



HATE CRIME POLICY

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Introduction

At ng homes, we aim to ensure that our homes and communities are great places to live in and we value and cultivate diversity. Most perpetrators of hate crime incidents live in the same communities as their victims. We recognise that hate crime incidents undermine community cohesion and feelings of safety and security of our tenants and applicants. We will therefore not tolerate hate crime incidents in any form.

Policy Summary

This policy establishes ng homes' commitment to assisting tenants and applicants who are victims of hate crime.

Definition of Hate Crime

A hate crime incident is defined as:

Any behaviour which is deliberately intended to harm or intimidate a person(s) which is perceived by the victim(s) or any other person(s) as being motivated by prejudice or hate.

The most common forms of hate crime are:

- Racist Crime – any incident which is perceived to be racist by the victim or any other person. Racist does not simply relate to colour, it may also relate to race, nationality or to ethnic or national origins
- Homophobic Crime and Transphobic Hate Crime- relates to harassment/prejudice towards lesbians, gay men, bisexual, person who is transgender or perceived to be transgender or people perceived to be in one of these groups
- Disability Hate Crime - relates to harassment / prejudice towards disabled people or people perceived to be disabled. Legislation states that a disability is a physical or mental impairment, which has a substantial and long-term adverse effect on your ability to carry out normal day to day activities

Policy Aims

- Aim to ensure that no one is treated less favourably on the grounds of age, disability, gender and transgender/gender identity, race/ethnicity, religion or belief and sexual orientation. Our tenancy agreement clearly states:

3.8 : "We will act fairly to you in all matters connected with your tenancy. We will not unfairly or unlawfully discriminate against you in any way on the grounds of your race, colour, ethnic origin, nationality, gender, sexuality, disability, age, religion or other belief or other status. If you believe we have acted unfairly to you in any way, you may wish to use our complaints procedure. You may also wish to take independent advice."

- We recognise that hate crime is a form of antisocial behaviour and will deal with all hate crime incidents as being within the most serious category within our "dealing with antisocial behaviour" procedure manual "Getting it RIGHT first time" and within our Antisocial Behaviour Policy
- We will meet the needs and choice of people from all backgrounds
- Ensure that our services are relevant, responsive and sensitive to the needs of our existing and future clients
- Be proactive and take measures to prevent harassment and hate crime incidents in our community. This will include publicising successful actions if it is in the interest of the wider community, our aim being to deter further instances of hate crime
- Ensure that all sections of the community in which we work have equal access to our services

Communications, Support and Advice

Managing reports of hate crime requires a multi-agency approach. ng homes will ensure that victims are placed in contact with appropriate agencies for specialist advice and support with their consent. ng homes do not provide legal advice or counselling services but refers to other specific agencies when required.

Confidentiality

ng homes staff will ensure that they only involve other agencies and share information with the consent of the tenant concerned, unless:

- The information is necessary for the protection of children
- ng homes are required by law, for example ng homes staff cannot withhold information if being questioned by Police during a criminal investigation.

Key Policy Objectives

The key objectives of ng homes are to:

- Ensure all new and existing tenants are aware that hate crime is a criminal offence and a breach of the terms of their tenancy
- Ensure we investigate all complaints of hate crime and hate incidents and take all reasonable steps to prevent them
- Adopt a victim centred approach to ensure that when we are dealing with reports of hate crime incidents that the needs, views and support of the victims are at the forefront of our management of the case
- Ensure we risk assess each case and the victims individual vulnerability
- Ensure that we take timeously and appropriate action against perpetrators of hate crime
- Train and support staff to recognise, report and deal with hate crime effectively

Legal and Regulatory Framework

Legislation

The following is a brief summary of the legislation that is taken into consideration:

- **Protection from Harassment Act 1997**
- **Human Rights Act 1998**
- **Data Protection Act 1998**
- **Housing (Scotland) Act 2001**

- **Criminal Justice (Scotland) Act 2003**
- **Antisocial Behaviour (Scotland) Act 2004**
- **Housing (Scotland) Act 2010**
- **Equality Act 2010**

Regulatory Guidance

The Housing (Scotland) Act 2010 asks Ministers to consult on and then set the outcomes that social landlords should achieve. The Scottish Social Housing Charter will be the document which contains these outcomes.

In formulating this policy the following Charter outcomes have been taken into consideration:

1: Equalities

Social landlords perform all aspects of their housing services so that every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.

3: Participation

Tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.

6: Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes

Tenants and other customers live in well-maintained neighbourhoods where they feel safe.

11: Tenancy sustainment

Tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.

Policy Links

This Hate Crime Policy is linked to our Domestic Abuse Policy, our Anti Social Behaviour Policy, our Customer Care Policy, our Complaints Policy, our Allocation Policy and our Dealing with Antisocial Behaviour Procedure Manual "Getting it RIGHT first time".

Policy Review

Our Hate Crime Policy will be fully reviewed in March 2024.

Data Protection

ng homes recognise the importance of data protection legislation in protecting the rights of individuals in relation to personal information that we may handle and use about them, whether on computer or in paper format. ng homes will ensure that our practices in the handling and use of personal information during the processes and procedures outlined in this policy comply fully with data protection legislation. More information is available from our Data Protection Officer.