



**Our vision is  
"to deliver excellent Housing Services"**

# **Anti - Harassment Policy**

**Newark and Sherwood Homes  
Limited**

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# 1 Introduction

Newark and Sherwood Homes provides a management service to all tenants and leaseholders of Newark and Sherwood District Council (NSDC). This Anti – Harassment policy is one of many implemented in line with our vision “to deliver excellent Housing Services” and is further supported by the core values which underpin the work we do: -

- Delivering Excellence
- Making Positive Improvements
- Sharing Information
- Customer First
- Valuing Everyone

The promises captured in this policy are supplemented by a number of Newark and Sherwood Homes strategies and policies:-

- Access and Customer Care Strategy
- Equalities & Diversity Strategy
- Anti – Social Behaviour Policy
- Domestic Violence Policy

All of which can be accessed by contacting The Customer Access Team on 0845 2585550 and via our website [www.nshomes.co.uk](http://www.nshomes.co.uk)

## 1.1 Policy Statement

Newark and Sherwood Homes (NSH) values the diversity of all residents living within the district, and acknowledges their rights, and that of visitors to their home, to enjoy quiet enjoyment within their homes and communities. This anti – harassment policy outlines our commitment to ensure that these rights are upheld and residents can live without fear of abuse, intimidation, harassment, humiliation or attack regardless of age, ethnicity, disability, gender, sexual orientation or religious belief.

We are committed to supporting people who find themselves in situations where harassment and hate crime is occurring; we will do this indirectly under a strategic approach in conjunction with Newark and Sherwood District Council and directly by working with our partners as detailed within section 4 of this document. The combined approach will enable Newark and Sherwood Homes to be an integral part of a multi agency team working to a standard and consistent level of professional service delivery for all victims of harassment and hate crime.

Within any such policy consideration must be given to the challenges victims face regarding their housing needs and an acknowledgement that in all cases the course of action should be driven by the victim, with their safety as the leading factor.

This policy outlines our objectives and approach to tackling hate crime and harassment. A summary of this policy is available.

## 1.2 Policy Objectives

Newark and Sherwood Homes will: -

- Recognise the seriousness and the effects on individuals and their families of harassment and hate crime and will take a victim centred approach when dealing with incidents. Where the victim/complainant believes that the incident is motivated by reasons of harassment or hate crime the investigation will begin from that premise.
- Take action against tenants, leaseholders and residents who it has grounds to believe are carrying out incidents of hate crime and/or harassment.
- Support and encourage complainants and/or witnesses to report incidents of hate crime and/or harassment to the Police.
- Ensure that all its tenants and prospective tenants are aware of the Condition of Tenancy relating to harassment and the likely consequences if this Condition is breached by either themselves, members of their household and/or visitors to their home.
- Ensure that officers who deal with complaints of hate crime and/or harassment are trained to enable them to deal effectively with incidents that are reported to NSH and are kept up to date with good practice and new legislation.
- Work closely with other organisations for example the Police, the Anti Social Behaviour Team at Newark and Sherwood District Council, Community Cohesion Forum to support the aims of this policy in the dealing with and the prevention of incidents of harassment and/or hate crime.
- Offer advice and support to complainants and witnesses of hate crime and/or harassment.
- Make every effort to take action, which will result in the permanent cessation of the reported hate crime and/or harassment without recourse to legal action. However where there are serious incidents of hate crime and/or harassment NSH will take appropriate legal action either alone or in conjunction with other agencies.
- Assist tenants and leaseholders experiencing harassment and/or hate crime to live in safety
- Ensure that tenants and leaseholders are given appropriate and accurate advice regarding their housing options, including any legal rights and responsibilities
- Consider each case on an individual basis
- Ensure that access to services is available to all sections of the community regardless of age, gender, disability, race, religious belief, or sexual orientation.

## 2. Harassment & Hate Crime

The following definitions are intended to assist officers in the identification of incidents of harassment and hate crime.

Newark and Sherwood Homes has adopted the following definition of racial harassment, from the Stephen Lawrence Inquiry:

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

In law, harassment is defined as:

“unwanted conduct which has the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment “

Harassment can take many forms:

- Physical assault
- Damage to property
- Offensive graffiti
- Offensive jokes or comments
- Arson or attempted arson
- Verbal abuse
- Threatening and abusive behaviour
- Malicious complaints
- Noise nuisance
- Nuisance telephone calls
- Malicious and/or anonymous letters
- Bullying

This list is not exhaustive or comprehensive but is meant to provide guidance.

### Hate Crime

A hate crime is any incident committed against a person or property that the victim or any other person believes is motivated by the offender's hate against the victim because of their age, ethnicity, disability, gender, sexual orientation or religious belief.

