



Hate Crime Policy

If you have difficulty with reading this policy, including any difficulties with sight or hearing, or if you require this document translated into another language, please contact us and we will be happy to provide this information in a format that suits your needs.

Our Vision, Our Mission, Our Values

Our Vision

Elderpark Housing will lead the way in delivering outstanding customer services and great places to live.

Our Mission

To provide quality, affordable homes and excellent services which place a focus on our customers and enhancing our communities.

Our Values



Equality and Diversity Statement

Elderpark Housing are committed to ensuring people or communities do not face discrimination or social exclusion due to any of the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex or sexual orientation.

This document complies with our Equality and Diversity Policy.

We will regularly review this Policy and consider any equalities implications taking the necessary action to address any inequalities (either directly or indirectly) that result from the implementation of this Policy.

Executive Summary

Policy Author

The Housing Manager has developed this policy on behalf of the organisation. It applies to all aspects of the Association's responsibility for dealing with incidences of hate crime.

Purpose of the Policy

The Hate Crime policy aims to ensure that EHA has an accountable process to identify, record and put in place procedures to deal with incidences of hate crime, in accordance with legal provisions and contractual terms contained within the tenancy agreement.

This policy is written in accordance with the Association's Equality and Diversity Policy to ensure that tenants and residents in our community do not face discrimination, victimisation, harassment or social exclusion due to any of the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex or sexual orientation.

Aims and Objectives of the Policy

This policy is a key document within the Association and its aims and objectives are to:

- To give clear guidance and procedures to staff on the process for dealing with hate crime by working in partnership with Police Scotland and other external agencies
- To ensure that our hate crime policy is in line with other policies such as our anti-social behaviour policy and helps build safe communities
- Develop a multi-agency approach to combat hate crime and ensure that victims of hate crime are made aware of the remedies open to them to protect them
- Fulfil our role as Third Party Reporting centre
- In consultation with the victim, consider all the evidence and information available, take account of the wishes of the victim and take an appropriate course of action
- To ensure that incidences of hate crime are dealt with in accordance with our equality and diversity policy
- Ensure that we comply with regulatory requirements

- To ensure that complainants are kept informed of how their complaint is progressing and informed of the outcome

Legislative and Regulatory Compliance

- The Equality Act 2010
- Anti-Social Behaviour etc. (Scotland) Act 2004
- The Housing (Scotland) Act 2001
- The Housing (Scotland) Act 2010
- The Housing (Scotland) Act 2014
- Criminal Justice (Scotland) Act 2003
- General Data Protection Regulations 2018

In addition, we will meet the outcomes and standards contained within the Scottish Housing Regulator's Regulation Framework.

- **Outcome 1 Equalities** - Social landlords perform all aspects of their housing services so that every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.
- **Outcome 6** -Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes. Tenants and other customers live in well-maintained neighbourhoods where they feel safe.
- **Outcome 11** - Tenancy sustainment. Tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.
- **Standard 2** -The landlord is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. In addition, its primary focus is the sustainable achievement of these priorities.
- **Standard 5** - The RSL conducts its affairs with honesty and integrity.

Equalities

Elderpark Housing will ensure there is a consistent approach in promoting equality and diversity across all areas and this policy will be administered in accordance with this policy.

Privacy

This document fully complies with General Data Protection Regulations (2018) and once approved will be published on our website to ensure transparency of how Elderpark Housing will seek to ensure Equality and Diversity across everything we do.

Related Policies

Policy Title	Location
Equality and Diversity Policy	V:\Elderpark Policy Suite\Governance Policies\G13 Equality and Diversity Policy.pdf
Estate Management Policy	V:\Elderpark Policy Suite\Housing Management Policies\H5 Estate Management Policy.pdf
Anti-Social Behaviour Policy	V:\Elderpark Policy Suite\Housing Management Policies\H3 Anti-social Behaviour Policy.pdf

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1 Introduction

- 1.1 Elderpark Housing Association (EHA) is a registered social landlord, established in 1975. We have strived to improve the lives of our residents, create opportunities and build a safe and secure environment. The Association is a 'not for profit' organisation, registered and regulated by the Scottish Housing Regulator and is governed by a voluntary Management Committee of up to a maximum of 15 people who employ a team of staff to manage the Association on a day-to-day basis.
- 1.2 The Management Committee is responsible for approving this Policy, and for overseeing its implementation. The Chief Executive and Management Team have operational responsibility for policy implementation, and for reporting to the Management Committee on areas relevant to assignment requests.

