

STOKE-ON-TRENT CITY COUNCIL



City of  
**Stoke-on-Trent**

**Hate Crime Policy**  
**(Housing)**

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## **1. Purpose**

Stoke-on-Trent City Council (the council) recognises that hate incidents/crimes can significantly harm individuals living in the council's housing stock, affecting both individual victims and the broader community where such incidents occur. Housing Services plays an important role in reducing hateful behaviour and supporting those affected. This policy sets out the council's approach to addressing hate incidents/crimes, whilst complementing the council's Anti-Social Behaviour (ASB) Policy.

This policy also sets out the service and standards that the council's Housing Services section will provide to ensure that a consistent and fair approach around hate incidents/crimes is delivered to:

- Tenants of council-owned properties or their visitors that experience hate incidents/crimes perpetrated by those living in or visiting the council's properties.
- Individuals who do not reside in the council's properties but are subject to hate incidents/crimes by tenants or visitors to its properties at the time.
- Individuals whose hate-motivated actions directly impact the council's housing management functions.
- Leaseholders within council accommodation

## **2. Key principles and service standards**

2.1 The council is committed to achieving the highest possible standards in the services it delivers and to provide its tenants with a firm commitment to tackling hate-related behaviour. This policy establishes the council's leadership, accountability and collaborative approach with local agencies to prevent and address hate incidents.

The key principles of this policy include:

- To deter and tackle hate incidents/crimes
- Set out a clear approach on how to tackle hate incidents/crimes.
- Encourage and support victims to report hate incidents/crimes and make the process easy for them to report such issues.
- Take prompt and appropriate actions in response to any hate incidents/crimes
- Demonstrating strong leadership and a commitment to prevent hate incidents/crimes.
- The council taking a 'victim-centred' approach when responding to cases of hostility or prejudice against an identifiable group of people. If the victim feels the case is motivated by hate it will be treated as a hate incident. The perception of the alleged victim will be used as a starting point to help focus the investigation.

- Promoting fair and equal treatment for everyone and to improve relations and understanding among individuals regardless of whether they share protected characteristics or not.
- To provide services that follow the principles and deliver on the commitments set out in our Tenants' Charter.
- Ensure the statutory and regulatory responsibilities set out by the Regulator of Social Housing are met.
- To refer victims to local agencies providing support and assistance.

The council will set out the following service standards that outline our responsibilities:

- Intervene to prevent hate incidents/crimes and mitigate their effects where possible.
- Investigate and take action whenever it has sufficient evidence and it is appropriate to do so.
- Offer support to individuals affected by hate incidents/crimes ensuring their immediate and on-going needs are met.
- Raise awareness of hate-related support across the council's housing services
- Implement training for housing staff and contractors to ensure that they are well equipped to provide support, offer early intervention and prevention measures.

2.2 People who live in our properties will be involved in the discussion about setting the key principles and standards at the very early stages of the policy to ensure that they have full influence over development.

### **3. Legal and Regulatory Framework**

#### 3.1 Hate Incidents and Hate Crimes

##### Hate Incidents

A Hate incident is any incident which is perceived by the victim or any other person to be motivated by hostility or prejudice based on race, religion, disability, sexual orientation and transgender identity. Not all Hate incidents will lead to criminal offences. When hate incidents become criminal offences they are known as Hate Crimes. When investigating hate incidents, consideration will also be given to other prejudices that do not fit within the main characteristics.

## Hate Crime

The Council will adopt the Police and the Crown Prosecution Service definition for hate crime:

"Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity."

### **3.2 Laws on Hate Crimes in the UK**

3.2 This Policy has been informed by the legal and regulatory framework for tackling hate crime, including (but not limited to):

- Equality Act 2010
- Crime and Disorder Act 1998 (Sections 28-32) made Race and Religiously motivated crimes specific offences (e.g. racially aggravated ABH).
- Criminal Justice Act 2003
- Data Protection 1998 and General Data Protection 2018
- The Social Housing (Regulation) Act 2023
- The Regulator of Social Housing's Consumer Standards and Code of Practice

## **4. Impact assessments**

Impact assessments have been considered and applied when developing the policy with particular considerations applied to the areas described below:

### **Equality impact**

The council recognises that it provides housing for communities which include wide social diversity and is committed to providing equal access to services.

This policy aims to treat all customers fairly, with respect and professionalism. In line with the duty placed on the local authority under the Equalities Act 2010 specific consideration of the impact of this policy has been given to people with protected characteristics, including gender, race, age, disability, religion, sexual orientation and marital status. The approach adopted within this policy focuses on understanding individual circumstances in order to provide appropriate advice and support; this includes understanding the needs of tenants who have protected characteristics. Consideration will therefore be given to language barriers, accessibility and cultural issues which may affect a tenant's ability to manage their tenancy or seek advice on problems, and resolutions which take account of the individual's beliefs and abilities.

