

	Title	Hate Incident Policy		
	Reference	ASB 04	Owner	Steve Adams
	Approved by	Customer Committee	Approval date	15/07/2025
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1. Purpose and scope

- 1.1 This policy applies to customers of all tenures living in a home owned or leased by NCHA, and has four main objectives in dealing with hate motivated ASB:
- To ensure that NCHA operates within a framework that complies with its statutory obligations and promotes best practice to help deliver 'great services.'
 - To provide customers and colleagues with clear requirements and expectations and set out a flexible range of tools with which to manage these.
 - To adopt approaches that will ensure that NCHA's strategic objectives are achieved; and to support customers, staff, contractors, and anyone else whose life is blighted by hate motivated crime and ASB to lead 'better lives.'
 - To prevent harassment of staff in the workplace.
- 1.2 Harassment is unwanted conduct related to someone's relevant protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief, and age.
Sexual harassment is behaviour that has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.
- 1.3 A hate motivated incident is one where anti-social behaviour has been perpetrated against anyone because of a hostility towards that victim, or any prejudice based upon:
- a person's **race** or perceived race (any racial group or ethnic background including countries within the UK and Gypsy and Traveller groups), or
 - a person's **religion** or perceived religion (any religious group including those who have no faith), or
 - a person's **sexual orientation** or perceived sexual orientation, or
 - a person's **disability** or perceived disability (any disability including physical disability, learning disability and mental health or developmental disorders), or
 - a person who is **transgender** or perceived to be transgender, including people who are transsexual, transgender, cross dressers and those who hold a Gender Recognition Certificate under the Gender Recognition Act 2004.
- 1.4 An incident is hate motivated if either the person making the report; the victim; the investigator, or any other interested party believes it to be.

2. Responsibilities and risk

Community Safety Manager
Anti-social Behaviour Investigators
Anti-social Behaviour Assistant
Community Co-ordinators
All Colleagues

Failure to deal with hate motivated ASB effectively, and in a way that meets reasonable expectations, may expose NCHA to risk as follows:

- Placing customers, staff, contractors, and other visitors to NCHA properties at risk of harm.
- Increased tenancy failure and higher property turnover leading to less stable communities and extra costs.

- Reducing the quality of life for customers, as well as negatively affecting their life opportunities.
- Adversely affecting communities, which could make properties difficult to let.
- Adversely affecting the wellbeing and ability of staff, contractors, and other visitors to NCHA properties to go about their normal day to day work and other lawful activities.
- Negatively affecting the reputation of NCHA with customers, staff, contractors, external agencies, local residents and regulating bodies. This may lead to a loss of further business opportunities and higher staff turnover.

3 Policy details and guidance

3.1 NCHA's Response to Hate Motivated ASB

- 3.1.1 All sections of the ASB Policy apply equally to this policy. This policy identifies specific principles in respect of hate incidents but for general principles please see the ASB Policy.
- 3.1.2 Hate motivated incidents will be responded to by an ASB Investigator more quickly than for other ASB, i.e. within one working day of the case being logged within the React case management system.
- 3.1.3 All victims of hate motivated ASB will be risk assessed to identify those at higher risk of further harm.
- 3.1.4 After a hate incident has been logged, an ASB investigator will formulate an Action Plan with the complainant. This will set out the terms of the investigation; including what investigative steps will be taken, what is expected of the complainant and identifying the expected frequency of contact.
- 3.1.5 At the conclusion of the investigation the ASB Investigator will determine whether the allegation is proven or not, and if so, implement the appropriate action.
- 3.1.6 The purpose of any action taken will be to invoke the appropriate sanction, considering all the circumstances of the incident; to resolve any ongoing disputes, and to promote a change of behaviour by the perpetrator.

3.2 Prevention and partnership working

- 3.2.1 NCHA are committed to working in partnership with all relevant agencies in response to reported hate incidents and to prevent hate incidents taking place in communities. NCHA will engage with relevant partnership frameworks to achieve this. Prevention activities can include community-based initiatives, supporting local and regional priorities where particular communities are at risk of hate related incidents, and engaging in local and regional forums to share and receive best practice alongside the sharing of trends to better identify where hate related incidents are taking place.
- 3.2.2 NCHA recognise the importance of 'shared spaces', as outlined in the Neighbourhood and Community Standard. NCHA will support initiatives to respond to and prevent hate incidents in spaces outside of our direct area of responsibility, such as local parks.

