

Grainger Trust Limited ('GT') Harassment and Hate Crime Policy

February 2025

1. Introduction and rationale to policy

- 1.1 Grainger Trust (GT) is committed to maintaining thriving, safe communities, and we recognise that harassment and Hate Crime can have a detrimental impact upon individuals and communities.
- 1.2 We will not tolerate any unacceptable behaviour that constitutes harassment or a hate crime.

2. Policy Statement (including Scope and Aims)

- 2.1 Grainger Trust is committed to using the tools and powers available to take swift and appropriate action against those who commit harassment and hate crime, whether it is caused by them, their visitors, or their family/household members.
- 2.2 This policy applies to all residents, their visitors, their family/household members as well as all GT staff, partner agencies and contractors working on our behalf.

Harassment

- 2.3 Harassment is defined as 'unwanted conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person'.
- 2.4 The three types of harassment defined in the Equality Act 2010 include:
 - harassment related to certain 'protected characteristics'
 - sexual harassment
 - less favourable treatment as a result of harassment
- 2.5 Harassment can be either intentional or unintentional. It includes behaviours that:
 - Unintentionally cause a person's dignity to be violated or create an environment of harassment.
 - Intentionally aim to cause a person's dignity to be violated or create an environment of harassment, even if the intended effect is not achieved.
- 2.6 In both cases, the behaviour is still considered by GT as harassment.

Hate Crime

- 2.7 A hate crime is a more serious form of harassment where the action exceeds harassment and is considered a criminal offence. Hate crime is a crime where someone is targeted because of a protected characteristic.

Our Understanding of Harassment and Hate Crime:

2.8 Harassment and hate crimes related to and are motivated by an individual's 'protected characteristics' including:

- age
- disability
- gender reassignment
- race
- religion or belief
- sex
- sexual orientation

2.9 Grainger Trust take a broader view of harassment and hate crime encompassing a wide range of types including:

- Discriminatory Harassment – Actions or behaviours targeting someone's race, religion, disability, gender, sexual orientation, or other protected characteristic.
- Verbal Harassment – Insults, threats, or offensive comment, inciting or stirring up hate.
- Physical Harassment – Assault, physical intimidation, or unwanted physical contact or threats of violence.
- Sexual Harassment – Assault, physical intimidation, or unwanted physical contact or threats of violence.
- Online Harassment – Abusive messages, cyberbullying, or doxing.
- Hate Crimes – Criminal acts motivated by prejudice, such as vandalism, assault, or threats.

2.10 This can manifest into:

- a serious one-off incident
- repeated behaviour
- Speculative or threats made
- spoken or written words, imagery, graffiti, gestures, mimicry, jokes, pranks, physical behaviour that affects the person on the receiving end.

Our Aims

2.11 GT aim to: Ensure the safety and wellbeing of residents is paramount.

2.12 This policy outlines the GT approach to the prevention, management, and enforcement of harassment and hate crime.

3. Policy

3.1 Our key policy and guiding principles to maintaining thriving and safe communities against harassment and hate crimes are:

3.2 **An approach centred to the victim:**

- Harassment and hate crime can have a detrimental effect on people's lives, and we understand the importance of supporting victims or witnesses as investigations are being carried out.
- Our primary aim is to ensure that women and their children are safe.
- We prioritise the safety, well-being, and dignity of victims, providing support and ensuring their voices are heard and respected.
- Victims are encouraged to report incidents without fear of retaliation, and their preferences regarding the handling of the situation are taken into account.

3.3 **Robust and swift action and support for perpetrators:**

- We take a zero-tolerance approach to harassment and hate crimes, ensuring that all reported incidents are thoroughly investigated.
- Appropriate actions, including disciplinary measures and legal action, will be taken against perpetrators.

3.4 **Work in others collectively in multi-agency working:**

- Grainger Trust recognises that dealing with harassment and hate crime is not the sole responsibility of one agency.
- Multi-agency working is an important tool in taking a holistic approach to tackling ASB in our communities.
- We collaborate with local authorities, law enforcement, and support agencies to address harassment and hate crimes effectively. Where possible, we will work with other agencies to combine resources and take a partnership approach to find a suitable resolution to ASB issues.
- A coordinated approach ensures comprehensive support for victims and robust action against perpetrators.

Harassment, Hate Crime & ASB

3.5 Hate crime and harassment are also considered as forms of Anti-Social Behaviour (ASB) and should refer to the ASB Policy.

3.6 Organisationally, we pride ourselves on putting our residents and employees at the heart of what we do and want to create an inclusive environment, treating people as individuals and celebrating their diversity. We will not tolerate harassment and hate crimes in any form. We aim to ensure that no one is treated less favourably on the grounds of disability, race or ethnicity, religion or belief, sexual orientation, or transgender identity.