2 Purpose of Policy

- 2.1 The Hate Crime policy aims to ensure that EHA has an accountable process to identify, record and put in place procedures to deal with incidences of hate crime, in accordance with legal provisions and contractual terms contained within the tenancy agreement.
- 2.2 This policy is written in accordance with the Association's Equality and Diversity Policy to ensure that tenants and residents in our community do not face discrimination, victimisation, harassment or social exclusion due to any of the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex or sexual orientation.

3 Aims and Objectives

This policy is a key document within the Association and its aims and objectives are to:

- 3.1.1 To give clear guidance and procedures to staff on the process for dealing with hate crime by working in partnership with Police Scotland and other external agencies
- 3.1.2 To ensure that our hate crime policy is in line with other policies such as our anti-social behaviour policy and helps build safe communities
- 3.1.3 Develop a multi-agency approach to combat hate crime and ensure that victims of hate crime are made aware of the remedies open to them to protect them

- 3.1.4 Fulfil our role as a Third Party Reporting centre
- 3.1.5 In consultation with the victim, consider all the evidence and information available, take account of the wishes of the victim and take an appropriate course of action
- 3.1.6 To ensure that incidences of hate crime are dealt with in accordance with our equality and diversity policy
- 3.1.7 Ensure that we comply with regulatory requirements

4 Legal and Regulatory Framework

4.1 Elderpark Housing will seek to meet all of its legal obligations as set out in the following legislation:

- The Equality Act 2010
- Anti-Social Behaviour etc. (Scotland) Act 2004
- The Housing (Scotland) Act 2001
- The Housing (Scotland) Act 2010
- The Housing (Scotland) Act 2014
- Criminal Justice (Scotland) Act 2003
- General Data Protection Regulations 2018

4.2 In addition, we will meet the outcomes and standards contained within the Scottish Housing Regulator's Regulation Framework.

- **Outcome 1 Equalities** - Social landlords perform all aspects of their housing services so that every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.
- **Outcome 6 -Estate management**, anti-social behaviour, neighbour nuisance and tenancy disputes. Tenants and other customers live in well-maintained neighbourhoods where they feel safe.
- **Outcome 11 - Tenancy sustainment**. Tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.
- **Standard 2** -The landlord is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. In addition, its primary focus is the sustainable achievement of these priorities.
- **Standard 5** - The RSL conducts its affairs with honesty and integrity.

5. Definition of Hate Crime

5.1 The Scottish Government has agreed that hate crime should be defined as “A Crime motivated by malice or ill will towards a social group”.

5.2 The social groups that come under the umbrella of hate crime are:

- Race
- Sexual orientation
- Religion/faith
- Disability
- Transgender/gender identity

6. Incidences of Hate Crime

6.1 An incident should be treated as a hate crime if a victim or witness perceives it to be a hate crime. That is to say, if a victim believes they have been targeted for harassment or assault, verbal or physical because of their race, sexual orientation, religion, disability, or transgender identity then the offence will be recorded and investigated as a hate crime. Even where a victim does not necessarily believe that this is the case, where a witness to the incident views it as being motivated by prejudice, then that is also sufficient to categorise an incident as a hate crime. Neither does an individual need to come under one of the protected characteristics to be a victim of a hate crime.

6.2 Nearly all forms of crime can potentially be motivated by hate. Hate crimes can include:

- Physical assault
- Robbery
- Criminal damage to property, e.g. graffiti, arson, vandalism.
- Intimidating or threatening behaviour including verbal abuse or insults including name-calling
- Offensive literature such as letters, leaflets, posters
- Cyber bullying such as abusive posts on social media
- Verbal abuse or insults, including name calling or offensive 'jokes

7. Remedies for tackling Hate Crime

6.1 We recognise tackling hate crime involves a multi-agency approach. The main way to resolve reports of a hate crime is through effective management. This involves working jointly with other agencies that can assist us in dealing with incidences of hate crime, namely:

- Police Scotland
- Victim Support

- Community Safety Glasgow

8. Implementation of the Policy

- 8.1 This policy will be implemented in line with our Hate Crime procedures. Staff will be fully conversant and trained to carry out all aspects of the policy and procedures in a fair and equal manner.

9. Monitoring of the Policy

- 9.1 The Association monitors the effectiveness and efficiency of current practice by recording the following:

- The number of complaints received
- Satisfaction levels with complaint handling
- Timescales to complete the action plan to investigate the complaint

10. Complaints and Appeals

- 10.1 Complaints and appeals will be dealt with through our Model Handling Complaints Procedure

11. Review

This policy will be reviewed every three years or changed as legislative and good practice dictates.