The council will enable all of its tenants to have clear information and equal access to available services and information in a range of appropriate languages and formats and will be provided when requested. This policy has been designed to be fully inclusive regardless of the ethnicity, gender, sexuality, religious belief, or disability of service users or residents. The Equality Impact Assessment will be reviewed as part of reviewing the policy document in order to inform any changes that may be required.

From time to time the council may ask tenants to provide details of their gender, age, religion, disability, ethnicity and sexual orientation in line with the protected characteristics identified within the Equalities Act 2010 to help the council to deliver more effective, appropriate and inclusive policies and practices. All data collected is kept securely, used only for monitoring purposes and is de-personalised at the point of analysis to protect the individual's privacy.

## **5. Policy detail**

5.1 This Hate Crime Policy affirms the council's commitment to deal with all incidents of hate incidents/crimes. It is the policy's intention to ensure that no one should live in fear of hate related behaviour. The council aims to ensure that its homes and its communities are great places to live in and to demonstrate that it values and promotes diversity.

### **5.2 Reporting a Hate Incident**

#### **5.2.1 Reporting to the Council**

The council's contact centre (01782 234234) is the main point of contact to report hate incidents. Following this, the Anti-Social Behaviour Team will be contacted who will allocate an officer. If the victim does not want to report the incident to the council themselves, they can ask a friend or relative to do it on their behalf. If English is not their first language and they wish to report a hate incident, the council can provide a telephone or in-person interpretation facility for many languages and formats.

Hate incidents can also be reported online to the council at [Report Antisocial Behaviour | Report Antisocial Behaviour \(stoke.gov.uk\)](#).

#### **5.2.2 Reporting to the Police**

Hate incidents and/or hate crimes, including social media hate crimes, can be reported to the Police, especially if the situation escalates to violence or becomes heated. If someone is in immediate danger and requires support, call 999.

People with hearing or speech impairment can use the Police's textphone service 18000 or text them on 999 if they are pre-registered, with the [emergency SMS service](#).

You can also report hate incidents/crime on line to Staffordshire Police if you have been a victim of or witnessed an incident by completing the on-line reporting form, via True Vision, a web-based reporting system <https://www.report-it.org.uk/>. True Vision provides lots of information on reporting hate crimes and incidents.

To report by phone, call **101** the Police's national, non-emergency telephone number is staffed 24/7 to give you support and advice.

Hate incidents/crime can also be reported in person at a police station. The Police can provide a safe and comfortable environment at any of their police stations.

### 5.2.3 Recording hate incidents/crimes.

It is recognised that there is an issue of under-reporting and under-recording of hate incidents. Many incidents go unreported and others may not be recorded as hate-related harassment. Housing Services will encourage victims and witnesses to report all incidents or potential incidents of hate incidents/crimes by publicising and promoting its policies and procedures and offering appropriate support. It will raise public awareness of its commitments to combatting hateful behaviour and ensure that the council's services are tailored to the needs of individuals and the community. It will ensure that publicity material is accessible to ensure that it meets the needs of all users including providing material which is translated.

Effective publicity will:

- Increase confidence in individuals and communities to report incidents.
- Send a strong message that hate incidents/crimes will not be tolerated.
- Highlight the council's commitment to deal with perpetrators, thus deterring others.

All hate incidents/crimes will be accurately recorded, thoroughly investigated and monitored in line with this policy. The council recognises that reports may come from a third party, including witnesses to an incident, individuals who have heard of or been informed about an incident that has occurred or is imminent, or those who have observed evidence of such an incident. The council is committed to investigating all incidents reported to it. Third party reporters may include friends, neighbours, and relatives, community leaders, including religious leaders or concerned members of the public.

### **5.3 Investigating hate incidents and crimes**

The council will make a distinction between reports of general anti-social behaviour and hate incidents. It will direct reports of hate incidents to its Anti-Social Behaviour

Team who will investigate the case in a sensitive and professional manner. The Anti-Social Behaviour Team have experienced and trained officers who will investigate hate incidents with their Team Managers, monitoring all cases to ensure effective handling of cases. Initially, the team will contact complainants to obtain detailed information by the next working day in all cases of receiving a complaint.

Where appropriate, victims will be encouraged by the Anti Social Behaviour Team to report the hate crime to the relevant agencies (i.e. The Police). If victims are unable to self-report, staff are trained to report incidents on their behalf.

The victim will be informed about what action the council will be taking and an indication of how long the process may take.

The council will keep the victim up to date with its actions and ensure that it speaks with them at least once a week while the incident is open and being investigated.

Police will be the lead agency to investigate any Hate Crime and the council will work with them to ensure that any response to requests for support and action are dealt with appropriately and in a timely manner.

