



Tenant Services Management Board – 17th May 2011

Anti Social Behaviour AND hate Polices

Report of – Steven Clarke Estate Officer

Executive Summary

This report has been produced to propose the revised Anti Social Behaviour (ASB) policy and new Hate Policy for Taunton Deane Borough Council.

It outlines the strategic overview that tenants in council housing can expect from landlord services on managing Anti Social Behaviour.

It provides details of the specific elements of the service.

It will show how and what the council can and will deal with in relation to Anti Social Behaviour that is caused by Taunton Deane Council tenants or their visitors. The Policy is a living document and will be reviewed on a regular basis to reflect changes in legislation and peoples behaviour. It also will link into the new Hate Policy that has been drafted.

1. Purpose of the Report

To provide the Tenants Services Management Board (TSMB) with the opportunity to comment and shape the Policy for Anti Social Behaviour (ASB) and Hate incidents.

2. Background to this report

Landlord services are responsible for ensuring tenants comply with their tenancy agreement and do not behave in an anti social manner within our communities. TDBC house some of the most vulnerable and disadvantaged in our society and we must show support to them.

The polices will show to tenants the minimum standard they can expect from TDBC in relation to the investigation of neighbour nuisance or anti social behaviour.

- Register their complaint
- What our responses will be to their report
- What actions landlord services can take in relation to anti social behaviour

3. **Aim of the Polices**

To meet the requirements of the anti social behaviour policy and procedures. To give tenants clear information on what they can expect from TDBC, and the support and assistance available to them.

4. **Approximate Costs**

The cost of implementing this polices will be met within existing budgets. It is the intention that the polices will be incorporated into the TDBC sharepoint website to be available for all tenants and staff

5. **Impact on Tenants**

Tenants will be better informed on what to expect from their landlord and what is expected of them and the implications of their behaviour.

6. **Diversity**

Some people may need specific help to fully access the policies. Additionally information may be required in different formats:

- Large Font
- Audio Version
- Different Languages
- Website page

7. **Timetable**

17/05/11 – Draft standard reviewed by TSMB policy implemented with immediate effect if approved.

01/07/11- Incorporate policy onto sharepoint website

8. **Outcomes**

The outcomes that can be expected from the implementation of these polices are:

- Improved information to tenants on the landlord service.
- Tenants more aware of service provided by TDBC

9. **Information Plan**

If implemented it is intended to inform all tenants of the polices by writing an article for Housing Website and providing information in the next edition of Deane housing News.

10. **Recommendation**

We recommend that the Tenant Services Management Board approve the proposed policies as set out in Appendix 1 and 2 to this report.

11. **Contact Officers:**

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Anti-Social Behaviour Policy

Definition of anti-social behaviour

Taunton Deane Borough Council (TDBC) uses the definition of anti-social behavior in the Crime and Disorder Act 1998, which is:

‘Acting in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as (the defendant).’

Policy Statement

TDBC are committed to providing an excellent anti-social behaviour service. On delivering our housing service we will actively seek to prevent anti-social behaviour. When allocating empty property we will undertake an assessment of the risk of anti-social behaviour involving the housing applicant, historical incidents of anti-social behaviour within the neighbourhood and the design of the property. With reference to 3.7 of the Homefinder Somerset Common Lettings Policy, which stipulates who are not able to participate in bidding for Social Housing across the whole sub-region. This includes those who have broken their previous tenancy conditions due to ASB. This would mean that if they are evicted and subsequently reapply for social housing all partner-housing providers might refuse to re-house them.

Where appropriate we will advise housing applicants where there are risks of anti-social behaviour, for example, if we feel the property is prone to noise travel. At the start of a tenancy we will make residents aware of their tenancy obligations on anti-social behaviour. Through the management of our communal areas we will actively deter anti-social behaviour (such as vandalism/graffiti, abandoned vehicles or misuse of communal areas). When developing new properties or undertaking re-investment or improvement works we will consider how we can prevent anti-social behaviour through these works. We will also utilise our community development resources to prevent anti-social behaviour; this may include youth, parenting projects or projects to foster greater community cohesion.