Equality Impact Assessment

Name of Policy to be assessed	Hate Crime	New policy or revision of existing?	Revision of existing policy
Person(s) responsible for assessment	Elaine Somerville		
Briefly describe the aims, objectives and purpose of the policy.	<p>This policy is a key document within the Association and it's aims and objectives are to:</p> <ul style="list-style-type: none"> • To give clear guidance and procedures to staff on the process for dealing with hate crime by working in partnership with Police Scotland and other external agencies • To ensure that our hate crime policy is in line with other policies such as our anti-social behaviour policy and helps build safe communities • Develop a multi-agency approach to combat hate crime and ensure that victims of hate crime are made aware of the remedies open to them to protect them • Fulfil our role as a Third Party Reporting centre • In consultation with the victim, consider all the evidence and information available, take account of the wishes of the victim and take an appropriate course of action • To ensure that incidences of hate crime are dealt with in accordance with our equality and diversity policy • Ensure that we comply with regulatory requirements 		
Who is intended to benefit from the policy? (e.g. applicants, tenants, staff, contractors)	Tenants will benefit from the policy		
What outcomes are wanted from this policy? (e.g. the measurable changes or benefits to members/ tenants / staff)	The Hate Crime policy aims to ensure that EHA has an accountable process to identify, record and put in place procedures to deal with incidences of hate crime, in accordance with legal provisions and contractual terms contained within the tenancy agreement.		
Which groups could be affected by the policy? (note all that apply)			
Age	x	Disability	x

Gender reassignment	x	Marriage and Civil Partnership	x
Pregnancy and Maternity	x	Race	x
Religion or Belief	x	Sex	x
Sexual Orientation	x		
If the policy is not relevant to any of the equality groups listed above, state why and end the process here.			
Have those affected by the policy / decision been involved?			
Tenants were previously notified of our policy and that we are a Third Party Reporting centre through our newsletters and our website.			
Describe the likely positive or negative impact(s) that the policy could have on the groups identified above.	Positive Impact(s)		Negative Impact(s)
	Ensuring that those that fall within the protected characteristics groups are not subject to Hate Crime.		None
What actions are required to address the impacts arising from this assessment? (This might include: additional data, putting monitoring in place, making adjustments, taking specific action to mitigate any potentially negative impacts)	The Association has a robust process in place for ensuring that any personal data is secure. In addition, satisfaction/dissatisfaction will be recorded through CX Feedback and any necessary policy/procedural changes implemented following this.		

Signed:	<i>Elaine Somerville</i>
Dated:	13/5/21

GDPR Impact Assessment

Name of Policy to be assessed	Hate Crime	New policy or revision of existing?	Revision of existing policy
Person(s) responsible for assessment	Elaine Somerville		
Briefly describe the aims, objectives and purpose of the policy.	<p>This aims and objectives of the policy are to:</p> <ul style="list-style-type: none"> • To give clear guidance and procedures to staff on the process for dealing with hate crime by working in partnership with Police Scotland and other external agencies • To ensure that our hate crime policy is in line with other policies such as our anti-social behaviour policy and helps build safe communities • Develop a multi-agency approach to combat hate crime and ensure that victims of hate crime are made aware of the remedies open to them to protect them • Fulfil our role as a Third Party Reporting centre • In consultation with the victim, consider all the evidence and information available, take account of the wishes of the victim and take an appropriate course of action • To ensure that incidences of hate crime are dealt with in accordance with our equality and diversity policy • Ensure that we comply with regulatory requirements 		
Which type of data will be used by implementation of this policy? (e.g. personal, sensitive or special category)	Personal data will be used to implement this policy.		
What outcomes are wanted from this policy? (e.g. necessary to meet legal obligations)	<p>The outcomes that are wanted from this policy are: The Association has an accountable process to identify, record and deal with incidences of Hate Crime, in accordance with legal provisions and contractual terms contained within the tenancy agreement</p>		
Which groups could be affected by the policy? (note all that apply)			
Tenants	x	Committee	
Employees		Contractors	

If the policy is not relevant to any of the data groups listed above, state why and end the process here.

Have those affected by the policy / decision been involved?

Tenants were previously of our policy and that we are a Third Party Reporting centre through our newsletters and our website.

Describe the likely positive or negative impact(s) that the policy could have on the groups identified above.

Positive Impact(s)

Negative Impact(s)

None

None

What actions are required to address the impacts arising from this assessment? (This might include: additional data, putting monitoring in place, making adjustments, taking specific action to mitigate any potentially negative impacts)

The Association has systems and checks in place to ensure that personal data remains confidential.

Signed:

Elaine Somerville

Dated:

13/5/21