



Lancaster City Council

Housing and Property: Council Housing

Hate Behaviour Policy

February 2024

Prepared by:	Joe Frith
Effective from	Feb 2024
Approved by	Joanne Wilkinson
Review date	Feb 2026
Revision number:	1.0

(01524) 582929



councilhousing@lancaster.gov.uk



1. Introduction
2. Aims
3. Our commitment
4. Terms and Definitions
5. Perception
6. Reporting Hate Behaviour
7. Hate Crime
8. Case Priority and Investigation
9. Support and Vulnerability
10. Prevention: Intervention: Enforcement (PIE)
11. Employees
12. Closing a Case
13. Safeguarding
14. Working Together in Partnership
15. Data Protection and Information Sharing
16. Staff Training and Support
17. Complaints
18. ASB Case Review – Community Trigger
19. Quality assurance and Monitoring
20. Review Process
21. Other Associated Documents
22. Relevant Legislation

1. Introduction

- 1.1. We recognise that behaviour and actions motivated by hatred or a particular prejudice towards an individual's race, faith, sexual orientation, gender identity, perceived disability or any other characteristic is particularly corrosive in relation to individual victims and also our communities.
- 1.2. Hate related incidents and hate crime can have a significant impact on those experiencing it, and often leaves people feeling vulnerable, by affecting self-confidence and health and can leave individuals feeling isolated, fearful of what might happen next and potentially less likely to report further incidence, as well as create an environment for hostility and prejudice to thrive and damage the fabric of our society. This is unacceptable. Everyone has the right to live their life free from fear of attack or abuse because of who they are.
- 1.3. We recognise that it is possible for a hate related incident to have more than one motivating factor, and for hate incidents and crimes to include acts of Anti-Social Behaviour, for example an incident may be motivated by hostility towards both the victims race and religion and the perpetrator could engage in harmful behaviour motivated by their prejudice. Therefore, it is important to be led by what the victim perceives to be the motive behind the offending and harmful behaviour. It is essential that we maintain a victim-centred approach by putting them first, understand any impact upon them and liaise with our partners in order to ensure that support based upon victim need is being delivered.
- 1.4. This Policy outlines our approach to how we will deal with hate behaviour reports directly, and how we will work in partnership with the community as well as other agencies, to tackle wider issues relating to hate Crime, through a collaborative approach.

2. Aims

- 2.1. The purpose of this policy is to ensure that, by dealing with victims of hate crime effectively and applying risk assessment processes from a victim and, where appropriate, community perspective, we endeavour to reduce the likelihood of future harm, occurrence, and impact upon community cohesion by providing guidance to all our staff in the identification of incidents.
- 2.2. We aim to:
 - To define what we mean by Hate Behaviour in terms of community safety and what customers can reasonably expect from us,
 - Give victims the confidence to report hate related behaviour,
 - Develop responses that focus on preventing further harm from occurring,
 - Foster environments that promote cohesive communities,
 - Investigate all reports effectively ensuring a victim-centred approach,
 - Work with partners to raise awareness and the reporting of hate related behaviour,
 - Adopt a triple track approach of Prevention, Intervention and Enforcement taking firm action against perpetrators whenever we have sufficient evidence,
 - To raise awareness amongst residents and customers the need to act reasonably and be considerate of the different values and lifestyles reflected across our neighbourhoods and communities,

- To ensure relevant employees of Council Housing are trained and equipped to respond quickly and effectively to reports of Hate Behaviour,
 - Ensure that information is treated confidentially,
 - Not tolerate any behaviour that is motivated by hatred and prejudice and is designed to threaten, intimidate, or abuse our staff or contractors,
 - Promote fair and equal treatment for everyone.
- 2.3. We recognise that we cannot effectively deal with Hate Behaviour and Hate Crime related issues without the engagement and support of our communities, and we hope that our customers will work with us and engage with us, so that we can tackle Hate behaviour and Hate Crime together.
- 2.4. We are strongly committed to fairness and making sure that everyone has the same opportunities to achieve the same or similar outcomes. This Policy meets the requirements set out by the Equality Act 2010 and aims to prevent unlawful discrimination, we recognise that Hate Behaviour and Hate Crime can disproportionately impact those people with protected characteristics. We will take additional steps in the application of this policy and make reasonable adjustments to endure compliance with the Act.
- 2.5. Lancaster City Council Housing Services (LCCHS) has a separate Policy related to
- Domestic Abuse
 - Anti-Social Behaviour