- 3.7 The Association of Chief Police Officers (ACPO) and the Crown Prosecution Service (CPS) have agreed a common definition of hate crime:
- '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 or perceived disability, race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation; or transgender identity or perceived transgender identity.'
- 3.8 A hate crime can include verbal abuse, intimidation, threats, harassment, assault, bullying, damage to property and the perpetrator can also be a friend, carer or acquaintance who exploits their relationship with the victim for financial gain or another criminal purpose.
- 3.9 Not all hate incidents will mount to criminal offences but those that do will become 'hate crimes.' It is the victim who will decide whether they feel an incident is motivated by hostility or prejudice. If the victim perceives this it will be treated as a hate crime/incident, regardless of whether anyone else perceives it in an alternative way.
- 3.10 Reports of hate crime or hate incidents will be dealt with as high-priority cases of ASB.

4. Responding to Harassment and Hate Crimes

Reporting

- 4.1 Residents, staff, and visitors are encouraged to report incidents of harassment and hate crimes immediately.
- 4.2 Reports can be made through various channels, and we encourage the reporting of all incidents in a number of different ways including:
- In person to our local staff
 - Grainger Trusts website
 - Telephone
 - Email
 - Text
 - A third party, such as a partner agency
- 4.3 When our residents report incidents to us, we encourage them to do so as they occur. Any delay in reporting may limit any action we can take if the report relates to historic events. This will be discussed with the resident as part of the reporting and risk assessment process.

Investigation

- 4.4 All reports will be taken seriously and investigated promptly by trained staff.
- 4.5 We will deal with all reports of harassment and hate crimes in a sensitive manner. We appreciate that some residents will be concerned about revealing their details when reporting issues; however, in most cases, we will need this in order to take effective action. We will treat all reports as confidential, unless we have permission to share

information, if there is an immediate risk to those reporting and/or other residents, or if there are safeguarding concerns.

- 4.6 Investigations will be conducted impartially and confidentially, ensuring fairness and respect for all parties involved.
- 4.7 Anonymity, in some cases, where legal action is required, it may be necessary to reveal the identities of those reporting (with prior agreement) as, without firsthand evidence, it may not be possible to put forward a strong legal case. We do receive anonymous reports and will, where we can, investigate these; however, we may be limited in the action that we can take without having a named complainant.
- 4.8 We will ensure that residents who report an incident are kept up to date with the progress of their case, and any ongoing action or investigations. GT staff will agree a specific action plan for each case, including timescales for how often they would like to be contacted. We will also carry out a risk assessment for the resident/those involved, in order to assess whether there is any additional support that they need.

5. Equality and diversity

- 5.1 We will ensure that this policy is applied fairly to all our residents. We will not directly or indirectly discriminate against any person or group of people because of their race, religion, gender, marital status, sexual orientation, disability or other grounds set out in our Equality, Diversity and Inclusion Policy.

6. Roles and Responsibilities

- 6.1 The Head of Grainger Trust shall be responsible for the implementation and review of this policy. The operational day to day delivery of the policy is the responsibility of the Grainger Trust Manager
- 6.2 All Grainger Trust staff are responsible for reading and familiarising themselves with this policy and the associated toolkits and procedures.

7. References

- 7.1 The following legislation underpins this policy.
 - Housing Act 1985
 - Housing Act 1996
 - Welfare Reform Act 2012
 - General Data Protection Regulations 2016
 - Equality Act 2010
 - Landlord and Tenant Act 1985
 - Commonhold and Leasehold Reform Act 2002
 - Social Housing Act 2023
 - Safeguarding Vulnerable Adults Act 2006
 - Safeguarding Vulnerable Groups Act 2006
 - Mental Capacity Act 2005
 - Criminal Justice Act 2003
 - ASB Action Plan 2023
 - Antisocial Behaviour, Crime and Policing Act 2014

- Anti-Social Behaviour Act 2003
- Protection from Harassment Act 1997
- Crime and Disorder Act 1998
- Sentencing Act 2020

8. Associated policies

- Anti-Social Behaviour (ASB)

9. Review of this Policy

- 9.1 This policy will be reviewed every three years or more frequently if required to ensure that it applies with any changes in good practice, legislation or regulation.

Document Owner and Approval

The Head of Grainger Trust is the owner of this document and is responsible for ensuring that this procedure is reviewed in line with the review requirements of Data Protection.

A current version of this document is available to all members of staff on the corporate intranet.

Document History

Policy Owner	Head of Grainger Trust
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