

### Hate Incident Policy

#### 1.0 Introduction

- 1.1 This policy covers how we as a council will deal with hate incidents affecting tenants and leaseholders in housing provided by Brighton & Hove City Council. This includes people who live in our Seaside Homes and Temporary Accommodation homes.
- 1.2 If you require assistance with translation of this policy, large print, easy read, braille, or an audio copy, contact us by phone on 01273 293030 or by email [housing.customerservices@brighton-hove.gov.uk](mailto:housing.customerservices@brighton-hove.gov.uk).

#### 2.0 Scope

- 2.1 Brighton & Hove City Council is committed to preventing, tackling and managing (anti-social behaviour and) hate incidents in accordance with the Housing Regulator's Standard. Under the Neighbourhood and Community Standard, registered providers of social housing are required to publish a policy on how they work with relevant partners to prevent and tackle anti-social behaviour (ASB) & hate incidents in areas where they own and manage properties.
- 2.2 This policy sets out our approach to dealing with hate related behaviour and applies to:
- Those who are victims and witnesses of hate related behaviour and live in our homes or visit our properties
  - Those who are victims and witnesses and are not our tenants but are experiencing hate related behaviour being perpetrated by people who live in our homes or regularly visit our properties
  - Those who are the perpetrators of hate related behaviour and live in our homes or visit our properties
  - Those who are the perpetrators of hate related behaviour and are not our tenants but are perpetrating conduct motivated by hate and their conduct is having a direct impact on our housing management functions
- 2.3 This includes people who live in our general needs' accommodation, Seniors schemes, leaseholders, Temporary Accommodation and Seaside Homes as well as people who live in other tenures (where their conduct is having a direct impact on our housing management function).

# Housing

## Tenancy Management Policy

### 3.0 Strategic Statement

3.1 To achieve this, we aim to:

- Ensure information on how to report hate incidents is clear to understand and easily available to all tenants.
- We will take active steps to investigate whether any anti-social act or acts of nuisance or annoyance might be motivated by hate.
- We will take a victim centred approach, and an incident will be investigated as a hate incident where the victim perceives it as such.
- We will take steps to prevent hate related behaviour from happening. Where it does, we aim to take swift and effective action to find a resolution.
- Our focus is on reducing the harm caused to the victim and communities. We will signpost victims to access support tailored to their individual needs. We will also focus on providing support where perpetrator has vulnerabilities that cause, or contribute to, the situation.
- We will work in partnership with the police, Community Safety Team, other agencies, and members of the community to address all forms of hate crime, take action against offenders and protect victims. This will ensure that Brighton & Hove is a safe & secure place to live, work and visit.
- Victims will be provided a point of contact and will be asked how they would like to keep in contact to report further incidents and receive regular feedback.
- We will use the legal and civil tools and powers available to us to tackle hate incidents.
- We will monitor and evaluate the effectiveness of our services in addressing Hate incidents, reporting our performance and making changes where necessary in relation to best practice and resident feedback.

3.2 This policy compliments our [Anti social behaviour policy](#) and where appropriate should be read in conjunction with it.

### 4.0 Definition

4.1 A **hate incident** is any incident that is perceived by the victim or any other person as being motivated by a hostility or prejudice based on a persons perceived:

- disability
- race or ethnic identity

# Housing

## Tenancy Management Policy

- religion/belief
- gender or gender identity
- sexual orientation

4.2 Hate behaviour can be displayed against individuals or groups. People can be targeted due to their association with individuals who have the above personal characteristics.

4.3 Hate incidents can take many forms including; verbal abuse or harassment which includes name calling, spitting, physical attacks or violence, damage to property including offensive graffiti, arson (fire), threats and intimidation and offensive literature (such as letters, emails, posters and social media).

4.4 A hate incident may or may not constitute a criminal offence. When hate incidents are criminal offences they are known as **hate crimes**. Hate crime can fall into one of four main types: physical assault, verbal abuse, incitement to hatred and criminal damage.