3. Our Commitment

- We take a zero-tolerance approach to behaviour motivated by hate,
- To respond positively to reports and take all reports seriously,
- To encourage and publicise the reporting of hate behaviour,
- Take prompt and effective action against perpetrators,
- To ensure a service for reporting Hate Behaviour is available and accessible for all customers, colleagues, partner agencies and members of the public,
- To respond to reports of Hate Behaviour in a timely manner within 24 hours of the report being made,
- Acknowledge that each case of Hate Behaviour is different and take a harm centred approach to dealing with the issue, tailoring the support offered to victims and witnesses appropriately,
- To support those who are experiencing incidents of Hate Behaviour, and stay in contact with them, keeping them informed of progress throughout their case,
- Use a risk assessment tool to assess levels of risk and vulnerability and identify appropriate levels of support,
- To liaise with partner organisations and work together to find solutions,

- To identify additional support needs of victims and make appropriate referrals to specialist agencies with their consent,
- To use our professional judgement as to whether the incidents being reported can be realistically investigated and resolved by us or needs to be referred on to the Police to consider as a criminal investigation,
- To undertake action that is reasonable and proportionate and be clear with customers on the range of interventions and solutions available,
- Provide easy to read information approved by customers which summarises how LCCHS will manage hate related incidents including timescales for responding to reports, and translate this information for those customers whose first language is not English,
- Where appropriate, publicise successful enforcement and prevention actions and initiatives,
- Encourage customer groups to support victims and give evidence of hate incidents.

4. Terms and Definitions

4.1. Hate Incident

4.1.1. We define a hate incident as:

“Any non-crime incident which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a person’s, disability, age, sex, race, religion, sexual orientation or perceived, disability, age, sex, race, religion, sexual orientation or against a person who is transgender or perceived to be transgender”

4.1.2. Hate incidents could include: (this list is not an exhaustive list)

- Verbal abuse,
- Bullying,
- Offensive jokes and comments,
- Intentionally spitting at someone,
- Inciting hatred with leaflets, publications,
- Offensive graffiti and fly posting,
- Ridiculing cultural differences e.g., food, dress, language,
- Physical attacks – such as physical assault, damage to property, and arson,
- Threat of attack – including offensive letters, abusive or obscene telephone calls, texts, emails or via social media, groups hanging around to intimidate and unfounded malicious complaints,
- Abusive gestures,
- Littering outside homes or through letterboxes,
- Excessive noise reports,
- Throwing eggs and stones at properties,
- Befriending vulnerable people to take advantage of, exploit and or abuse them.

4.2. Hate Crime

4.2.1. We define a Hate Crime as:

“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, age, race, religion, sex, sexual orientation or perceived disability, age, race, religion, sex, sexual orientation or against a person who is transgender or perceived to be transgender”.

4.2.2. Potentially any crime could be motivated by hostility and prejudice, and therefore a hate crime.

4.2.3. Hate crimes could include (this list is not an exhaustive list)

- Violent attack
- Vandalism to property
- Theft
- Verbal abuse
- Harassment and intimidation

5. Perception

5.1. The perception of the victim or any other person is the defining factor in determining a hate crime or a hate incident. The apparent lack of motivation as the cause of a crime or an incident is not relevant, as it is the perception of the victim or any other person that counts.

5.2. For example: A heterosexual man who is verbally abused leaving a gay bar may well perceive that the abuse was motivated by homophobia, although he himself is not gay. A member of a black minority ethnic (BME) community reports that their car tyres were slashed overnight – there are no witnesses. However, as some other residents from BME communities in the area have had similar damage to their cars, the victim perceives that the crime was motivated by racial prejudice.

