



EDEN HOUSING ASSOCIATION LIMITED
RACIAL HARRASSMENT PROCEDURE

Date of Implementation: 1st April 2004

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Consultation: Operations Team Feb. to March 04
EHA Participation Forum 9/2/04
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Eden District Council

Approved by: Executive Management Team
Date: 13th February 04

Date of next review: October 2004

Distribution: Operations Team
CSO Team
Intranet

EDEN HOUSING ASSOCIATION

RACIAL HARRASSMENT PROCEDURE

1. Policy Statement

- 1.1 Eden Housing Association recognises the need and considers it good practice to operate an effective Racial Harassment Policy and Procedure, and that such harassment is distinct from neighbour disputes, and other forms of harassment and anti-social behaviour. Eden Housing will take steps to identify and monitor incidents of racial harassment and take effective action against perpetrators in order to provide a safe environment for all tenants and residents and to prevent further acts of racism and violence.

2. Definitions

- 2.1 Although there is no legal definition of racial harassment, there is a working definition adopted by the Commission for Racial Equality. It is as follows:

“Racial Harassment is violence, which may be verbal or physical and which includes attacks on property as well as on a person, suffered by individuals or groups because of their race, colour, nationality or ethnic or national origins, when the complainant believes that the perpetrator was acting on racial grounds and/or there is evidence of racism.”

The definition set out in the report of the Stephen Lawrence Inquiry ‘should be universally adopted by the Police, Local Government and other relevant agencies’ (Macpherson, 1999). This definition states:

“A racist incident is any incident which is perceived to be racist by the victim or by any other person”.

- 2.2 In these definitions the complainant’s perception of racism is crucial and the organisational approach to dealing with racial incidents will therefore be ‘victim-centred’.

3. Procedure

- 3.1 Eden Housing Association will take positive steps to prevent the occurrence of racial and other forms of harassment and anti-social behaviour. We will provide information on our racial harassment and other anti-social behaviour policies to tenants at sign up and make incoming tenants aware of the appropriate clause in their tenancy agreement which states that tenants must agree:

“Not to cause or commit or allow anyone living with you or your visitors to cause or commit any form of harassment or any other anti-social behaviour. Harassment and anti-social behaviour is

any act or omission which interferes with the peace and comfort of or which may cause nuisance, annoyance, injury or offence to any other tenant, member of their household, visitor, neighbour, the Association including its employees and contractors or any other member of the general public and includes (but is not limited to): - Harassment on the grounds of age, gender, race, religion, culture, ability or lifestyle”.

- 3.2 Eden Housing Association will also publicise its policies for dealing with, and provide information on, racial harassment in its tenants' handbook, in the tenants' newsletter and in the form of leaflets and posters in our reception areas.
- 3.3 Eden Housing Association will adopt a victim-orientated approach to dealing with reports of racial harassment. Investigations will be carried out in a sensitive manner, and a strategy for meeting the support needs of the victim will be discussed and agreed with the complainant. All reports of racial harassment will be recorded on an initial assessment form (appendix 1). The agreed action will be set out in an action plan (appendix 2), a copy of which will be provided to the victim. The victim will also be provided with an information pack which will explain our policy, the types of support we can offer and useful telephone numbers.
- 3.4 We will implement victim and witness support measures as necessary. These may include one or more of the following:
 - temporary or permanent re-housing
 - referral to counselling and other support services
 - panic alarms or mobile phones
 - physical security measures such as security lighting and fire proof letter boxes
- 3.5 All allegations of racial harassment whether made by or against tenants, staff and contractors or other residents will be investigated with a view to corroborating the allegations and deciding on the most appropriate action to be taken.
- 3.6 All information provided by victims of racial harassment will be treated confidentially and will not be disclosed to any other party without the full consent of the victim. Any action taken will only be with the full knowledge, consent and involvement of the victim.
- 3.7 Eden Housing Association will work on the presumption that action will be taken against perpetrators of racial harassment and a lack of action will need to be justified by the Association.
- 3.8 Eden Housing Association will consider all possible legal remedies and where appropriate will take possession proceedings against perpetrators of racial harassment.

