



SD-PR-02 Procedure for dealing with hate crime and hate incidents by people using services

Version	1	Developed by	Psychology Team
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For staff who work in accommodation services, please also ensure you follow Framework’s Anti-Social Behaviour (ASB) procedure where the hate crime or hate incident has occurred as part of an ASB incident.

Aim of this procedure

This procedure aims to ensure all hate crime and hate incidents by people using Framework’s services are effectively responded to. We all have a duty to address all alleged hate crime or hate incidents, regardless of intent or outcome. This procedure supports the addressing of hate crime or incidents through:

- Proactive reporting
- Supporting victims and witnesses, practically and emotionally to reduce harm.
- Appropriately responding to people behaving in ways that are deemed hate crime and discrimination, to offer opportunities to learn and reduce the likelihood of such behaviour in the future.

This procedure does not cover hate crimes or hate incidents perpetrated by staff members. These are covered under the Dignity at Work policy and disciplinary approaches to misconduct.

Where there are allegations of potential hate incidents that have been perpetrated by a worker of Framework (this could be a worker, a volunteer or an employee), the organisation will refer to alternative policies such as the Dignity at Work and Disciplinary policies.

Within Framework, we support a diverse range of individuals, who often have limited alternative support. Although a ‘zero tolerance’ approach to hate crime is appropriate, immediate and permanent exclusion from services is often not going to effectively address hate-based behaviour in the long-term. People will often return to our services or be moved from one service to another within the organisation, or behave in the same ways elsewhere in the community. This procedure aims to promote a ‘zero tolerance’ approach to the behaviour through giving perpetrators a very clear



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message that hate will be named, reported, and addressed as appropriate. However, it is also grounded in the wish to try to enable learning for perpetrators and give opportunities for them to change their beliefs and behaviour as part of our commitment to supporting their development and our communities.

The procedure has been drafted by members of Framework's Anti-Racism Working Group and Diversity Leadership Group, in consultation with the Service User Forum and Framework's Senior Leadership Team. It is based on, and borrows from, work by a partnership of Bristol City Council, Stand Up to Racism and Inequality, Resolve West, Avon & Somerset Police, and Adult Homelessness Pathways partners The Salvation Army, Riverside and St. Mungo's.

What is a hate crime or hate incident?

Hate Crime and incidents are those where the victim is targeted on the basis of:

- Race
- Religion
- Disability
- Sexual orientation
- Transgender identity.

The Police and Crown Prosecution Service provide the following definition for identifying and flagging hate crimes:

"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."

There is no legal definition of hostility so the everyday understanding of the word is used – ill-will, spite, contempt, prejudice, unfriendliness, antagonism, resentment and dislike.

It is also important to note 'perceived' – if somebody wrongly believes you have a particular characteristic when they target you, it is still a hate crime.

Under the Crime and Disorder Act (1998) and section 66 of the Sentencing Act (2020), a penalty for a crime is more serious if it is a hate crime.

If you have experienced something that was not a crime but you think was motivated by hate, it is a hate incident. These can also be reported to the police.



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If you experience more than one hate incident by the same person or group of people, it might count as harassment, which can be a crime.

Hate crime can happen in any setting, e.g., work, home, services, public places. It can take many forms including:

- Physical attacks
- Attacks on property, such as arson, offensive graffiti, dumping of rubbish outside homes or through letter boxes.
- Threats of attack – including offensive or threatening letters, online abuse, phone calls, texts, gestures, intimidating staring, malicious complaints
- Verbal or written abuse or insults – offensive leaflets and posters and the use of abusive, derogatory, language. This would include online communications, e.g. via email or social media.

How to report a hate crime or incident

Any hate crime or incident should be recorded on Datix.

A hate crime or incident can be reported to the police via 111 if not urgent, or 999 if there is a threat to people's safety. The crime reference number should be taken and recorded on the Datix report.