Dealing with reports of anti-social behaviour

We will not tolerate anti-social behaviour and will always seek to resolve the problem with the complainant (the complainant is the person reporting anti-social behaviour) remaining in their existing accommodation. We will only consider rehousing the complainant in exceptional circumstances (for example where there is a risk of serious physical harm). In line with Home finder Somerset Lettings Policy.

We recognise that retaining resident confidence and involvement is critical to the success of each anti-social behaviour case and the service as a whole. To achieve this we will normally only take action on a case agreed with the complainant. We will usually expect the complainant to undertake certain actions to assist us in dealing with the anti-social behaviour, this may involve keeping details of the incidents that occur or reporting incidents to another agency such as the police or the local authority environmental health noise team.

We will advise the complainant in writing of the outcome of the investigation and discuss any further action we propose with them. We will advise complainants when action has been taken against a perpetrator and will monitor the case for any further incident. We will also write to the alleged perpetrator advising them of the outcome of the investigation. We will agree with each complainant how often we will contact him or her. As a minimum we will contact complainants at least once a month to update them of progress and/or receive updates on the situation if these have not already been forwarded to us. If we plan to close an anti-social behaviour case we will write to the complainant first to inform them and invite them to complete a satisfaction survey on our handling of their anti-social behaviour case.

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Aim of this policy

Through the delivery of this policy, we aim to:

Enable residents to live peacefully within their homes without unreasonable disturbance from others

Encourage reporting and make it easy to report anti-social behaviour

Respond quickly and in a robust manner to incidents of anti-social behaviour

Ensure residents are clear on their tenancy obligations

Inspire confidence amongst residents that anti-social behaviour will be challenged

Ensure complainants are kept informed of actions being undertaken on their complaint

Use a full range (and where appropriate a combination) of measures (such as diversion, education, enforcement, prevention, engagement and rehabilitation) to tackle anti-social behaviour and its underlying causes

Provide a framework for supporting victims, witnesses and vulnerable perpetrators

Deliver a 'zero tolerance' approach towards abuse on staff

Who is covered by this policy?

Our anti-social behaviour policy relates to all TDBC residents including persons residing visiting the property or otherwise engaged in lawful activity in the locality. Our policy is designed to protect residents in the areas where we work. We may act to protect owner-occupiers or those in other sectors from our residents and equally, may take action against people in other tenures to protect our residents.

Where our residents experience criminal activity, we will give advice on what action to take and any available additional support. Where the anti-social behaviour takes the form of a hate crime/incident or domestic violence we will comply with the service standard.

Types of anti-social behaviour

We will use the following categories recommended by Housemark (a housing industry benchmarking organisation) for the different types of anti-social behaviour we deal with:

Noise (managed by Environmental Health)

Verbal abuse / harassment / intimidation / threatening behaviour

Hate related incidents (harassment based on race, sexual orientation, gender, disability, religion or age.

Vandalism or damage to property

Pets and animal nuisance

Drugs / substance misuse / drug dealing

Alcohol related

Domestic abuse

Physical violence

Litter / rubbish / fly-tipping

Garden nuisance

Misuse of communal areas

Prostitution / sexual acts / kerb crawling

Criminal behaviour (other than listed above)

Dealing with noise nuisance

Noise is the most common type of anti-social behaviour reported to TDBC. These complaints are investigated by Environmental Health Department.

We are keen to:

-Respond effectively to resident complaints of noise nuisance

-Be realistic about the action we can take to deal with reports of excessive noise.

TDBC does not normally consider everyday living noises (such as toilets being flushed, washing cutlery) to be anti-social behaviour even if they are disturbing the complainant. In

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these cases we will normally expect neighbours to be tolerant and respectful of each other's lifestyle and needs and minimise the noise they create.

