

Hate Crime Policy

Pinnacle Group



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1. Policy Scope and Aims

This policy explains how Pinnacle Group prevents, responds to and takes action on hate crime. It applies to all residents living in homes owned or managed by Pinnacle, and to Pinnacle staff. It may also apply where the person accused of hate crime is not a Pinnacle resident.

This policy applies when we receive reports from residents, staff, clients or people who do not use our services. It does not apply to reports about residents or service users who have no connection with Pinnacle.

We will take a victim-centred approach when responding to hate crime. If the victim believes the incident was motivated by hate, we will treat it as a hate crime. Their view will be the starting point for the investigation.

We will respond to people affected by hate crime with sensitivity and respect, and in a way that reflects their needs. Staff must provide a focused, non-judgemental service.

We recognise hate crime as a form of anti-social behaviour. We will manage all hate crime incidents as Category A cases, which is the most serious category under our Anti-social Behaviour (ASB) Policy and related procedures.

Pinnacle is committed to making sure our services and ways of working meet the needs of all customers. This includes customers with disabilities, temporary conditions or short-term needs who may otherwise be disadvantaged. We will make reasonable adjustments where needed. These may include practical changes to premises where possible and agreed with our clients, changes to policies or procedures, or providing information in a different format or communication method. Our aim is to make sure all customers can access our services fairly.

Pinnacle recognises its duties under the Equality Act 2010. The Act does not give one fixed definition of a “reasonable adjustment”. The Equality and Human Rights Commission recommends considering the following points when deciding what is reasonable:

- How well the adjustment will help avoid the disadvantage the customer would otherwise face
- Whether the adjustment is practical
- How much disruption the adjustment may cause
- The financial and other costs of making the adjustment
- The resources already available
- Whether financial support or other help is available

Where Pinnacle is made aware that a customer or household member may be disadvantaged by a condition or situation, we will consider reasonable adjustments to the way we deliver our services. We will look at each case based on the facts and in line with Pinnacle’s Vulnerability Policy and Aids and Adaptations Policy. We will not make assumptions about what a customer needs. We will aim to agree and make adjustments within a reasonable timescale. In some cases, there may be a delay while we seek specialist advice. If this happens, we will keep the customer updated.

2. Key Objectives

This section explains the main objectives of the Hate Crime Policy. These objectives set out what Pinnacle aims to achieve by putting the policy into practice.

All staff and managers are responsible for following these objectives.

No	Hate Crime Policy Key Objectives
1	Make sure residents who experience or witness hate crime feel able to contact Pinnacle, knowing staff will listen, understand and offer sensitive support.
2	Make sure Pinnacle residents, and people living in homes managed by Pinnacle, understand that hate crime is a criminal offence and may also breach their occupancy agreement.
3	Investigate all reports of hate crime and take reasonable steps to deal with the behaviour.
4	Use a victim-centred approach so that the victim's needs, views and support are central to how we manage the case.
5	Assess the risk in each case, including the victim's individual vulnerability.
6	Take timely and appropriate action against people responsible for hate crime.

3. Legal Framework

Several laws relate to anti-social behaviour, including hate crime. Many of these laws give powers to the police and local authorities. We will work with them to use the available tools to help tackle hate crime. Key legislation includes:

- Housing Acts 1985, 1988 and 1996
- Protection from Harassment Act 1997
- The Crime and Disorder Act 1998
- Anti-terrorism Crime and Security Act 2001
- Anti-social Behaviour Act 2003
- Racial and Religious Hatred Act 2006
- Anti-social Behaviour, Crime and Policing Act 2014

Other important laws that support hate crime prevention, enforcement and support include:

- Criminal Justice and Public Order Act 1994
- Dangerous Dogs Act 1989, 1991
- Environmental Protection Act 1990
- Equality Act 2010
- General Data Protection Regulation (GDPR) and Data Protection Act 2018
- Health Act 2006
- Homelessness Act 2002
- Housing Act 2004
- Human Rights Act 1998
- Immigration Act 2016
- Mental Health Act 1983, 2007

- Noise Act 1996
- Noise and Statutory Nuisance Act 1993
- Police and Justice Act 2004

4. Key Terms and Definitions

A hate crime is a criminal offence, such as assault, harassment or damage to property, that the victim or another person believes was motivated by hostility or prejudice. This may be because of a person's actual or perceived race, religion, sexual orientation, disability or transgender identity.

Pinnacle will also treat an incident as a hate crime if it is motivated by hostility or prejudice because of how someone dresses or their lifestyle. This includes Gypsies and Travellers and people from alternative subcultures, such as goths.

If there is doubt about whether an incident is a hate crime, we will treat it as one if it causes alarm, distress or intimidation.

Hate crime can take many forms, including:

- Verbal abuse or behaviour that mocks a person because of their personal characteristics, such as copying their accent, speech or mannerisms
- Encouraging or stirring up hatred towards a person or group of people
- Displaying or sharing offensive material about race, ethnic origin or other personal characteristics
- Using social media to stir up hatred or make offensive comments about a person or group of people
- Unprovoked assault
- Damage to property, such as broken windows or vandalised vehicles
- Arson or attempted arson
- Offensive graffiti, posters or other material on or near the home
- Threatening behaviour, such as gestures, spitting or using dogs to intimidate people
- Threatening letters or phone calls
- Actions intended to intimidate, frighten or stop a person or family from living in a property or entering an estate

5. Responding to Reports of Incidents of Hate Crime

Pinnacle is committed to making the neighbourhoods where we manage homes safe, welcoming and inclusive for all residents. We understand that hate crime can have a serious and devastating impact on a person's sense of safety, health and wellbeing. It can also harm neighbourhoods and communities by affecting community cohesion and integration.