Supporting staff when they are victims

Responsible staff (e.g. team leader, service manager, line manager) should ensure that:

- Victim(s) are made safe immediately
- They challenge the perpetrator as soon as is practically possible. Please do so in a manner that diffuses the situation while making it clear the behaviour is unacceptable. Keep yourself safe, you may need to defer until a situation has calmed down or get help from others to respond appropriately.
- Take statements from the victim and any witnesses ensuring you record the impact of the incident. These will inform the Datix report, but are not part of it, as they focus on the impact, rather than the facts of what happened.
- Capture any relevant evidence e.g. CCTV, photographs.
- Offer the victim both immediate and longer-term support, as agreed in an action plan that fully involves them. This should include:



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- The option to leave the workplace for the remainder of the shift / day and an agreed plan for following up with them. During weekdays, the person's line manager / alternative appropriate manager during weekdays should be called to find a resolution. During nights or weekends, the Duty Manager should be consulted.
- Immediate physical health support if necessary and support to attend any longer-term health appointments.
- offering the victim and any staff witnesses a Critical Incident Stress Management Debriefing, following the Framework CISM [procedure](#). If they decline, ensure they know how to access it later, e.g. via line manager or direct email to psychology@frameworkha.org
- ensuring they have access to the Employee Assistance Programme and / or Framework's Wellbeing Practitioner.
- Ensuring they are aware of any longer-term support options, e.g. the Black and Brown Support Workers Group or LGBTQIA+ safe space.
- Support to report to the police using 101 if it is less serious or 999 if there is a threat to people's safety. Staff should not be forced to report to the police and have the right to decline to do so. Even if the victim does not wish to report to the police, the responsible manager should report to the police and record the crime reference number in the Datix report.
- Discussion of the incident in the next supervision session as part of ensuring the management of the impact for the individual and the organisation.

Supporting residents or local community members when they are targeted

- If the incident is not witnessed by staff but is reported to staff by another service user, local community member or external agency, record the incident via Datix.
- Ask the witness/victim if they would be willing to make a statement to the police and even if not, encourage them to report it and have it logged. Ask them to share the police crime number with the service if they do report it. If someone else is advocating for or supporting the victim, they can report the incident on behalf of the victim. The Framework staff should report this even if the victim does not want to do so and log the crime number on Datix.
- Ask the victim or their advocate to talk about it with a relevant member of your team to agree how they would like it dealt with and whether you can do anything



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to make them safer. Take a statement of the facts of what happened (to inform the Datix report) and record the impact of the incident (to be kept separately to the Datix report). Agree a plan of action and support with the victim.

- If the victim is another service user, ensure the agreed plan is added to their support plan and communicated to any other relevant agencies.
- Where a victim wants to move away from the situation, try and empower them and put in measures so they feel able to stay.
- Agree when you will review the situation ideally as part of support plan reviews.

In supporting the victim/s of hate crime, a best practice response will:

- Be person-centered throughout the process. This includes considering the wishes and needs of the victim, including:
 - Whether or not they want to report to police themselves (NB: there is an expectation that any hate crime will be reported to the police, but if the victim does not want to report it themselves and / or give a statement or want the police to take action, the service manager or other appropriate person should log the crime with the police and get a crime number to record in the incident form. This is to increase reporting rates and allow any patterns of offending to be identified).
 - What action they think is appropriate to address the hate crime or incident
 - Whether they are open to restorative processes, e.g. if the perpetrator wishes to apologise and make amends, are they willing to meet with them, with support to do so?
 - Who is best to address the issue with the perpetrator. This could be a Service Manager, the person who has the best working relationship with the perpetrator (so is most able to challenge their views) or, if the victim wishes, it may be the victim themselves. It might also be most appropriate to do this in partnership, e.g. two members of staff from within the same service or in partnership with another agency if they work closely with the perpetrator.

Please note that the decisions are victim led within reason, but it is also about managing their expectations in terms of the outcome.