4.5 **Mate crime** is a term generally used when referring to a person befriending another with the intention of taking advantage of, exploiting, or abusing them. People are often targeted because they are disabled. Examples of taking advantage may include but are not limited to, stealing money, forcing themselves into another's home and using their home for illegal activity, i.e. drug use.

4.6 Mate crime can lead to cuckooing. Cuckooing is an extreme form of exploitation whereby criminal gangs take over a person's home for the purpose of carrying out large scale prostitution, human trafficking or drugs activity.

4.7 For information about domestic abuse and related issues of gender violence, including forced marriage and sexual violence, please refer to our Domestic Abuse policy ([Link to be added](#)).

### 5.0 How to report a hate incident

5.1 We will investigate all incidents reported to us. Anyone can report a hate incident or hate crime including:

- the victim or any person who has been directly affected
- anybody who witnessed the incident
- any third party, including family, friends, neighbours and community leaders, including religious leaders or leaders of the public

# Housing

## Tenancy Management Policy

### 5.2 Report to Sussex Police

- If you feel in immediate danger or in an emergency phone 999 and ask for the police.
- If it is not an emergency, you can contact the police by phoning 101.
- You can also report [online](#).

### 5.3 Report to Brighton & Hove City Council Housing

Council tenants, council leaseholders and tenants of leaseholders should report hate incidents to Housing Customer Services by:

- phone 01273 293030
- email [Housing.CustomerServices@brighton-hove.gov.uk](mailto:Housing.CustomerServices@brighton-hove.gov.uk)
- completing the [online](#) reporting form

Seniors housing tenants may also speak to their scheme manager. Seaside Homes and Temporary Accommodation tenants should report hate incidents to Temporary Accommodation by:

- phone 01273 294400 (option 4, option 1)
- email [temporary.accommodation@brighton-hove.gov.uk](mailto:temporary.accommodation@brighton-hove.gov.uk)
- completing the [online](#) reporting form

Housing association tenants should report hate incidents to their housing provider. Brighton & Hove City Council cannot intervene in housing association cases.

### 5.4 Report to Brighton & Hove City Council Community Safety Team

Private rented sector tenants and owner occupiers can report hate incidents to the Community Safety Team by:

- phone 01273 292735 (please leave a voicemail)
- email [CommunitySafety.Casework@brighton-hove.gov.uk](mailto:CommunitySafety.Casework@brighton-hove.gov.uk)
- completing the [online](#) reporting form

### 5.5 Report to a third-party organisation

True Vision is a national online service where you can report a hate crime to Sussex Police.

- [More information](#)
- [True Vision website](#)

# Housing

## Tenancy Management Policy

### 6.0 Reporting a safeguarding concern

- 6.1 If you are concerned about an adult in Brighton and Hove at risk of abuse or neglect you can report a safeguarding concern online at: [Report a safeguarding concern](#) or phone 01273 295555.
- 6.2 If you are worried about a child, you can report a safeguarding concern online at: [Refer a child or family to Front Door for Families](#) or phone 01273 290400. If you feel that somebody is at immediate risk of harm and it is an emergency, call 999.

### 7.0 Policy

- 7.1 Wherever possible we will arrange to meet with the victim within two working days of the report of the incident, at a location of their choice.
- 7.2 The victim's perception of the incident is all-important, and no evidence of the incident will be required during the first meeting.
- 7.3 During the first meeting, we will carry out an initial assessment taking into consideration the needs of the victim to ensure that any action is victim led. We will advise as necessary if another service needs to take the lead (such as Sussex Police or a Housing Association).
- 7.4 We will let the victim know what action we will be taking and indicate how long we believe this will take.
- 7.5 We will keep victims up to date with our actions and check in on their welfare using their preferred method of contact and agreed frequency of contact (e.g. once a week or fortnightly). We will do this until the case is closed.
- 7.6 We will ensure all victims have access to a copy of the hate incident policy and we will signpost to local support and advice services where appropriate.
- 7.7 We will make statutory safeguarding referrals where necessary, particularly for child victims. We will make residents aware of the [ASB case review](#), formerly known as Community Trigger.
- 7.8 Whilst we encourage residents to inform the police of any notifiable incidents, however we will not make this a condition of providing support or assistance to them.
- 7.9 We will ensure victims are clear on how to report further incidents and provide diary sheets (where appropriate).