Hate crime is a severe form of harassment, which goes beyond causing offence or hostility – a criminal offence.

Some forms of harassment may precede a hate crime.

### **3. The Scope of the Policy**

Harassment and hate crime occurs across society, and these acts are committed against a person or people because they belong to a certain group. The group is identifiable by a particular characteristic i.e. age, ethnicity, disability, gender, sexual orientation and religious belief.

Locally Newark and Sherwood experiences a relatively low level of crimes of this nature, and the numbers remain static.

Area	April – Aug 2006	April – Aug 2007
Newark and Sherwood	24	24
Bassetlaw	50	60

(Figures taken from the Hate Crime Forum)

This policy applies to:

- Women
- Men
- Children
- Less able bodied tenants and leaseholders

This list is definitive yet not exhaustive

The scope of this policy does not extend to:

- General anti-social behaviour or domestic violence; incidents of these nature will be dealt with through Newark and Sherwood Homes' Anti – Social Behaviour Policy and Domestic Violence Policy.
- Harassment and/or hate crime involving employees; this will be addressed with the support of Newark and Sherwood Homes' Human Resources Team and company staff policies.
- Incidents of harassment and/or hate crime where both the victim and the alleged perpetrator are not council tenants; these will be dealt with by Newark and Sherwood District Council's Anti – Social Behaviour Team and the police.

### **4. Partnership Working**

Newark and Sherwood Homes is an active partner within the Newark & Sherwood Community Cohesion Forum, which in turn is a strand of the Local Strategic Partnership. The Community Cohesion Forum meets on a regular basis and encompasses equality and diversity issues from around the district. Membership of the forum includes: -

- Nottinghamshire Police
- Newark and Sherwood Homes

- Newark and Sherwood District Council
- Churches Together in Newark & District
- Nottinghamshire Common Monitoring Project
- Nottinghamshire County Council
- Southwell Diocese
- Bassetlaw, Newark and Sherwood Community Safety Partnership
- Nottinghamshire Fire and Rescue Service
- Nottinghamshire Racial Equality Council
- Victim Support

Newark and Sherwood Homes is also working in partnership with the Police as part of the Hate Crime Forum. This is an operational group where all incidents in the area are recorded and discussed. Trends are highlighted and appropriate actions/programmes are put in place. Membership of the Hate Crime Forum includes: -

- Nottinghamshire Police
- Newark and Sherwood Homes
- Crime Reduction Team
- Newark and Sherwood District Council ASB Team
- Bassetlaw, Newark and Sherwood Community Safety Partnership
- A1 Housing
- Victim Support
- Nottinghamshire Common Monitoring Project

This multi-agency approach, including data sharing and analysis of trends, informs the strategic overview and service delivery for all agencies. It also allows Newark and Sherwood Homes to identify any potential community flashpoints and where victims or perpetrators are living in houses managed by the company to take the appropriate course of action.

## **4.1 Housing options through partnership working**

Working with partners Newark and Sherwood Homes can offer a variety of housing options to victims of harassment and hate crime: -

- Anyone experiencing harassment and/or hate crime has the option to be temporarily housed in emergency accommodation supplied by Newark and Sherwood District Council. The decision to move is not an easy one for the victim to take and therefore all agencies should deal sensitively with this issue. The Housing Options Team at Newark and Sherwood District Council would take the decision whether it is reasonable for the victim to continue to occupy their home, and if not, under the duties of the Homelessness Act 2002 the provision of either temporary or permanent accommodation is given to those in priority need.
- Under homeless legislation anyone fleeing violence can approach any authority for assistance.
- In certain circumstances, where investigations demonstrate that a move to another part of the district would alleviate the violence and result in no loss of tenure security, a

management transfer can be arranged by the housing provider; in this case by Newark and Sherwood Homes. The decision to take this course of action is taken by a senior manager with supporting evidence from the Police.

- In certain circumstances, tenants and leaseholders experiencing harassment and/or hate crime may prefer not to contact Newark and Sherwood Homes but a voluntary or community organisation instead. Partnership working allows this support to be made available regardless of the route taken to access it.

## **5. Legislative and Statutory Duties**

The legal framework for dealing with incidents of harassment and/or hate crime is contained within the following legislation:

- Protection from Harassment Act 1997
- The Race Relations Act 1976 (Amendment Act 2000)
- The Sex Discrimination Act 1975
- The Disability Discrimination Act 1995 (Amendment of the regulations Act 2003)
- Crime and Disorder Act 1998
- Anti Social Behaviour Act 2003
- Housing Act 1996
- Housing Act 2004 – Gypsy and Travellers
- The Gender Equality Duty
- Human Rights Act 1998
- Immigration and Asylum Act 1999
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Disability Right Discriminations Act 2004
- Public Order Act 1986 (incitement to religious hatred)
- Equality Act 2006

Newark and Sherwood Homes will work with partners to ensure that all actions taken to support victims will comply with all legal requirements. In line with the Crime and Disorder Act 1998 information can be shared between partners for the purposes of reducing crime and disorder, under section 115 of the Act.