5.3. The fact that any person can perceive an incident to be motivated by hostility or prejudice is of particular note when officers are dealing with persons who either have a learning disability, dementia, or mental ill health. On occasions, the victim may not realise that they have been subject to a hate crime or a hate incident. Therefore, an officer can still record it as such based upon their or other third party’s perception.

5.4. We will adopt a victim centred approach when taking reports of hate behaviour, ensuring we treat the incident as the victim perceives it, not how we may perceive it. A hate incident is based on the perception of the individual, so if the victim feels the incident is motivated by hate, then it will be recorded as such.

6. Reporting Hate Behaviour

6.1. Any person can report a hate incident in a number of ways.

- Phone during office hours: 01524 582929

- Out of hours reporting line: 01524 67099
- by e-mail at anytime: councilhousing@lancaster.gov.uk
- Via social media (<https://www.facebook.com/LanCityHousing>)
- In person at any of our offices during office hours
- By writing to us at: Council Housing, Town Hall, Dalton Square, Lancaster, LA1 1PJ

7. Hate Crime

- 7.1. We recognise that some types of Hate behaviour will be crime related and cannot be effectively tackled without collaborative working relationships with the Police as the lead agency, as well as those members of the public who are being directly affected. When a hate crime is reported, we will share this information with the police and support the police as the lead agency to investigate the crime.
- 7.2. Where a hate crime is being reported we will encourage the reporter to
- report it directly to the Police, or
 - report it to Crimestoppers if they wish to remain anonymous, or,
 - report it via True Vision which is a Police Force website-based reporting system.
- 7.3. We operate a harm centred approach when dealing with reports of hate behaviour, and where a customer is assessed as vulnerable, we will offer support as well as signposting to other agencies.

8. Case Priority and Investigation

- 8.1. Reports of hate behaviour will be assessed and prioritised at the point of contact. This will involve the reporter being asked a series of questions relating to the incident, so that we can assess the potential risk of harm being caused.
- 8.2. The report will then be allocated to a named officer.
- 8.3. All reports of hate behaviour will be given high priority and an officer will aim to contact the reporter the same day where this is practical to do so or within 24 hours.
- 8.4. All reports will be taken seriously, assessed appropriately, and recorded on our internal reporting systems.
- 8.5. All cases will be regularly assessed throughout the investigation using a risk assessment matrix, which will determine case priority, response times and frequency of contact with the parties involved.
- 8.6. Case Officers will maintain high quality standards of casework activity and robust record keeping throughout the investigation of a case.

- 8.7. The Case Officers will keep in regular contact with the parties involved in the case, agree action plans, and provide feedback on a regular basis, using the customers preferred method of communication.
- 8.8. We will actively encourage the parties involved to engage with us and work with us to resolve the issues. We will stay in touch with the reporter and any other witnesses and encourage them to continue to provide us with information about any ongoing incidents that they may be experiencing. Collecting further evidence of ongoing hate incidents is very important and therefore we will explain this to the reporter and agree with them how this ongoing evidence will be collected.
- 8.9. We will usually request the reporter to keep a written record of what is happening and ask them to submit these to their case officer on a regular basis. Where this is not possible, the case officer will agree more appropriate options for collecting the details of any further incidents.
- 8.10. If a reporter states they wish to remain anonymous and do not want their identity disclosed we will respect their decision., however this may limit what direct action we can take in relation to the subject who is responsible for the hate behaviour.
- 8.11. Throughout the case, we will continuously assess and review progress of the case, always taking reasonable and proportionate steps.

9. Support and Vulnerability

- 9.1. If the reporter or the person responsible for the incidents has any support needs, or vulnerabilities, these will be discussed with the case officer in a sensitive manner, and the case officer will encourage engagement with appropriate support services by making referrals and signposting the person to the appropriate specialist agencies, if the person gives consent to do so. This will be done alongside our requirements contained within our Vulnerability Policy.
- 9.2. If the reporter or the subject refuse to give their consent to the referral being made, the case officer will explore this further with the reporter or the subject to try and allay any fears that the person may have. However, if the customer is adamant they do not wish to be referred or have their personal details shared with any other organisations we will have to accept and respect their decision.
- 9.3. If we identify any safeguarding concerns, then this would override the customers refusal to give their consent, and in these situations, we will explain to the customer why the referral would still need to be made, or information shared.