We recognise that there are certain properties that do not have good soundproofing and are prone to noise travel. In these cases even everyday living noises (such as walking around the flat during the day with outdoor shoes) can cause annoyance to their neighbour(s). From our experience we have found it very difficult to prove that the noise heard in these cases is anti-social behaviour except where statutory noise nuisance levels have been breached. This can result in cases remaining open for significant periods of time with the complainant reporting persistent problems (as well as the other party making counter-complaints) yet TDBC have insufficient evidence to take any formal action on the case. We have also found that in these cases mediation has proven to be very successful in resolving the problems. Therefore where we have identified a property as prone to noise we will only investigate a report of excessive noise where:

-The noise nuisance has been witnessed by local authority noise teams or recorded on sound recording equipment

Or

-Where we suspect these noise levels were breached.

Where there is no evidence of excessive noise nuisance or we suspect that the noise reported would not breach these levels we will invite all parties involved to undertake mediation. If both parties do not accept this we will close the case and only investigate further if noise nuisance is witnessed.

Definition of harassment

TDBC defines harassment as behaviour that is abusive to individuals or groups and which is deliberate. It can take many forms and includes, but is not limited to:

Abusive or insulting behaviour
Threats of violence
Physical assault
Vandalism to property
Arson or attempted arson
Threatening, abusive or insulting graffiti
Repeated and unfounded complaints against a resident or residents
Attempts to deter a person from occupying a particular property
Abusive telephone calls
Uninvited visits to someone's home
Deliberate noise
Excrement, rubbish or offensive materials near or in the victim's home

Harassment may be directed against an individual, family or group of people. It is often motivated by prejudice against the characteristics of the individual or group. For example sexual harassment is the interference with a person's comfort or safety on grounds of their gender or sexuality. To distinguish harassment from domestic violence, the harasser is not usually a person with whom the complainant has previously been associated.

Harassment may be based on race, sexuality, gender, disability, religion or age

Definition of Hate Crime

There is a distinct difference between a hate incident and a hate crime.
Hate incident is defined as:

'Any incident, which may or may not constitute a criminal offence,

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which is perceived by the victim or any other person, as being motivated by prejudice or hate.'

Hate crime is defined as:

'Any hate incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by prejudice or Hate crime.'

It is vitally important to note that all hate crimes are hate incidents. However, some hate incidents may not constitute a criminal offence and therefore are not hate crimes.

The following are examples of different types of hate incidents. This list is not exhaustive:

- Racist incident
- Homophobic incident
- Transphobic incident
- Faith related incident
- Sectarian incident
- Disablist incident

The following are examples of actions effected by perpetrators of Hate Crime. This list is not exhaustive:

- Physical attacks on people and property;
- Intimidation and torment;
- Graffiti;
- Arson or attempted arson;
- Offensive comments;
- Abusive or threatening behaviour – language, letters, phone calls
- Deliberate and targeted acts intended to deter residents from living in their home or to force them to move away.

Domestic abuse is not included within this policy

Responsibility to deal with anti-social behaviour

There are many agencies that have a responsibility to tackle anti-social behaviour these include the police and local authority Environmental Health teams, local Crime and Disorder Reduction Partnerships as well as housing associations. We will work in partnership with these agencies where appropriate to share information, best practice and provide a co-ordinated response to resolve the problems

Resident obligations

TDBC tenancy agreement includes contractual terms forbidding residents or their visitors from causing anti-social behaviour. We will take further action where there is evidence of anti-social behaviour.

Taking action to resolve anti-social behaviour

When deciding on action our main aim will be to stop the anti-social behaviour. Unless the reported ASB is particularly serious, every effort will be made to resolve the issue without the use of legal action. Where the allegations involve threats of violence or actual violence we will consider whether it is appropriate to take emergency legal action to protect personal safety.

Assessing potential actions in dealing with anti-social behaviour

Part of the investigation into the anti-social behaviour a risk assessment is completed. We will consider the information gathered and decide what further action to take. If there is a lack of information to support the report this may limit the action we can take.

The action we take on a particular incident will depend on a number of factors, which include:
The seriousness of the incident (e.g. where there is intimidation or a threat of violence we may take immediate legal action on one incident; whereas on the first report of noise nuisance we may serve a warning letter).

The number of previous incidents that have occurred

The level of evidence we have on the reported ASB

Any legal advice received on the case

Whether the people involved have vulnerability.