Addressing hate crime and hate incidents with the perpetrator

In dealing with the perpetrator of a hate crime, a best practice response will:



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- Adopt a zero tolerance to all forms of hate crime or incident and be victim orientated.
- Separate the behaviour from the person – it is the behaviour that is the problem and needs to be addressed.
- Be person-centered throughout the process. This includes thinking about the needs of the perpetrator as well as the victim, e.g. disability, mental health needs, communication / learning needs, and substance use needs.
- Do not unduly criminalise vulnerable service users. Although there is an expectation every incident is reported to the police, the victim may not always view it necessary to pursue conviction.
- Wherever possible support perpetrators to reflect on their behaviour, learn about the impact and consequences, and have opportunities to make amends. This intends to deter future offending and offer a strengths-based approach to reducing offending behaviour.
- Encourage the use of restorative justice approaches wherever possible, provided by a suitably qualified external restorative justice practitioner. Restorative approaches involve supporting those harmed by crime and those responsible for the harm to communicate with each other to repair the harm caused and find a positive way forward. Restorative approaches are voluntary and supported by somebody who is impartial: Framework staff cannot act impartially and are not trained in restorative approaches so cannot implement restorative approaches themselves, but can seek local providers if appropriate. Further information about restorative approaches is available here: [The RJC's Principles of Restorative Practice.pdf \(restorativejustice.org.uk\)](https://www.restorativejustice.org.uk)
- Solve/ manage the problem in your service rather than move it on for someone else to deal with putting others at risk in the future. It is recognised that there will be some exceptions to this, e.g. where a serious assault has to lead to immediate exclusion from a service.
- Be very clear about potential consequences of the behaviour. All of the usual responses to any serious incident or crime are appropriate (e.g. License Action Plans, eviction / exclusion from services for very serious incidents, reporting to the police / probation where appropriate etc.).
- Take a multi-agency approach to ensuring the perpetrator is supported to change their behaviour in a psychologically- and trauma-informed way.



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Direct ways of addressing discriminatory views and actions by service users include:

- 1) Skills Plus offer a session titled 'Why do we discriminate?', which covers stereotyping in society, what is prejudice and discrimination, legal rights and the Equality Act, and hate crime and incidents. Sessions are offered across a range of Framework accommodation services, and via Zoom. This session is offered as part of a rolling programme of 24 modules. Service users can be encouraged to attend the session on 'Why do we discriminate' whenever it runs; the Skills Plus team can advise when it is next due to run. Attendance at this session cannot be made mandatory but can be encouraged through support planning.
- 2) Staff are provided with a set of resources on hate crimes (relevant to each protected characteristic) via Fred and can use these to educate themselves and inform support sessions with a service user to educate them. This can be found here: <https://fred.frameworkha.org/page/7748?SearchId=0>
- 3) Where appropriate, Framework supports the involvement of trained restorative justice practitioners, to bring together the victim and perpetrator of a crime in an effort to repair the harm caused. In some areas, restorative justice services are provided via the police or victim support: each locality is different and local information should be searched for online or via local police. As this requires consent from both the victim and perpetrator of a crime, it is likely to be less frequently used. Given issues of power relating to both housing or related services for service users and employment for staff, it is not appropriate for Framework to provide restorative justice. However, the organisation fully supports the use of external restorative justice providers, for example through time off to attend.

Other tips for best practice:

- Get to know your local police representatives e.g., PCSOs; your Neighbourhood Beat Officer(s); your Neighbourhood Manager and the District Commander and welcome them into your service on an ad-hoc to build a relationship with your service.
- Ensure you have regular Hate Crime Training.
- Embed this procedure into staff inductions.
- Ensure you have visual and accessible messages about this e.g., posters and leaflets.
- Promote a culture where people feel able and confident to challenge any prejudicial behaviour – don't leave it to victims or wait for it to be reported by an external agency.