The Council may liaise with any other relevant agencies involved, such as requesting copies of reports, or forwarding information as required. The Council is committed to referring any hate incidents/crime cases to United Staffordshire Against Hate (see section 5.4.2) who can provide information, emotional and practical support. The sharing of personal information will be in line with the council's Data Protection policies and with the complainants' express permission.

The city council's Community Cohesion Manager will be made aware of each report of hateful behaviour to ensure that responses to incidents can be monitored and followed-up, and escalated, if required, to a more senior level in Housing Services.

The council's Community Cohesion Team will:

- Work with housing services to provide interventions as required to address hate and cohesion issues in neighbourhoods and estates.
- Act as the point of contact for Housing Services on internal advice and support.
- Work with tenants from diverse backgrounds to identify and remove barriers to hate incident reporting.

Following its investigation, if the council find the incident was not motivated by hate, it will explain its conclusion to the victim. The council will also treat any future report from the victim as hate if the victim reports it as such.

When alleged preparators are identified as residing in or visiting council properties, the council will use a range of tools and measures to investigate and address hate-related behaviour effectively and proportionately.



In instances where individuals are identified as residing in or visiting council properties and have been charged and convicted of a hate crime, the council will seek legal advice to determine the appropriate course of legal action in relation to their tenancy.

## **5.4 Supporting Victims of Hate**

### **5.4.1 Support Offered**

The council will adopt a victim-centred approach when handling reports of hate related behaviour. Incidents are treated based on the victim's perception, not the councils. A hate incident and/or hate crime is defined by the victim's perception, thus, if the victim feels the incident was motivated by hate, then it will be recorded and investigated as such.

If the victim or the person responsible for the incidents has any support needs, or vulnerabilities, these will be discussed in a sensitive manner, and the case officer will encourage engagement with appropriate support services by making referrals and signposting the person to the appropriate specialist agencies, including independent forms of support and advocacy.

The council will further support victims by:

- Referring cases to United Staffordshire Against Hate
- Give consideration for management transfers on the grounds of harassment fairly and sympathetically where this is a helpful resolution of the case.
- Invest in the use of CCTV equipment to assist in evidence gathering that is admissible in court if necessary.
- Where necessary improve security, helping to protect vulnerable residents in their homes i.e. window locks, fireproof letterboxes, door entry systems.
- The council will remove racist or offensive graffiti from HRA communal land and areas within 24 hours of it being reported to us.
- Where damage has been caused to the customer's home, the council will ensure prompt action is taken immediately. If the individuals who caused the damage or graffiti are fully identified, then appropriate action to recover costs will be taken immediately.

### **5.4.2 United Staffordshire Against Hate**

There is a free, specialist support service called United Staffordshire Against Hate (USAH) which provides information, emotional and practical support to all victims of Hate driven crime or incidents.

This service is for people who either live in Staffordshire or who were targeted when visiting the area on more than two occasions.

To access support, you do not need to have reported an incident to the police.

### What USAH offer

USAH aim to help victims recover from hate related experiences and from any harm caused as a result; they can help victims:

- To report the crime to the police.
- Liaise with the police and other key agencies.
- To exercise the victim's rights as determined by the Victims Code of Practice.
- To access Restorative Justice.
- To address any financial, emotional or practical issues a victim may have as a result of what has happened.
- To understand what will happen if your case goes to court and to support you through this including attending court with you.

### What happens when you contact Uniting Staffordshire Against Hate?

- When a victim contacts USAH, a member of the team will take the time to listen and talk with the person about their experience so they can understand how they have been affected and what help may be needed.
- They will assess the victim's support needs and provide answers to any immediate questions the individual may have.
- They can also allocate a Victim Care Coordinator if needed, who will provide the victim with both face to face, practical and emotional support through a difficult time.

Further information, advice or support from Uniting Staffordshire Against Hate can be accessed by calling them on **0330 0881 339**.

Alternatively, a Self-Referral form can be completed at [contact-us | Uniting Staffordshire Against Hate \(usah.co.uk\)](#).

## **5.5 Partnership working**

The council recognises that some types of hate related behaviour, including hate crimes cannot be effectively tackled without collaborative working relationships. It will work closely with the Police, the Community Safety Partnership and other landlords to develop strategies and initiatives which respond to, and reduce the incidence of hate related behaviour

The council is involved and does contribute to local partnership meetings to identify solutions to prevent incidents of hate related behaviour, to raise awareness of how to report hate incidents, to ensure that it protects people who are experiencing hate related behaviour and to challenge those who are responsible for it.

## **5.6 Staff Training**

All staff dealing with incidents of Hate will be given the training required to be able to fulfil the responsibilities found within this policy. Staff will be trained to recognise hateful behaviour and ensure that they are able to make use of the most appropriate response and service in dealing with victims and offenders.