# Housing

## Tenancy Management Policy

- 7.10 Our **insert position** Manager will be aware of each report of hate crime to ensure responses to incidents can be monitored and followed up at a senior level in Housing Services.
- 7.11 We will regularly review cases and close them at the appropriate time. We will aim to do this only when the situation is resolved, and no further action is required or because we are unable to find evidence to take any further action.
- 7.12 We may also close the case if we can't contact the reporter or victim. We will aim to offer to meet with the victim before closing the case.
- 7.13 We will use the victim's preferred method of contact to tell them that we intend to close the case and why. Where necessary we will also give them advice on what to do next and reiterate this in writing.
- 7.14 We will treat any future report from the victim as a hate incident if the victim reports it as such and depending on the specifics of the situation, we may start a new investigation or escalate the case from the last action.
- 7.15 In some cases, we may decide that a new investigation is not required, for example where the report is of a substantially similar nature to something we have already investigated and concluded that action is not possible. We will explain what we are doing and why to the person making the report.

### **8.0 Prevention & Support**

- 8.1 We recognise that hate-related behaviour and hate crimes have a profoundly devastating impact on victims and witnesses, often greater than the effects of non-hate motivated offences. We understand the harm these acts cause and impact it has on quality of life.
- 8.2 Victims may also experience compounded trauma due to the intersection of multiple marginalized identities, such as race, gender, sexual orientation, disability, or religion. This intersectionality can result in more severe and complex consequences, affecting not only the immediate victims but also their communities. As a result, ripple effects of hate crimes extend beyond the initial incident, significantly diminishing the quality of life for affected individuals and groups.
- 8.3 The volatile nature of today's socio-political landscape, often heightened by the media and global conflicts, has created an environment where certain groups face heightened vulnerability. We will consider and respond to the

# Housing

## Tenancy Management Policy

impact of these external factors on both perceived and actual risks to individuals and communities.

- 8.4 We will therefore provide a service focussing on the victim by assessing the impact with awareness of these factors and tailoring support based on individual needs.
- 8.5 We will keep in regular contact with victims and witnesses throughout the investigation. We'll ensure they understand what action we are taking and why.
- 8.6 We will give advice, support and guidance throughout our investigation.
- 8.7 Examples of how we may support victims and witnesses based on their individual circumstances include:
- providing a single point of contact, usually a Housing Officer or Scheme Manager
  - referral or signposting to other organisations for support, such as Victim Support
  - visits to court before a hearing
  - application for special measures, which includes options such as giving evidence behind screens or via video link in a different room
  - advice and/or support through any legal hearings
  - provide additional security measures, such as new locks, where appropriate
  - carry out any repairs resulting from a hate incident as a priority, where appropriate
- 8.8 Where there are multiple cases in a neighbourhood, a lead officer will co-ordinate the response, including referring to the Joint Action Group (JAG), to ensure strong communication with all the victims and witnesses.
- 8.9 We are committed to ensuring that victims can remain in their home whenever possible. However, in exceptional circumstances and when the victim is at risk of serious physical harm and we are unable to resolve the situation in other ways, we may offer emergency accommodation and work with the victim to explore longer-term housing options. In very exceptional cases, this may result in a priority transfer in accordance with the Allocations Policy.
- 8.10 Where possible we want to make sure hate incidents do not happen in the first place. We do this by:

# Housing

## Tenancy Management Policy

- Encourage reporting by increasing awareness amongst residents of what constitutes a hate-related incident through publicising information and advice.
- Ensuring new tenants understand their rights and responsibilities and what will happen if they breach their tenancy conditions.
- Issuing introductory tenancies for an initial one year period to tenants moving into general needs who have not held a social housing tenancy before.
- Publicising our strong approach to stopping hate behaviour and the cases where we have taken legal action.
- Tailoring support to meet individual needs.
- Working with teams such as the Community Engagement Team on community cohesion initiatives.
- Use of sensitive lets where appropriate.
- Frontline teams to be kept up to date on any community tensions in line with data sharing protocols.
- Ensuring tenants, contractors and staff feel comfortable to challenge prejudice and stereotyping.
- Identify and support people who are susceptible to radicalisation, referring to PREVENT for early intervention to reduce the risk and harms of terrorism. For further information, visit [Prevent - preventing terrorism \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk/prevent).

