



East Midlands Housing



Racial Harassment Policy – Housing Services

East Midlands Housing (EMH) is committed to placing equality and diversity at the heart of our business. EMH recognises that racial harassment is a most brutal form of prejudice. We will not tolerate, in any circumstances, any form of racial harassment.

This document sets East Midland Housing's policy for dealing with racial harassment, for all our residents, including all tenants, shared owners, leaseholders, licensees and members of their households and visitors.

Aim of this policy

- To encourage the reporting of harassment
- To support the people experiencing racial harassment
- To introduce measures to prevent further harassment
- To take action against the perpetrators of harassment
- To promote where possible participation in multi-agency arrangements- working with local authorities, other housing associations, community groups and multi-agency panels
- To encourage tenants' and residents' groups to support complainants and give evidence of harassment
- To monitor the effectiveness of the action we take
- To promote awareness of the multicultural diversity of EMH tenants to colleagues and tenants

All staff have a duty to implement this policy. If racial harassment does occur it must be dealt with in accordance with this policy and the accompanying procedure guidelines.

The Associations' definition of racial harassment:

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

Taken from: Report of the Stephen Lawrence Inquiry - Macpherson

It does not matter whether the behaviour is deliberate or unintentional it is whether is perceived as racial harassment by the victim.

Racial harassment may include but is not limited to:

- Racial/racist abuse – verbal abuse, threats or insults
- Racially abusive behaviour –inciting others, spitting etc
- Personal attacks – on persons, friends or relatives
- Damage to property – arson, graffiti, homes, vehicles, etc
- Circulating racist materials – internet, badges, leaflets, etc

As an organisation we are also committed to following the Home Office code on reporting and recording racist incidents.

Harassment is a breach of East Midland Housing tenancy conditions. Our tenancy agreement states that tenants or anyone living with them or visiting must not harass others or be involved in threats of harassment.

When we can take action

If the victim and perpetrator are EMH residents we can take legal action if we have appropriate supporting evidence and the consent of the complainant.

We can only take *legal* action where the harassment is carried out by an East Midlands Housing resident. If a East Midlands Housing resident is the victim of harassment and the perpetrator is not a resident of ours we will offer advice, support, details of relevant support groups and assist with re-housing if required.

If the perpetrator is an EMH resident but the victim is not we will advise and support the victim. Then take appropriate action against the perpetrator based upon the evidence available.

The need for evidence of racial harassment is not intended to be unreasonable. However if, after investigation, there is no evidence to support the claim of racial harassment, the complainant will be informed.

Reporting racial harassment

All reports of harassment will be taken seriously. The resident reporting harassment will be dealt with in a sensitive way that shows an understanding of how they may be feeling. Their safety and security will be a priority.

Residents who wish to report a case of racial harassment should contact their housing officer or any another member of staff who they feel comfortable speaking to. They may contact an appropriate support agency.

We will;

- aim to visit the resident reporting a case of racial harassment within 2 working days
- with the complainants permission a detailed, accurate written account of the incident will made on a racist incident form, with our assistance. Translation will be made available where English is not a first language

- treat repairs to the property as urgent priority and taking photographs as evidence.
- advise the complainant of how we deal with cases of racial harassment. We understand that the complainant may well be fearful of the consequences of reporting an incident and we will clearly explain all the options available and what we can do.
- if the complainant wishes us to do so, we will refer the case to the police or another agency as soon as possible.
- provide racial harassment log sheet for the complainant to log any future incidents or facilities to make tapes to record incidents.
- let the complainant know the name of the member of staff who will be responsible for investigating the incident and ask if they require regular ongoing liaison.
- Offer to refer to or provide a list of organisations operating in the complainant's area that can provide additional support e.g. victim support, Police, Community Relations Council, citizens advice, Black and Minority Ethnic support groups.
- carry out an investigation and contact witnesses if the complainant gives permission for us to do so.
- ensure that the complainant is kept informed of how we are dealing with the complaint.
- where possible support the resident or vulnerable witnesses to live in their own home, when this is their wish. However, a transfer to alternative accommodation will be offered where there are no alternative options or if alternative options have failed.

Action against the harasser(s)

Action will vary depending on the severity of the incident, the outcome of our investigations and the wishes of the complainant. No action will be taken without the consent of the complainant. **This could include:**

- an injunction to prevent further incidents
- possession proceedings to evict perpetrators of serious and /or persistent racial harassment, where there is sufficient evidence to do so
- involving the police where criminal offences have occurred [there may be no option but to contact the police in serious cases].
- supporting the local authority and/or police in achieving an anti-social behaviour order where appropriate
- where the perpetrator is a member of the public or is unknown, victims will be offered support and advice to pursue the matter.

Steps to protect the people experiencing harassment

In consultation with the complainant we will provide additional security measures as necessary, such as

- fitting additional locks, fire or smoke detectors.
- using our links with other agencies we would seek to source other protection measures such as 24 hour care-line services if available.
- transfer either temporarily or permanently for their own and families health and safety. A temporary transfer would be elsewhere in EMH accommodation if at all possible.

Publicity

Our racial harassment policy will be promoted to residents to encourage them to report incidents and to let people know we will take action against residents who harass others. It will be publicised through the residents' newsletter, in a leaflet on dealing with racial harassment, the tenants and shared owners handbook and by making copies of this policy readily available. We will look to provide translations and in a cassette format

Working with other agencies

We will work with other agencies to support residents who have experienced racial harassment.

Where possible we will participate in multi-agency groups, usually as part of Crime and Disorder Partnerships, for preventing racial harassment.

Procedures and training

The Departmental Head (Housing, Maintenance, Asset Management and Supported Housing) or Manager (Development and the Customer Service Centre) are responsible for ensuring all staff receive training on this policy and understand and follow the full procedure document for dealing with complaints of racial harassment. We are committed to training on dealing with racial harassment. We will review this policy and procedure at appropriate intervals to ensure it is effective and we are working in accordance with latest practices.

Appeals system

Where a complainant or alleged perpetrator is dissatisfied with the decision, the speed of investigation or the way we handled the report of racial harassment, they may use the East Midlands Housing complaints procedure. Complaints should be addressed to the lead officer for Equality and Diversity issues:

Joanne Tilley, Head of Policy
East Midlands Housing Association
Jubilee House
Stenson Road
Coalville
Leicestershire
LE67 4NA

Monitoring the effectiveness of the action we take

All incidents of racial harassment will be monitored over a period of at least 12 months and we will maintain contact with and support all complainants. Quarterly reports on the level of incidents will be made to area committees. More detailed information will be presented to the Equality and Diversity scrutiny panel who will consider whether there are any implications for policy review.