The council expects (but not limited to) the following staff to attend training:

- Housing Officers and Estate Officers.
- Tenant Relation Officers.
- Anti-Social Behaviour Officers.
- Housing Needs Officers and Void Co-ordinators.
- Contact Centre staff.
- Repairs and maintenance staff as identified and contractors.

## **6 Financial Implications**

6.1 There are no financial implications arising directly from this policy.

The council is one of three joint funding partners (together with Staffordshire County Council and the Police, Fire and Crime Commissioner) of the United Staffordshire Against Hate (USAH) support service, which operates across the whole of Stoke-on-Trent and Staffordshire. The service is available to all victim of hateful behaviour hence no additional funding is required to deliver the requirements of this Policy.

No additional funding is required to deliver training for professionals, as set out in Section 5.6 as this is included within the USAH service and the councils Learning & Development programme.

The support provided to victims by council employees, as defined above, will be undertaken as part of those employees existing roles, no additional funding is required to deliver this support.

## **7. Consultation**

Consultation on this draft policy will include the following groups:

- Cabinet Members and Portfolio Holders
- Members of the Tenant Voice
- Council Teams, including Housing and Community Safety
- Partner Agencies

## **8. Safeguarding & Confidentiality**

### **8.1 Safeguarding**

The council operates a harm-centred approach when dealing with reports of hate related behaviour, and where a victim/complainant and/or perpetrator is assessed as

vulnerable, for example is isolated/has poor mental or physical health/has support needs, will offer support as well as signposting to other agencies. Where Safeguarding concerns are identified, then staff should refer to the council's Children and Adults Safeguarding policies and act in accordance with guidance set out in these policies.

## 8.2 Confidentiality

The council will always treat any sensitive or personal information given to us as confidential in accordance with the Data Protection Act 1998 and the General Data Protection Regulations (GDPR) 2018. It will only pass this information onto third parties such as statutory organisations if:

- It is required by law to do so - either for the prevention or detection of crime or the apprehension or prosecution of offenders.
- There is an information/data sharing protocol, contract or confidentiality agreement in place.
- The person who gave us the information is happy for us to share the information.

Council employees will always respect confidentiality and will not share any information given in confidence unless justified by the assessed risk to the vulnerable person or required by law. Confidentiality will be discussed with the customer where there are safeguarding concerns or alerts and an explanation will be given that this information may need to be shared with other people in order for the situation to be resolved.

## 9. Links to Other Policies

In implementing this policy, Housing Services will pay due regard to relevant policies and strategies specifically:

- City of Stoke-on-Trent - Community Cohesion Strategy.
- City of Stoke-on-Trent - Community Safety Strategy.
- City of Stoke-on-Trent - Equality and Diversity Strategy.
- City of Stoke-on-Trent - Anti-Social Behaviour Policy.
- City of Stoke-on-Trent - Tenancy Management
- City of Stoke-on-Trent - Estate Management Policy.
- City of Stoke-on-Trent - Allocations Policy.
- City of Stoke-on-Trent - Repairs and Maintenance Policy.

## 10. Measuring Performance

10.1 The council will monitor and learn from the feedback it receives about how it manages and responds to hate related cases to ensure a high standard of its

services. Performance in relation to the implementation of this policy will be monitored through the department's performance framework, to include but not limited to:

- Number of new hate related cases arising including by type and locality.
- The use of legal action.
- The use of non-legal actions.
- Equality and Diversity indicators.

The council will feedback to tenants using the principles set out in the Housing Customer Engagement Strategy which will provide assurance of its compliance with this policy and allow people who live in its properties to make recommendations on how they can make changes to the policy.

10.2 If residents feel that their case or report of hate incident/crime has not been handled correctly in accordance with this policy, they can follow the council's Corporate Complaints Procedure.

## **11. Policy Review**

The Hate Crime Policy will be reviewed on a 5-year cycle dependant on any significant changes in legislation and or regulatory changes or good practice requirements.

## Key Contacts

For comments or complaints about a service contact the Customer Feedback Team:

- Online form: <https://www.stoke.gov.uk>.
- email [customer.feedback@stoke.gov.uk](mailto:customer.feedback@stoke.gov.uk).
- Telephone: 01782 235921.
- Post: Customer Feedback Team, Stoke-on-Trent City Council, Floor 2, Civic Centre, Glebe Street, Stoke-on-Trent, ST4 1HH.

For comments in relation to this policy and its development contact the Regulatory and Strategic Services Team:

- Email: [housing.strategy@stoke.gov.uk](mailto:housing.strategy@stoke.gov.uk)

For further information on how to influence policy development, contact the Tenant Involvement Team:

- Email: [tenantinvolvementteam@stoke.gov.uk](mailto:tenantinvolvementteam@stoke.gov.uk)
- Telephone: 01782 235916 (office hours only)