### 9.0 Taking action

- 9.1 Council housing tenants and leaseholders are required to comply with the conditions set out in their tenancy agreement and lease. We will take appropriate action, in line with the relevant policy/procedure, if the conditions are breached.
- 9.2 We will take victims views into consideration when deciding what action to take and be victim centred in our approach.
- 9.3 We will decide on the most appropriate action based on factors such as the:
- Evidence available
  - Impact on the victim
  - Best way to achieve a lasting solution
- 9.4 Gathering evidence may include witness statements, officer observations, incident diaries, CCTV and working with other agencies, such as Sussex Police.



# Housing

## Tenancy Management Policy

- 9.5 We will be clear with victims about what can and cannot be achieved and be realistic about possible outcomes.
- 9.6 Where there is evidence of hate behaviour appropriate action will be taken. The action we take will be proportionate to the behaviour exhibited and circumstances of the case, alongside the options available to Housing. The full range of civil legal remedies will be considered including the powers established by the Anti-social Behaviour, Crime and Policing Act 2014, which may include injunctions and possession proceedings. We will also use restorative practice where appropriate to reduce harm and change behaviour. For more details please see the [Anti-social Behaviour policy](#).
- 9.7 If we establish no evidence of targeted harassment, we will continue to deal with the matter in line with our ASB policy and seek to defuse tensions between the victim and the perpetrator, for example, through mediation.
- 9.8 We will refer home owners or those in privately rented accommodation to the Community Safety Team.
- 10. Working with perpetrators**
- 10.1 Where necessary, we will work with the person responsible for the hate behaviour to identify support needs which may address the underlying causes of their behaviour. This may include reasons such as drug or alcohol addiction, mental health issues or support with parenting.
- 10.2 We will work with partner agencies in seeking to address and support the underlying issues, which may be the best way to prevent further unacceptable behaviour. Providing support for perpetrators does not prevent us taking enforcement action when it is necessary to do so. It is also important to note that there are rare occasions where someone cannot control their behaviour. In these cases, we will look at other ways of dealing with the situation.
- 10.3 If someone has been offered support but does not engage and their hate behaviour continues, we will take appropriate action. We will ensure that any action we take is reasonable and proportionate and meets our obligations under the Equality Act 2010 and any other relevant legislation. We will make reasonable adjustments to our policy and procedures where appropriate.
- 11.0 ASB & hate incident case review**
- 11.1 The ASB & hate incident case review (previously known as the 'Community Trigger') is a process available to people who are suffering anti-social

# Housing

## Tenancy Management Policy

behaviour and/or hate incidents and feel that the organisations involved are not doing enough to resolve the problem.

11.2 The ASB & hate incident case review can be raised with Brighton & Hove City Council or Sussex Police. Where it meets the criteria, the Housing Team, alongside any other organisations involved in a case, will review the action that has been taken and make recommendations if there are additional actions that can be taken.

11.3 Further information about ASB case reviews can be found on the [Brighton & Hove City Council](#) or Sussex Police websites or by telephoning Housing Customer Services on (01273) 293030 or emailing [housing.customerservices@brighton-hove.gov.uk](mailto:housing.customerservices@brighton-hove.gov.uk).

### **12. Partnership working**

12.1 We will work in partnership with other organisations and council teams to prevent and tackle hate behaviour, whilst supporting those involved.

12.2 We encourage victims of a potential hate crime to report this to the police and will not report an incident to the police without permission of the victim unless there is a risk of harm or criminal activity.

12.3 We work closely with the police to collect evidence, such as CCTV and co-ordinate actions, such as taking tenancy action following a criminal conviction.

12.4 We may provide support or make referrals to specialist hate support services who can offer a range of services including safety planning advice, support with attending court, emotional support and counselling.