We understand that the circumstances will vary with each case and this will affect the action taken. However we will aim to resolve lower category ASB with non-legal action at first and only consider legal action where problems persist.

We will write to the complainant and the alleged perpetrator after we have completed our investigation confirming whether the reports of anti-social behaviour are proven or not and what further action will be taken. Where anti-social behaviour is not proven we may issue warnings that on the consequences if anti-social behaviour is proven in the future.

Where anti-social behaviour is proven we will take firm proportional action. Where non-legal action fails to stop the anti-social behaviour we will consider taking legal action.

Actions taken to resolve the anti-social behaviour could involve a combination of the following:

Non-legal actions

Warning letters

Acceptable Behaviour Contracts (ABCs)

Referral to mediation

Monitoring with diary sheets

Referral to Crime and Disorder Partnership

Parenting contract (informal)

Parenting courses

Referral to the police for a crack house /premises closure

Referral to the Noise Nuisance team

Referral to Supported Housing or other support package

Referral to Family Intervention Project

Referral to the Mental Health Team

Referral to the Youth Offending team

Legal actions

Demotion Orders,

Possession proceedings,

Anti Social Behaviour Orders,

Injunctions under 153a, 153B, 153C, 153D of the 1996 Act (including with the power of arrest attached)

Or other legal action e.g. under Environmental Protection Act 1990 or criminal prosecution).

Confidentiality

Complainants will be encouraged to allow us to share information with other agencies, including the police and partner agencies, to ensure that the full range of civil and criminal action can be pursued and appropriate support provided. However all information provided by the complainant will be treated with the utmost confidence and only passed to external agencies with proper consent. The exception is where we consider a child is at risk in any situation or if there is a high risk of serious harm to anyone involved. The Community

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Services Manager or Housing Services Lead will approve any disclosure without the complainant's consent.

There may be situations where the complainant has requested that no action is taken on a report. However where we consider the situation to be serious we may feel that we have little option but to pursue an issue against their wishes. In such circumstances we will take appropriate action to protect all those affected.

Providing support and tackling the causes of anti-social behaviour

When we first investigate a report of anti-social behaviour we will undertake an assessment of the support needs of the complainant, witnesses and perpetrators and with their consent refer them to an appropriate support provider. When taking action we will consider the various factors that may be causing the anti-social behaviour and will seek to take appropriate action to tackle these causes identified. This may include making a referral to an anger management course where aggressive behaviour has occurred or referral to the local Community Mental Health team where mental ill-health is identified as contributing to the anti-social behaviour. Throughout the case (including at the end) we will re-assess the support needs of those involved and take appropriate action.

We realise that the active co-operation of complainants and witnesses is vital to the success of the service. Therefore we will support residents by:

- Providing them with information on our service and what we can do to help them
- Agreeing with them what action we will take on the case
- Providing regular updates on the progress of the case
- Regularly assess their support needs
- Suggest providers of appropriate support.

Safeguarding children and vulnerable adults

Whilst delivering our anti-social behaviour service, if we consider a child or vulnerable adult to be at risk of harm we will be take appropriate action in line with our vulnerability policy and relevant local authority safeguarding procedures.

Closing an anti-social behaviour case

We will close an anti-social behaviour case in the following circumstances:

- The anti-social behaviour as finalised
- There have been no reports of further incidents for at least one month
- An investigation has been completed and there is no evidence of ASB
- The complainant has not co-operated with requests from the authority making it difficult to progress further with the case.

Abusive behaviour towards staff

We will not tolerate abusive behaviour, threats or violence towards our staff members or contractors. We will work with the police and other agencies to take action where this occurs. This action may involve exclusion from office premises and legal action.

Staff training

TDBC provides training for all staff dealing with anti-social behaviour complaints. This programme includes:

- training on policy and procedures, good practice and legal remedies in tackling anti-social behaviour, domestic violence and hate crimes/incidents
- health and safety training
- training seminars
- informal training and coaching from supervisors.

Best Value and Continuous Improvement

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TDBC is committed to continuously improving its service to residents. To this end we will develop an annual ASB Strategy, which will draw upon best practice and value for money considerations to set the direction of service development.