10. Prevention: Intervention: Enforcement (PIE)

- 10.1. We will adopt a triple track approach of Prevention, Intervention and Enforcement (PIE) to our casework, and deal with each case on its own merits. We will look at early intervention/prevention remedies first, (unless there has been a serious incident e.g. threat/use of violence)



- 10.2. We use a wide range of tools and powers to challenge incidents motivated by hostility and prejudice and will decide on a case-by-case basis which tools and powers will be the most appropriate to use.
- 10.3. Generally, in those cases, where there is no ongoing serious risk of harm or imminent danger, early interventions tools and techniques will be applied based on tried and tested casework resolution, for example.
- conflict resolution
 - restorative solutions
 - good neighbour agreements
 - accessing rehabilitation or support
- 10.4. We will consider enforcement action where early intervention techniques have not been successful and the hate behaviour is continuing, or where reporters need protection to prevent further incidents from occurring and where the person causing the behaviour is refusing to engage with us and/or appropriate support services. We adopt a victim centred approach and therefore would seek permission first from victims and witnesses to use their evidence in any legal action we were considering.
- 10.5. We will only take enforcement action if it is reasonable and proportionate to do so. Based on the case itself, and what is happening in a specific case, we will decide whether or not we should initiate our own legal action, or whether it is more appropriate and beneficial, as part of a wider community safety strategy, to support the enforcement action of a partner agency. We will always work closely with the Police, our colleagues in the Local Authority, other agencies and other landlords to develop strategies and initiatives which respond to and reduce the incidence of hate related behaviour.
- 10.6. If court action is required, we will support reporters and witnesses throughout the court process and beyond. We understand that not everyone feels able to give evidence in court, but cases are most successful where we have witnesses who can give their own account of what they have been experiencing.
- 10.7. We will not tolerate abuse towards our staff, or our contractors or anyone else providing services on our behalf. This includes threats of violence, verbal abuse and intimidation, harassment, and actual violence. In such situations LCCHS will always take appropriate action against those who perpetrate these types of serious offences.

11. Employees

- 11.1. If you are an employee and you experience a hate incident from another employee or contractor or customer, report it to your line manager as soon as possible.
- 11.2. If you are an employee and witness another employee or a customer who you feel has experienced a hate crime or incident, please ask them to report it.

- 11.3. If an employee or customer complains to you that another Council employee has committed an alleged hate crime or incident, you will need to report the issue to their manager.
- 11.4. If you are a manager, you need to use the Council's appropriate system in the Whistle Blowing Procedure and / or the Council's Disciplinary Policy to deal with the issue.

12. Closing a Case

- 12.1. We will look to close a case in the following circumstances: -
 - Reasonable and proportionate steps have been taken and the behaviour is no longer being reported,
 - The subject is engaging with support services, and s/he is no longer perpetrating the reported behaviour,
 - The subject has moved, and the behaviour has stopped,
 - There is insufficient, ongoing evidence that the behaviour is still being perpetrated.
- 12.2. We will inform the reporters and any witnesses initially about the case closure and then will advise all parties in writing, including any agencies and services that may have been involved in the case.
- 12.3. We will always consider the customers views when closing a case, however, we cannot guarantee that the action we take will be what the customer is expecting or wants. LCCHS must operate within legal guidelines and our policy framework which focusses on reasonableness and proportionality.

13. Safeguarding

- 13.1. Council Housing adheres to the Safeguarding guidance of Lancashire County Council.
- 13.2. We ensure that all our staff are trained to identify and prevent safeguarding issues and understands the different aspects of safeguarding that they have a duty to report as a minimum requirement.
- 13.3. We will report safeguarding concerns through the appropriate channels provided by Lancashire County Council.

