



HATE INCIDENTS & HATE HARASSMENT POLICY

POLICY NO. 23

Date Reviewed:	May 2025
Date of Next Review:	May 2030
Regulatory Standards of Governance and Financial Management	Regulatory Standard 2 The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities. Guidance: 2.4 Regulatory Standard 5 The RSL conducts its affairs with honesty and integrity Guidance: 5.3

1. INTRODUCTION

Glen Housing Association is committed to ensuring that its tenants can live in safety and security within their homes and neighbourhood. No resident should have to live in fear of hate, harassment or violence and we believe our tenants can play an important role in helping to achieve this. Together, the Association and its tenants can establish a climate where any form of harassment, particularly that motivated by hate, is unacceptable.

1.1 Recognising Harassment as Hate Harassment

We recognise that any tenant may experience neighbour disputes, anti-social behaviour, vandalism or harassment. The Association has in place an Anti-Social Behaviour and Neighbour Nuisance Policy which details how we deal with those types of complaints.

Many hate incidents or hate harassment issues may initially be reported as a neighbour complaint or general anti-social behaviour complaint. If, during the investigation into a neighbour complaint, the investigating officer identifies that the incidents may be motivated by hate of, or prejudice towards a particular characteristic, the Officer will from that point on, treat the case as a hate incident.

1.2 Defining Hate Incidents & Hate Harassment

Hate harassment is defined by the Association as an incident, or series of incidents motivated by the perpetrator's hatred of, or prejudice towards someone because of one of the following characteristics;

- Age
- Disability
- Gender Reassignment
- Marriage & Civil Partnership
- Pregnancy & Maternity
- Religion or Belief
- Race
- Sex
- Sexual Orientation

We recognise that this definition exceeds the definition in the Offences Aggravated by Prejudice Act 2010 but is in keeping with the protected characteristics within the Equalities Act 2010.

1.2 Defining Hate Incidents & Hate Harassment (Continued)

We operate a victim-centred approach and harassment will be defined by reference to the victim's own perceptions of the cause of the harassment i.e. where the victim believes that the harassment is motivated by one of the aforementioned characteristics, the investigation will begin from that premise and the harassment procedure will be implemented.

A person may suffer from harassment due to their association with someone who has one of the protected characteristics, e.g. a person suffers verbal abuse because a visitor to their home is thought to be from a specific racial background.

Harassment may also result from an incorrect perception by the perpetrator that the victim has one of the aforementioned characteristics, e.g. the perpetrator is verbally abusive to someone about their sexuality as they believe the victim to be gay. Likewise, a person may suffer from harassment even if they are not the intended victim, for example, a gay person overhearing the verbal abuse directed towards another person can also be the victim of hate incident.

In all instances the Association will be sensitive to the victims' perception of the motivation behind the alleged incident.

2. INVESTIGATION

We will investigate complaints received with the minimum of delay and in accordance with the Anti-Social Behaviour and Neighbour Nuisance Policy initially.

Facilities such as interpretation services, interviews undertaken by a female/male member of staff and use of support organisations will be made available upon request.

The Association's staff will handle all investigations sensitively.

If, during the investigation it is apparent that the complainer feels hate or prejudice may be the motivation behind the offending behaviour, the investigation will proceed following this Policy and the procedures for dealing with Hate Incidents & Hate Harassment. Officers will liaise with Community Police, Support Agencies, Social Work Services, the Local Authority's Anti-Social Behaviour team and any other relevant agencies as required.

3. ACTION AGAINST PERPETRATORS

The aim of taking action against perpetrators is to provide a secure environment, to ensure justice for the victims and to demonstrate the determination of the Association's refusal to tolerate hate harassment.

3. ACTION AGAINST PERPETRATORS (Continued)

It is, therefore, our policy to take firm action against any tenant perpetrating hate harassment, including interdicts, prosecution for criminal damages and seeking compensation from the perpetrators for any damage done to Association property and the ultimate sanction of eviction.

In doing so, we will consider all the evidence and information available and take practical measures to identify the perpetrators.

We will also work with other agencies, including the Police and Community Support Agencies to ensure that evidence is gathered which satisfies legal requirements.

Throughout the course of the investigation, we will ensure that the complainant is kept fully informed about our progress and the choices available to them.

If the complaint is found to be justified, we will take account of the victim's wishes before the appropriate action is taken. If a crime has been committed and the victim wishes to pursue the matter, the Police will be contacted immediately. If no crime has been committed, the incidents may still be reported to the Police as hate incidents. In such cases where the victim does not wish to pursue the matter, the Association may still contact the Police if we feel the safety of the victim or others is at stake.

The Association will support any civil or criminal proceedings brought by any tenant victim on the grounds of hate harassment. This support will be extended to any victim where the harasser is a tenant of the Association, and the Association is aware of any evidence to substantiate the claim of hate harassment.

4. TRAINING

All members of the Association's staff will receive training on this Policy and equality and diversity issues in general.

5. COMPLAINTS

As per our Complaints Handling Procedure, Glen Housing Association is committed to providing high-quality customer services. However, if anyone does wish to raise a complaint, this can be done in person at any of our offices, by telephone, in writing, by email or using our complaints form on www.glenhousing.co.uk

6. OUR COMMITMENT TO EQUALITY & DIVERSITY

Glen Housing Association is committed to promoting fair and equal treatment for all and is opposed to any form of unlawful discrimination. We operate an Equality & Diversity Policy which informs all aspects of our business and ensures we adhere to the Equality Act 2010.

6. OUR COMMITMENT TO EQUALITY & DIVERSITY (Continued)

In line with our commitment and upon request, the Association can make this Policy available, free of charge, in a variety of alternative formats including large print, audio, Braille and community languages.

7. GENERAL DATA PROTECTION REGULATIONS

The Association will treat all personal data in line with its obligations under the current data protection regulations and its own Privacy Policy. Information regarding how personal data will be used and the basis for processing it is provided in the Association's Fair Processing Notice.

8. MONITORING AND REVIEW

Incidents will be reported to the Board of Management in the Annual Return on the Charter (ARC) under Antisocial Behavior incidents of hate harassment will be clearly recorded in the Associations Antisocial Behavior records. The ARC is also submitted to the Scottish Government.

This policy is subject to review on a five yearly basis.