In tackling anti-social behaviour we aim to use our resources effectively so that the maximum number of residents can benefit from our service. Through engaging with our external partners we will endeavour to lever-in their resources to resolve anti-social behaviour within our stock. On an annual basis we will assess the cost of providing our anti-social behaviour service as a cost per property and benchmark these costs with those of other organisations. We will also set targets to reduce the average amount of time taken to resolve cases.

Equalities and Diversity Statement

At the start of an anti-social behaviour case we will complete an Equalities Monitoring Questionnaire form (if this information is not already available to us) and undertake an assessment of the needs of all parties for additional support. This will include barriers to communication through disability or through English being a second language.

We will monitor the diversity status of complainants and alleged perpetrators for differences in satisfaction as a check against discriminatory practices. Before serving a Legal notice on a resident we will undertake an assessment to ensure that we are adhering to the Disability Discrimination Act.

Key Performances Indicators

We will routinely monitor our performance in implementing of this policy and report on our performance to the TDBC Senior Management, Tenant Services Board and Elected members.

Indicators we use to measure of the service include:

The number of ASB cases in total

The number of hate crimes reported per category

The number of cases closed

The number of actions taken to resolve ASB (such as evictions due to ASB, ASBOs, Injunctions, Acceptable Behaviour Contracts, referral to the Local Authority Crime and Disorder Partnerships)

The satisfaction of complainants on closed cases

We will publish in the TDBC annual report:

The number of evictions due to ASB action

The number of Anti-Social Behaviour Orders obtained

The number of Injunctions obtained

Relevant legislation and regulatory documents

Respect Standard for Housing Management

Respect Performance Toolkit

Housing Quality Network "The Respect Standard: What Social Landlords should be doing and what inspectors are looking for"

Anti-Social Behaviour Act 2003 (Section 12)

Crime and Disorder Act 1998

Disability Discrimination Act 2001

Data Protection Act 1998

Housing Act 1985

Housing Act 1996

Reviewing this policy

TDBC will review the policy, in consultation with a panel of residents every 3 years to ensure that it is effective and complies with current good practice. This will be completed by a nominated Estate Officer from TDBC.

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Anti Hate Policy

Introduction

The purpose of this Policy is to clearly define Taunton Deane Borough Council (TDBC's) commitment to the rights of all Council tenants to live in safety and security within their homes and neighborhood, regardless of their sex, sexual orientation, religion, disability or culture.

It also seeks to lay out a timely and supportive multi-agency response to any incidents of hate crime within TDBC's housing stock, and underlines TDBC's determination to use every available legal remedy against perpetrators of such incidents.

Policy Statement

We are committed to ensuring that our tenants can live in safety and security within their own homes and neighborhood. We recognise that all tenants, regardless of their minority group, may experience neighbor disputes, antisocial behaviour or vandalism. However, we also recognise that hate crime is far more likely to be experienced by individuals and/or their families because of their race, sex, sexual orientation, religion, disability or culture.

We will take action against tenants who we have grounds to believe are carrying out hate crime attacks. (Action will equally be taken against the tenant if the harassment is being carried out by either another resident in that tenant's property or a visitor to that tenant's property).

Such acts may be physical or verbal and would include:

- 1) Interfering with the peace of the victim
- 2) Causing nuisance or annoyance to the victim
- 3) Causing the victim to fear for his or her safety.

We will:

- Act promptly and effectively in investigating incidents of hate crime
- Provide practical support for victims of hate crime to protect them from further harassment, and identify and take action against the perpetrators of harassment
- Monitor incidents of hate crime and the effectiveness of the policy and procedure and review at least every three years or as necessary due to any legislative changes
- Work in partnership with other agencies to create an environment which encourages tolerance of minority groups and cultures within society

Definitions

There is a distinct difference between a hate incident and a hate crime.
Hate incident is defined as:

'Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate.'

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Hate crime is defined as:

'Any hate incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by prejudice or Hate crime.' It is vitally important to note that all hate crimes are hate incidents. However, some hate incidents may not constitute a criminal offence and therefore are not hate crimes.

