

ISLINGTON & SHOREDITCH HOUSING ASSOCIATION

RACIAL HARASSMENT POLICY

1. Policy Statement

Islington & Shoreditch Housing Association (ISHA) will not tolerate racism.

ISHA's Equal Opportunities statement says that we will:

- Treat individuals fairly and equally whatever their race, colour, age etc.
- Take prompt and effective action if residents and their families face harassment in and around their home
- Make sure ISHA's reception area and office is accessible and easy for visitors to use
- Provide the information individuals need in paper and electronic format in ways they find easy to understand
- Take into account any particular needs residents have when they move into one of our properties and subsequently during their tenancy
- Only work with contractors and other agencies that share ISHA's commitment to be fair to all

ISHA will actively assist disadvantaged groups to benefit from its services. In addition, ISHA will seek to identify the needs of disadvantaged groups within the community and to work with statutory and voluntary agencies representing their interests.

Harassment is against the law. We will deal promptly, proportionately, flexibly and effectively with incidents of harassment using a partnership approach, offering support to victims, keeping complainants regularly updated, and using legal remedies where necessary.

We can take action to deal with harassment perpetrated by residents regardless of their tenure, choosing appropriate response options in order to do so, and working in partnership where necessary.

2. Purpose and Scope

This policy deals with racist incidents and racial harassment but the principles and guidance may be adopted to tackle other forms of harassment or hate crime.

The policy applies to all the residents, leaseholders and shared owners ISHA and their household members. It can also be used where the perpetrator is not a tenant of ISHA, nor lives within the vicinity of one of ISHA's properties or estates.

3. Definition

ISHA has adopted the definition of racist incidents put forward by the MacPherson (Stephen Lawrence enquiry) Report:

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

This definition means that if anyone the victim, a witness, another agency (such as the Police), or an ISHA staff member perceives an incident as racist, it should be recorded as such.

Racial harassment can be suffered by individuals or groups because of their colour, race, religion, ethnic, cultural or national origins. There may be other groups suffering such harassment. Acts of harassment include (but are not limited to):

- Discriminatory behaviour or language
- Hate crime
- Actual or threatened violence
- Abusive or insulting words or behaviour
- Actual or threatened damage to another person's home or possessions
- Writing threatening, abusive or insulting graffiti or written material
- Behaviour that interferes with the peace, comfort or convenience of others

It can also include assaults on people and property that includes arson and murder.

Harassment can occur as an isolated incident or a series of incidents. However, legal action against most types of harassment can usually only be taken where there has been a series of incidents. Legal action against hate crime can be taken after only one incident, Behaviour that comes under the category of hate crime includes:

- Verbal and physical abuse
- Assaults
- Criminal damage
- Vandalism
- Hate mail
- Violence and threats of violence

Hate crime is taken to mean any crime where the perpetrator's prejudice against an identifiable group of people is a factor in determining who is victimised. Hate crime can have a devastating effect on the quality of life of its victims, those who fear becoming victims and the community, and the police are required to give it priority.

An incident should be treated as racial harassment if it causes:

- Alarm;
- distress;
- intimidation/insecurity;
- and is racially motivated and/or
- is perceived as racially motivated by the victim.

4. Policy objectives

4.1. A victim centred approach

ISHA will adopt a victim centred approach in dealing with racial incidents and harassment. An initial incident will be accepted as harassment if so defined by the victim or another person until further investigations prove otherwise. This does not assume the alleged perpetrator is immediately assumed to be guilty.

ISHA will work with local agencies to help provide support for victims of racial harassment. Racist graffiti will be removed and emergency repairs carried out within 24 hours of an incident being reported. ISHA will keep the victims of racial harassment updated with what action is being taken.

4.2. Tenancy Agreement / Lease Agreement

The tenancy agreement states that residents must not harass or threaten to harass or use or threaten to use violence or intimidate a person in the local area on the basis of their race, colour, ethnic origin, nationality, age, sexuality, religion or disability.

4.3. Investigation

All reported incidents of racial harassment however isolated, will be investigated in accordance with the Racial Harassment Procedure. (See Racial Harassment Procedure document).

4.4 Action against the perpetrator

ISHA will as far as possible take action against the perpetrator of harassment rather than moving the person affected by it. If the perpetrator is a tenant of ISHA, action can be taken to enforce the tenancy agreement. In serious cases, this could mean possession action or a court injunction. If a criminal offence has been committed ISHA will, where appropriate refer the matter to the Police for them to deal with it.

4.5. Sharing information

ISHA will co-operate and share information on racist incidents with local partner agencies such as the Police and the local authority community safety team to ensure the full range of criminal and civil remedies can be pursued.

ISHA will also co-operate with other local agencies to ensure that people are encouraged and able to report racist incidents in the confidence they will be recorded and investigated.

4.6. Confidentiality

Information passed by the complainant will be treated as confidential at all times and only passed to external agencies with their prior consent.

4.7. Transfers

Transferring a victim to resolve a case of harassment will be considered with caution because if it is not done in a sustainable way it will not tackle the root cause(s) of the problem. However, in certain circumstances it should be considered as a viable option. In all circumstances the Tenancy Services Manager in conjunction with the Revenue, Allocations and Performance Director will assess the application to see whether it can be awarded an urgent priority in accordance with ISHA's Allocations and Lettings policy.

4.8. Re-letting void properties

ISHA will employ a sensitive approach to re-letting a property that is void as a result of a tenant being transferred to escape harassment.

5. Training

ISHA will offer appropriate training to staff to ensure they are able to deal effectively with racial harassment cases as part of the equalities and diversity training that all staff receive.

6. Appeals

Where an individual is dissatisfied with the response of ISHA to their situation, they may make a complaint through the formal complaints process.

7. Related Documents

The procedure for dealing with incidents of racial harassment can be found in the document entitled 'Racial Harassment Procedure'. This policy is closely related to:

- Anti-Social Behaviour Policy
- Domestic Violence Policy
- Equality & Diversity Strategy
- Confidentiality Policy

8. Monitoring and Review

ISHA will seek to adopt good practice in managing racial harassment reports.

Statistical information on racial harassment will be recorded and reported to residents in the Anti-Social Behaviour section of the local performance indicators.

The policy will be reviewed every three years unless changing circumstances or an incident triggers an earlier review.

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November 2010