3.3 Complaints about NCHA's response to hate incidents

- 3.3.1 During the period that a customer is party to an open hate incident case, any dissatisfaction expressed regarding the investigation of that case will be managed through this policy and not NCHA's Complaints Policy.

- 3.3.2 However, if a customer expresses dissatisfaction regarding the behaviour of a member of the Community Safety Team this will be logged on the complaints management system in line with NCHA's Complaints Policy.
- 3.3.3 If dissatisfaction is expressed about the progress or management of an open hate incident case as at 3.3.1 above, this will be brought to the attention of the Community Safety Manager who will review the case and explain his findings to the customer concerned. All details of this process will be recorded within the case notes.
- 3.3.4 NCHA encourages the use of a Case Review in cases where a complainant is not satisfied with the outcome of an investigation and will support customers who wish to make such an application to the local authority in line with conditions laid down in respect of Case Reviews in that geographical area.

4. Supporting documentation and key legislation

4.1 Forms
None

4.2 Guidance
[Regulator of Social Housing Consumer Standards](#)
[Neighbourhood and Community Standard](#)
[Equality Act 2010](#)

4.3 Legislation
There is a range of relevant legislation some of which gives powers to the police and local authorities that we will work with to maximise our ability to deal with ASB.

- [Housing Act 1985](#), [Housing Act 1988](#) and [Housing Act 1996](#) which provide grounds for seeking possession and making demotion orders.
- [Protection from Harassment Act 1997](#) enacts the offence of harassment.
- [Crime and Disorder Act 1998](#) enables information sharing with the police and encourages partnership working.
- [Anti-Terrorism, Crime and Security Act 2001](#) extended the scope of the Crime and Disorder Act and sets out new racially aggravated offences.
- [Anti-Social Behaviour Act 2003](#) contains references to Parenting Orders, the demotion of tenancies and amendments to the Ground 14 possession clause.
- [Anti-Social Behaviour Crime and Policing Act 2014](#) introduced all the new orders and powers for dealing with ASB, injunctions, the absolute Ground 7A for possession and the ASB Case Review.

4.4. Related policies
ASB Policy
Allocations Policy
Estate Management Policy
Ineligible Applicants Policy
Safeguarding Adults, Children and Young Persons
Domestic Abuse Policy
Customers with Vulnerabilities Policy

5. Monitoring and reporting

- 5.1 Individual case management and performance management will be conducted by the Community Safety Manager at regular one to one meetings. Each open case will be reviewed with ASB Investigators to ensure that service standards are being complied with and that the cases are being efficiently and pro-actively managed to achieve the best outcome for customers.
- 5.2 Performance against service standards and KPI's will be reported to senior managers and the Customer Committee.
- 5.3 The policy, supporting procedures and ASB cases are subject to compliance audits both internally and through NCHA's annual audit programme. Recommendations to improve the service will be supported by NCHA's senior leadership and executive team.
- 5.4 The Community Safety Manager will conduct regular dip testing of all hate incidents to monitor compliance with the ASB Procedure
- 5.5 The Community Safety Manager will provide figures as requested by the ED&I panel; the purpose of which will be to monitor any differences between perpetrators or victims of ASB with protected characteristics as compared to those from the general customer base.

6. Definitions

Anti-social behaviour as determined by NCHA

ASB is any unreasonable behaviour that is causing, or is likely to cause, nuisance or annoyance to any person; is affecting NCHA's housing management functions; and constitutes a breach of the relevant tenancy, licence, or lease agreement in place; or any relevant grounds for possession within housing law.

Whether behaviour is unreasonable or not is determined by assessing all of the relevant factors; such as how frequently it is occurring, what time of the day it is occurring, whether it is intended to cause harm or not, and by also taking into account any vulnerabilities or other relevant circumstances of the victim.

Harassment is a criminal and civil offence that is committed when:

A person pursues a course of conduct:

- (a) which amounts to harassment of another, and
- (b) which he knows or ought to know amounts to harassment of the other.

Point (b) is proven if a reasonable person in possession of the same information would think that the course of conduct amounted to harassment of the other.

A 'course of conduct' means conducts on at least two occasions.

Harassment also includes causing alarm or distress.

7. Equality and diversity

- 7.1 This procedure has been written in line with NCHAs Equality, Diversity and Inclusion Policy and Equality Statement.
- 7.2 This policy is supported by an Equality Impact Assessment

8. Appendices
ASB Procedure

9. Policy Approval

- 9.1 This procedure has been approved prior to issue by the Director of Homes and Wellbeing or if applicable by NCHAs Board or Customer Committee.