Hate Motivation is defined as:

Hate crimes and incidents are taken to mean any crime or incident where the perpetrators hostility or prejudice against an identifiable group of people is a factor in determining who is victimised.

The following are examples of different types of hate incidents. This list is illustrative but is not exhaustive:

- Racist incident
- Homophobic incident
- Transphobic incident
- Faith related incident
- Sectarian incident
- Disablist incident

The following are examples of actions effected by perpetrators of Hate Crime. This list is illustrative but is not exhaustive:

- Physical attacks on people and property;
- Intimidation and torment;
- Graffiti;
- Arson or attempted arson;
- Offensive comments;
- Abusive or threatening behaviour – language, letters, phone calls
- Deliberate and targeted acts intended to deter residents from living in their home or to force them to move away.

Hate crime can be any crime based on people's differences but a victim of a hate crime does not have to be either a member of a minority group or someone who is generally considered to be a 'vulnerable' person. For example, the friends of a visible minority ethnic person, gay person, transsexual person or refugee may be victimised because of their association. In some cases the perpetrators perception may be wrong. This can result in a person entirely unconnected with the hate motivation becoming a victim. In reality anyone can become the victim of a hate crime.

Other Definitions

Racist Incident – Any incident, which is perceived to be racist by the victim or any other person as given in, the MacPherson Report following the Stephen Lawrence enquiry.

Homophobic Incident – Any incident which is perceived to be Homophobic by the victim or any other person that is directed to impact upon those perceived to be gay or bi-sexual.

Transphobic Incident – Any incident that is perceived to be transphobic by the victim or any other person. Transphobia is an irrational fear and dislike of people who identify themselves as Transsexual.

Religion or Belief Related Incident – Any incident that is perceived to be based upon prejudice towards or hatred of the religion or belief (or lack of religion or belief) of the victim or so perceived by the victim or any other person.

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Sectarian Incident – Any incident that is perceived to be sectarian by the victim or any other person. Although currently there is no clear definition of sectarianism, it is broadly understood to describe incidents of religious conflict or factionalism between individuals of different denominations of the same religion. For example between Catholic and Protestant Christian or Sunni and Shia Muslims.

Perpetrator – Someone who commits an offence or crime

Domestic abuse is not included within this policy

Why Report a Hate Crime

A hate crime is a violation of personal and civil rights. Hate crimes are not only crimes against the targeted victim but also against a particular group as a whole. Hate crimes are attacks on communities.

Effective action against hate incidents requires that these crimes be reported to the Police but also to us. Only if hate crime is reported can we together take action to deal with it. No one has the right to harass, threaten or assault someone because of who they are. If hate crime is reported, victims can be offered help and support, and action can be taken against the perpetrators. It is important to report incidents however small so that early intervention can take place to avoid escalation.

Taunton Deane Borough Council will encourage victims and witnesses to report all incidents of harassment by publicising and promoting policies and procedures and offering appropriate support.

Victim Centred Approach

We will operate a victim-centred approach i.e. where the complainant believes that the harassment is motivated by prejudice of a minority group, the investigation will begin from that premise and the hate crime / minority group harassment procedure will be implemented.

Action Against Perpetrators

TDBC's will not pre-judge alleged perpetrators prior to the investigation. However it is our policy to take firm action where there is evidence of hate crime against any tenant, or other person, perpetrating hate crime. The action includes injunctions, demoted tenancies, the pursuit of prosecution for criminal offences, and the ultimate sanction of eviction against Council tenants. We will take all practical measures to ensure that the perpetrators are identified. However, such action will take into consideration whether or not the complainant wishes to proceed with the matter.

Investigation

We will investigate all complaints of alleged hate crime whether received in person, letter, phone, e-mail or third party. An interview with the complainant should take place within:

- 1 working day if the incident if the incident is classed as serious. (threats, physical violence)
- 5 working days for cases involving persistent harassment.
- 10 working days for all other incidents.

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The investigation will follow the Anti-Social Behaviour Policy. We also have an Anti-Social Behaviour Service Standard, which explains how Taunton Deane Borough Council can help.

