals to ensure it is effective and we are working in accordance with latest practices.

## **How to make a complaint**

Where a complainant or alleged perpetrator is dissatisfied with the decision, the speed of investigation or the way we handled the report of racial harassment, they may use the Association's complaints procedure. Complaints should be addressed to:

Harrogate Housing Association  
10 High Street  
Harrogate  
HG2 7HY

Tel: 01423 884018

Or by emailing :[info@hhal.org.uk](mailto:info@hhal.org.uk)

## **Monitoring the effectiveness of the action we take**

All incidents of racial harassment will be monitored and we will maintain contact with and support all complainants unless they wish otherwise. Reports of incidents will be made to the Board at its regular meetings who will consider whether there are any implications for policy review.