12.5 We work closely with Adult Social Care and Front Door for Families where there are safeguarding concerns and will act in accordance with our safeguarding policy.

12.6 The monthly Hate and ASB Risk Assessment Conference (HASBRAC) addresses the harm caused to victims of hate incidents and crimes through supportive interventions and manages the behaviour of priority and repeat perpetrators. Perpetrators are offered appropriate interventions to address their behaviour and enforcement is used when necessary.

12.7 We will work with CityClean to ensure that offensive graffiti is removed within 24 hours of it being reported.

### **13.0 Supporting staff**

# Housing

## Tenancy Management Policy

- 13.1 We understand that staff may find investigating hate-related incidents upsetting and stressful. We will ensure that staff are properly supported by their managers and are made aware of how to access free counselling available to employees of Brighton & Hove City Council.
- 13.2 We provide training and guidance to staff on how to respond to hate incidents, which includes using a trauma informed approach. We also ensure that staff are informed of the local support agencies available for victims of hate incidents.
- 13.3 All staff are trained on equality and diversity as part of their induction. We promote a safe and diverse working environment for staff and contractors.
- 13.4 We do not tolerate abusive behaviour towards staff and will take action against residents, where the staff member provides consent.

### **14.0 Data Protection, Confidentiality & Information exchange**

- 14.1 We will not disclose any information about, or provided by, a Complainant without their consent unless there are safeguarding issues that could impact on the safety of children or adults at risk or where there may have been a crime committed. We will therefore disclose to safeguard and fulfil any other statutory duty including those duties under the Crime and Disorder 1998 Act and Anti-Social Behaviour, Crime & Policy 2014 Act.
- 14.2 All information shared in respect of perpetrators will adhere to the principles of the UK General Data Protection Regulation (UK GDPR) and Data Protection Act (DPA) 2018, as it relates to information sharing between agencies for the purposes of the reduction of crime and disorder.
- 14.3 Further information on the way we share information to tackle anti-social behaviour and hate incidents is covered in the [Housing Service's privacy notice](#).

### **15.0 Complaints**

- 15.1 We will seek to fully resolve any complaints about our service. If you have a complaint about our service please get in touch with us directly, so that we have the opportunity to put things right.
- 15.2 If you still remain dissatisfied, you are able to [make a complaint using our corporate complaints procedure](#).

# Housing

## Tenancy Management Policy

15.3 If you have been through our formal complaints process but are not satisfied, the next step is to contact the Housing Ombudsman. Further details about the advice, mediation and complaint resolution role of the Housing Ombudsman Service is available [online](#), or by phoning 0300 111 3000 or emailing [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk).

15.4 For more information read our [Corporate Complaints Policy and Procedure](#).

### 16.0 Monitoring & measuring performance

16.1 We will monitor and learn from the feedback we receive about how we manage and respond to hate related cases to ensure a high standard of our services, in line with the Tenants Satisfaction Measures Standard introduced in April 2023 by the Regulator for Social Housing.

16.2 We will measure our service based on customer satisfaction. We will aim to send a customer survey with the case closure letter for each case. We ask questions such as how satisfied they were with:

- The service they received when they first reported the problem.
- The service they received throughout the investigation.
- The outcome of their report.

16.3 We will ensure our performance results are available to customers. [Link to be added](#)

16.4 The number of new hate incident cases, including by type and locality, will be publicised on the website quarterly. [Link to be added](#)

16.5 We will review cases and outcomes on an annual basis.

16.6 We will also look at identifying trends in hate crime, where they are occurring around our estates, looking to adapt services to assist with prevention.

16.7 Housing has clear written procedures to enable staff to implement this policy. These are regularly reviewed and updated following relevant changes to legislation, regulation or policy.

16.8 All relevant staff will be regularly trained on a rolling programme. All new staff will also be trained as part of their induction. Staff are trained to recognise hate incidents and how to challenge and respond.