- 3.9 Where a victim wishes to leave their home and Eden Housing Association is satisfied that this is reasonable, we will seek to provide like for like accommodation. Where re-housing is not possible due for example to the lack of availability of suitable alternative accommodation, Eden Housing Association will seek a reciprocal arrangement with another landlord.
- 3.10 Eden Housing Association will ensure that officers investigating incidents of racial harassment are given training and management support to empower them to take appropriate action quickly and effectively when incidents are reported. Training will be ongoing.
- 3.11 Eden Housing Association is committed to a multi-agency approach to combating racial harassment and other forms of anti-social behaviour. We will liaise with the police, the local authority and other relevant statutory, community and voluntary agencies and we will participate in multi agency forums such as Eden Crime Reduction Partnership.
- 3.12 Eden Housing Association will actively support the protocol on the exchange of information to enable information to be exchanged between agencies in accordance with Section 115 of the 1998 Crime and Disorder Act.
- 3.13 Eden Housing Association will expect all contractors or other agencies providing services to Eden Housing Association to abide by and comply with our Racial Harassment Policy.
- 3.14 Eden Housing Association will require as a condition of funding and support that all tenants and residents organisations have a constitution that commits them to the principles of equality and diversity.
- 3.15 Eden Housing Association will adopt the following minimum standards when tackling incidents of racial harassment:
- A victim will be contacted within one working day of an incident involving violence being reported.
 - A victim will be contacted within three working days of a non-violent incident being reported.
 - Urgent repairs will be carried out within one working day of being reported.
 - Racist graffiti will be removed from an Eden Housing Association property within one working day of being reported.
 - If the victim wishes to move home, Eden Housing Association will seek to enable this to happen as quickly as possible.

These Performance standards will be monitored and reported and will be included in the Association's annual performance report to its tenants. The report to the Board of Management will include the

number of households who have moved from their current home because of racial harassment.

- 3.16 Eden Housing Association will monitor incidents of racial harassment, characteristics of the victim, the number of households moved as a result of racial harassment, characteristics of perpetrators, area, action taken and outcome of action taken. These indicators will reported to the Board at least twice a year. Initial report forms will be kept on a central file in the housing office for monitoring purposes.
- 3.17 The Housing Manager will be responsible for maintaining links with local community leaders and groups, and especially those groups representing black or minority ethnic people.
- 3.18 All live cases will be reviewed monthly by the Housing Manager in consultation with the relevant housing officers.

4. **Equality and Diversity**

- 4.1 Eden Housing Association will positively and proactively work with other agencies and community groups in order to ensure that this policy is implemented effectively.
- 4.2 Information on Eden Housing Associations policies and procedures will be distributed to those organisations that promote the needs of, and the services available to black and minority ethnic people.

5. **Consultation**

- 5.1 Eden Housing Association will consult with tenant representatives, the police, the Local Authority, community groups and with other stakeholders, on a regular basis in order to monitor and develop our polices and procedures on tackling racial harassment and to develop and maintain good practice in this area.

6. **Review**

- 6.1 Eden Housing Association reviews all of its policies on an annual basis. We will review policy and practice in this area more frequently if it is required.

7. **Associated Documents**

Allocations Policy
Anti Social Behaviour Policy
BME Strategy and Action Plan
Customer Care Policy
Equality and Diversity Policy
Tenancy Agreement
Tenants Handbook

8. **Legal/Statutory Requirements**

Crime & Disorder Act 1998

Protection from Harassment Act 1997

Housing Act 1996

Criminal Justice & Public Order Act 1994

Public Order Act 1986

Appendix 1



**Racial Harassment
Initial Assessment Form**

Name of complainant _____

Address _____

Telephone/mobile number _____

Tenure type _____

Date of complaint _____

Form completed by _____

How has the Racial Harassment been reported? By telephone

In writing (attach) In person at the office In person at home visit

Who is causing the problem?

Name _____

Address _____

Telephone number _____

Tenure _____

Is it their visitors/guests/relatives? _____

Has complainant approached person complained of? Yes No

If so, what was response? _____

If not, why not? _____

Have previous complaints been made? Yes No

If yes, how many and when? _____

Are others prepared to substantiate the complaint? Yes No

If so, who? _____

Has there been violence or threats of violence? Yes No

If yes, have the police been informed? Yes No

If yes, provide name and number of officer, station and crime or incident number.

What impact has this had on the complainant? _____

How does the complainant think the complaint could be tackled?

Are there any other agencies involved? Yes No

If yes, which? _____

Are any repairs required? Yes No

If yes, describe and report to property section. _____

Office use only

Is there any previous relevant history on file? _____

New Complaint Ongoing Complaint

Recommended action _____

Passed to _____ Date _____

Signature of Housing Manager _____ Date _____

Appendix 2



**Eden Housing Association
Racial Harassment procedure**

Action Plan

Copy to be provided to complainant

Name _____
Address _____
Telephone Number _____ Date _____
Housing Officer _____

What advice has been given? _____

What will the complainant do next? _____

What will the Association do next? _____

Declaration
I confirm that the information I have provided is true and accurate. I am prepared to confirm the same by a statement of truth.

Signature _____

Checklist - for staff use only

Referral to other agency: Yes No Comments _____

Visit to perpetrator: Yes No Comments _____

Warning Letter: Yes No Comments _____

Diary sheets issued: Yes No Comments _____

Witness statement taken: Yes No Comments _____

No action required: Yes No Comments _____

Case closed and letter sent: Yes No Comments _____

Further action

Notify Police: Yes No Comments _____

ABC: Yes No Comments _____

Injunction: Yes No Comments _____

ASBO: Yes No Comments _____

NOSP: Yes No Comments _____

Additional Notes _____

Victim support measures _____

Countersigned by Housing

Manager _____ Date _____