If the complainant's first language is not English, and if they prefer to use their first language, we will take all reasonable steps to ensure that an interpreter is present to assist in the interview. This could be accessed remotely via a telephone service. (Language Line)

Legal Framework

Housing Act 1985 as amended 1996
Crime and Disorder Act 1998
Anti Social Behaviour Act 2003
Human Rights Act 1998
Environmental Protection Act 1990
Disability Discrimination Act 1995
Protection from Harassment Act 1997
Regulation of Investigatory Powers Act 2000

Property Repairs

We will treat all repairs, including the removal of graffiti, arising as a result of hate crime as an emergency and will provide such additional security measures as are reasonably practicable. Where the perpetrators have been identified we will endeavour to recover the costs of any repairs from the perpetrator.

Rehousing of Complainants

We will consider the offering of emergency re-housing where there is serious physical or psychological injury suffered by the tenant or members of the tenant's household, or where damage to their property is such that it is not reasonable for them to occupy the property at that time.

We recognise that victims of harassment may wish to move from the property/area where problems are experienced. We will deal with each case sensitively and on its merits based on the evidence gathered. Such moves would be dealt with on a priority basis as a management transfer.

Challenging Hate Crime / Minority Group Harassment

The Role of Our Tenants

Tenants who live near victims of hate crime can play an important role in helping to support victims. They can establish a climate where harassment is unacceptable. This can help deter perpetrators. The Hate Crime Policy should be well-advertised and promoted through newsletters, TDBC's website, information in reception areas and at tenancy sign-ups. It is essential that they are aware of their responsibilities, as tenants under their conditions of tenancy, including the unacceptability of hate crime.

The Role of Tenant and Resident Associations

Tenant and Residents Associations and tenants' representatives play a vital role in establishing an environment that encourages tolerance of minority groups and cultures. They can offer support and a point of contact for victims, and they are ideally placed to promote and publicise the unacceptability of hate crime within their community.

The Role of Other Agencies

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We will work with mediation services where appropriate and with other agencies within the South Somerset Crime and Disorder Reduction Partnership including the police and community support agencies to ensure that evidence is gathered which satisfies legal requirements. Systematic records will be kept of all complaints and decisions taken in relation to the complaints. We will ensure that the complainant is kept fully informed at each stage of the investigation, and of the choices available.

Training

We will ensure that all our employees are aware of the policy. We will provide on-going training for relevant employees as to the procedures they will need to implement in cases of hate crime. Awareness training will also be available for tenant representatives and Tenant and Resident Associations.

Refresher training and further training where legislation changes or in pursuit of best practice will also be provided.

Training needs are identified through annual job appraisal and development interviews (1-2-1's) and six-monthly reviews.

Monitoring and Consultation

All incidents will be recorded, monitored and treated in confidence. Statistics will be reported to the **Crime and Disorder Reduction Partnership** on a quarterly basis for the purpose of future strategy and forward planning. The statistics will also be reported to the Tenant Services Management Board on a regular basis. Local Borough Council members will be alerted to any serious cases in their wards as and when they occur, though the specific details of the complainants will be kept confidential. Such incidents will be incorporated in the annual report and made available to tenants via the tenants newsletter.

Policy Review

TDBC is committed to ensuring that its hate crime policy and procedure is open and transparent and will continually monitor and review its effectiveness. The policy will be reviewed at least once every three years to ensure that it is meeting the current needs of the community, and to ensure that it takes into consideration any changes to legislation at any given time.

Equality and Diversity

TDBC Housing Services recognises that there is a broad range of visible and non-visible differences that characterise its tenants. Some of these qualities include race, religion, culture, nationality, ethnic background, colour, disability, sex, sexual orientation, age, literacy and income level. By understanding and respecting this diversity it is able to set a policy which ensures that all tenants are able to access services provided by TDBC in an equitable manner.

TDBC is committed to providing information and services equally and without discrimination so that they meet the needs of all sections of the community who are either housed by TDBC, living near properties managed by TDBC or seeking access to or information on housing services in the TDBC area. In carrying out all housing management policies, TDBC Equality and Diversity Policy will be adhered to.