### 17.0 Roles and Responsibilities

# Housing

## Tenancy Management Policy

17.1 The Assistant Director of Housing and Assistant Director of Housing Needs & Supply have overall responsibility for this policy and for ensuring that its principles are understood. The Head of Tenancy Services and Head of Temporary & Supported Accommodation are responsible for the implementation and review of this policy. This will be achieved through planning and implementing procedures and processes to support the policy.

### 18.0 Consultation

18.1 In developing this policy residents' views and feedback have been considered, including an analysis of formal complaints.

18.2 Consultation on this policy has taken place with residents, managers and staff within Housing, Community Safety Team, Legal Services, local third sector organisations and the Sussex Police Hate Crime Lead.

### 19.0 Equalities

19.1 This Policy has been subject to an Equalities Impact Assessment and will be implemented in accordance with our responsibilities and duties under relevant legislation, including the Equalities Act 2010. To request a copy of this assessment, please contact us at [housing.performance@brighton-hove.gov.uk](mailto:housing.performance@brighton-hove.gov.uk).

19.2 We will act sensitively towards the diverse needs of individuals and communities, and we will take positive action to reduce discrimination and harassment.

19.3 We will provide information in languages other than English.

19.4 We will provide information in alternative formats including braille, large print, easy read and audiotape.

19.5 Our receptions and interview rooms are fitted with a hearing loop system.

19.6 Alternatives to written incident diary sheets, such as the use of voice recording technology will be offered.

19.7 We provide support with translation. We do not expect friends or relatives to interpret for victims but will accept translations from them if requested by the victim. We won't rely on children who are under 18 to translate or provide reports.

### 20.0 Legislative Framework



# Housing

## Tenancy Management Policy

- ASB Crime and Policing Act 2014
- Equality Act 2010
- Housing Acts 1985, 1988 ,1996 and 2004
- ASB Act 2003
- Crime and Disorder Act 1998
- GDPR 2018
- Data Protection Act 2000
- Protection from Harassment Act 1997
- Racial and Religious Hatred Act 2006
- Policing and Crime Act 2009
- Police Reform and Social Responsibility Act 2011
- Criminal Justice Act 2003
- Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- The Human Rights Act 1998
- Domestic Abuse Act 2021
- Public Order Act 1986
- The Care Act 2014
- Counter-Terrorism and Security Act 2015

### 21.0 Associated policies and strategies

- [Accessible City Strategy 2023 to 2028](#)
- [Adult Learning Disability Strategy 2021-26](#)
- [Anti-Racism Strategy 2023 to 2028 \(brighton-hove.gov.uk\)](#)
- ASB Policy
- Community Safety Strategy 2023-2026
- Council Plan [A city where people feel safe and welcome \(brighton-hove.gov.uk\)](#)
- Domestic Abuse Policy
- [Equality and Inclusion Policy Statement and Strategy](#)
- [PREVENT strategy](#)
- [Sussex Police Hate Crime Policy](#)
- [Sussex Safeguarding Adults Policy](#)

### 22.0 Sources of support

- 22.1 [Community Security Trust \(CST\)](#) – a charity protecting British Jews from antisemitism and related threats.

# Housing

## Tenancy Management Policy

- 22.2 [Crimestoppers](#) – a national charity with a free helpline for reporting crime anonymously.
- 22.3 [Galop](#) – a national charity providing advice and support to members of the LGBT community.
- 22.4 [SafeSpace website](#) – contains additional information about local support services.
- 22.5 [Sussex Hate Incident Support Service](#) – a Sussex wide service which can help immediately after an incident or any time after the crime has taken place. They will listen to you in confidence and offer information, practical help and emotional support. You can self refer by calling 0808 1689274. If you need help outside of office hours, you can call the national support line free on 0808 1689111.
- 22.6 [Racial Harassment Forum](#) - Racial Harassment Forum advocates and supports people affected by racist and faith hate incidents to increase reporting in Brighton & Hove.
- 22.7 [Tell MAMA](#) – a national project supporting victims of anti-Muslim hate and monitoring anti-Muslim incidents.
- 22.8 [True Vision](#) – a scheme owned by the National Police Chiefs' Council providing hate crime advice and online reporting, including advice on [internet hate crime](#).