## **6. Service Provision**

What you can expect from Newark and Sherwood Homes;

- We will arrange for you to speak to a member of staff in private and in a safe environment
- We will be honest and realistic about the services Newark and Sherwood Homes can provide.

- We will work with you to establish what your needs are and respect that no action may be requested.
- We will be supportive but let any decisions be your own.
- Where a decision is made to report the incident to the police we will again offer support, and attend the initial meeting if required and if possible.
- We will consult with NSDC Housing Options Team, and arrange joint interviews where appropriate
- We will have staff that is adequately trained to deal with harassment and hate crime.

Newark and Sherwood Homes identifies harassment as a breach of tenancy conditions, and will deal with this breach in line with standard procedure. It is detailed in the tenancy agreement: -

4.2 You must not harass nor racially harass any other person, including officers of the Council or Newark and Sherwood Homes. Harassment includes, but is not limited to:

- violence or threats of violence, including domestic violence and **racial violence**;
- abusive or insulting words or behaviour;
- damage or threats of damage to another person's property or home;
- writing threatening, abusive or insulting graffiti;
- doing anything likely to interfere with the peace or comfort of any other person;
- inducing or allowing any other person to do any of the above things.

When dealing with harassment and hate crime and tenancy issues consideration should be given to the following: -

- The safety of the victim
- Are there any children involved?
- Is it a joint tenancy?
- The provision of accommodation for the victim
- What support networks does the victim have, and where are they situated?

The establishment of all these facts will assist in the decision making process and highlight the fact that legal advice may well be a priority.

## **7. Monitoring**

The Tenancy and Estate Team will record all incidents of harassment and/or hate crime in line with standard reporting procedures. Where cases of harassment and/or hate crime are reported a housing officer will attempt to make contact and/or make arrangements for an interview as soon as possible. In cases where a third or independent report is received the same process will be applied. In all cases of harassment and/or hate crime a monitoring form will be filled in and this then is fed into the Community Cohesion Forum. The collection, management and sharing of this data will assist in the future development of effective strategies for dealing with harassment and/or hate crime. This will also provide a tracking system where repeated victims and perpetrators can be identified.

The Hate Crime Forum also provides a monitoring tool where incidents are reported via the Police.

Newark and Sherwood Homes will monitor: -

- The number of harassment and/or hate crime incidents reported
- The ethnic background of victims and perpetrators
- How many cases lead to legal action
- Level of satisfaction with services provided by Newark and Sherwood Homes.

This monitoring information will be shared with both the Community Cohesion Forum and the Hate Crime Forum. This information will also be captured via the standard reporting mechanisms adopted by Newark and Sherwood Homes.

## **8. Policy Review**

The Customer Services Director (or designated other) will instigate the review of this policy on a three yearly basis, and any associated documents.

An additional review process may be required following: -

- New legislation
- Emerging best practice
- Case law affecting the rights of victims and/or perpetrators
- Day to day operational issues

Any review which takes place will be done in conjunction with partners to ensure compatibility with existing strategies and service development.

This policy has been subject to an equality impact assessment which is available on request. Please contact Newark and Sherwood Homes on 01636 687888 or Mrs J Davidson; details in section 9.

## **9. Comments on the Policy or Service**

If you wish to comment on this Policy or the service you should do so in the first instance by writing to: -

The Estates Manager – Mrs J Davidson  
Newark and Sherwood Homes  
Kelham Hall  
Newark-on-Trent  
Notts  
NG23 5QX

Or by making any comments/complaints through the 'Housing Matters or Complaints Matter' procedure, you can do this by completing the necessary form, emailing us at

[housing@nshomes.co.uk](mailto:housing@nshomes.co.uk) or visiting our website at [www.nshomes.co.uk](http://www.nshomes.co.uk) .The issues raised will then be investigated and a reply sent in writing.

If you would like this document in another language or format, or if you require the services of an interpreter, please contact us.



Prosimy skontaktować się z nami, jeśli chciał(a)by Pan(i) uzyskać ten dokument w innym języku lub formacie albo też potrzebuje Pan(i) skorzystać z usług tłumacza ustnego.

(Polish)

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(Mandarin)

Se gostaria de ter este documento noutra idioma ou formato, ou se necessita de um intérprete, contacte-nos.

(Portuguese)



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