14. Working together in Partnership

- 14.1. We are committed to working collaboratively, and we work in partnership with both statutory, and non-statutory agencies, as well as members of our community, to maintain a safe environment for our tenants and residents.
- 14.2. We are involved and do contribute to local partnership meetings to identify solutions to prevent incidents of ASB, protect people who are experiencing ASB and to challenge those who are responsible for it.

14.3. On a case-by-case basis, we will assess which partners and agencies may need to be involved, so that a holistic approach to case resolution can be identified This can include but is not limited to:

- Police,
- Lancashire Fire and Rescue,
- Community Mental Health Team,
- Social Services.

15. Data Protection and Information Sharing

15.1. We will share information with our partners in accordance with relevant legislation such as the General Data Protection Regulations 2018, Data Protection Act 2000 and the Crime and Disorder Act 1998, to help protect vulnerable victims and detect, prevent and take coordinated action against crime and ASB.

15.2. We are committed to ensuring customer confidentiality and will not disclose their identity unless they agree that we can, or unless there is a need to share that and other information with other agencies for lawful purposes, such as where there is a need to safeguard someone at risk.

16. Staff Training and Support

16.1. We will ensure that relevant staff are able to access appropriate training as well as updates on relevant legislation and changes in national policy drivers. We are committed to continuous personal development and training and will access both internal and external training appropriately.

17. Complaints

17.1. Any party involved in a hate behaviour case can make a complaint to our service if they are not satisfied about how their case has been handled. When a complaint of this type is made our team will follow the process set out in our complaints policy and process.

18. ASB Case Review – Community Trigger

18.1. In situations where a reporter is not satisfied that we have taken appropriate action/steps to deal with their ASB report, they have the legal right under the ASB crime and Policing Act 2014 to request a formal review of the ASB case. This is known as the Community Trigger

18.2. In order to request an ASB case review a locally agreed threshold must be met. Further information about how the Community Trigger can be invoked can be found at: [Community trigger - Lancaster City Council](#).

18.3. Our staff can advice on what the person needs to do in relation to conacting the local authority Community Safety Partnership who can provide them with advice on how to invoke the trigger.

19. Quality Assurance and Monitoring

- 19.1. We will consult with all the relevant key stakeholders, including customers and staff on our policy to deal with hate related behaviour and to improve its effectiveness on a regular basis.
- 19.2. We will invite customers to scrutinise our service and give us feedback for improvements.
- 19.3. We will seek feedback from customers and carry out regular monitoring and reviews of all reported cases of hate related behaviour, including the numbers, progress and outcomes of cases.
- 19.4. We aspire to benchmark our service and results against other housing providers and partner agencies.
- 19.5. Individual cases will be closely supervised and managed by the Team Manager on a regular basis with the case officer. The Team Manger will provide appropriate advice and support to case officers and provide direction ensuring that cases are progressed in line with operating guidelines and procedures.
- 19.6. Performance information will be collected monthly and quarterly and shared appropriately with the team, the wider Housing Senior Leadership Team that reports to the Chief Officer and to Cabinet as well as the Council Housing Advisory Group. We will also seek to share information with residents as appropriate through our newsletters and website.

20. Review Process

- 20.1. This Policy and associated procedures and guidance will be reviewed every two years or sooner if there are significant changes to legislation, regulatory changes, national policy changes or there is an operational need to do so. Any amendments will be appropriately consulted on and signed off, and clearly communicated to the wider LCCHS staff groups as well as our tenants and residents.

21. Other Associated Documents

- Guidance notes for staff
- ASB Policy and guidance notes
- Domestic Abuse Policy
- Safeguarding Policy
- Allocation /Lettings Policy
- Complaints Policy
- Vulnerability Policy

22. Relevant Legislation

- ASB Crime and Policing Act 2014
- Equality Act 2010
- Housing Acts 1985, 1988 and 1996
- ASB Act 2003
- Crime and Disorder Act 1998

- GDPR 2018
- Data Protection Act 2000