We will investigate all hate crime reports in line with Pinnacle's Anti-social Behaviour Policy and ASB procedure.

Residents can report hate crime to us in several ways. This includes in writing, by phone, by email, through the Customer App, in person, through our website or through a third party such as the police or local authority.

The Property Manager will record the first report of hate crime on the ASB and Hate Crime reporting system. They will then contact the person who reported the incident.

During the first contact, the Property Manager will explain how Pinnacle investigates hate crime. They will also check the information provided to see whether there have been any previous similar incidents involving the same people.

Where appropriate, we will investigate all hate crime reports we receive.

Where appropriate, we will complete a risk assessment and provide support to the victim, their family and any children. The risk assessment will help us decide the best way to respond to the needs of the people affected. If we are concerned that an adult or child may be at risk of abuse or neglect, we will follow our Safeguarding Adults and Safeguarding Children Policies.

Where appropriate, we will agree an action and safety plan with the victim. We will monitor the situation and review it as often as agreed with the victim. We will stay in regular contact and keep the victim informed about the action we are taking.

Where appropriate, we will support witnesses during the investigation and any further action that may follow.

The Property Manager will keep in regular contact with the victim, witnesses and partner agencies until the investigation reaches an appropriate outcome.

6. Referrals and Signposting

Where appropriate, we will work with partner agencies, community groups and statutory organisations to provide a joined-up service that prioritises the safety of victims and their children.

Where appropriate, and with the victim's agreement, we will refer cases to multi-agency panel meetings. This helps make sure the victim receives support from the right agencies. Support may include temporary accommodation, agreed with the client or local authority, and safety measures for the victim or witnesses.

If the victim gives consent, we will report incidents to the police on their behalf or support them to make the report themselves.

Where appropriate, we will work with relevant agencies to respond to hate crime. We will share information in line with local information-sharing protocols and Pinnacle's Information Security Policies and Procedures. We will not share information without the victim's consent unless there are safeguarding concerns or not sharing information could increase the risk to the victim or others.

Where appropriate, we will offer support to victims, witnesses and people responsible for hate crime. We will also provide information about local community and support services, such as social services, health services, victim support, local police and crisis support lines.

7. Support Offered to Victims and Witnesses

We will offer support to victims and witnesses of hate crime in line with Pinnacle's ASB Policy and ASB procedure.

After a hate crime is reported, the Property Manager can raise emergency repairs straight away. These repairs should be completed within 24 hours. They may include removing racist, homophobic or other offensive graffiti, posters or visible materials, and securing the home of the victim or witness.

The Property Manager may also provide other support and help, including:

- Improving or adding security measures to a resident's home where needed, based on the risk assessment and action plan and with client approval. This may include extra locks, a fireproof letterbox, a 24-hour panic alarm or a review of external lighting if the resident lives in a block of flats.
- Working with local policing teams about special arrangements for emergency calls to the police and extra patrols in the local area.
- Installing a secure sanctuary room, where appropriate and with client approval.
- Arranging a visit before court or a practice session for a court hearing.
- Offering and arranging counselling.
- Referring people to other support providers, including advocacy services and voluntary organisations.

We will prioritise action based on how serious the incident is and the completed risk assessment.

8. Re-housing Victims and Witnesses

If the first risk assessment, or later casework, shows that a victim or witness is at high or immediate risk of harm and cannot safely stay in their current home, the Property Manager will speak with the relevant parties, including Pinnacle's clients and the local authority, to try to secure emergency temporary accommodation. An external support agency may also be able to provide suitable alternative accommodation for the victim or witness.

The Property Manager will also explain the victim's or witness's rehousing options. These may include a mutual exchange, where this is available; support from the local authority homelessness team; applying through the relevant local authority rehousing scheme, such as choice-based lettings or a joint housing register; or speaking with clients who may be able to help arrange a move. Any priority given should reflect the person's current situation. Pinnacle cannot offer priority moves directly because it does not own its own housing stock.

The Property Manager will support the victim or witness through the rehousing process. With their consent, the Property Manager may also provide supporting evidence to the local authority or other agencies when asked to do so.

If a victim or witness has to move permanently because of hate crime, we will consider reasonable removal costs and expenses. This may include exploring client funding options or looking for external funds and grants to help with the move to another home.

9. Re-letting a property where a Hate Crime has previously occurred

All Pinnacle properties, including homes we manage on behalf of others, will be re-let in line with the relevant Allocations and Lettings Policy.

We will also consider temporary physical security measures, such as Sitex security screens, to protect the empty property and show that the previous tenant no longer lives there.

The nominated or identified tenant will be told about the property's history and the type of hate crime that took place. We will do this in line with the UK GDPR and Data Protection Act 2018. We will not share the identities of the people involved.

If the nominee or identified tenant refuses the offer because of the previous hate crime, we will withdraw the offer. This will not count as a formal offer or refusal, and the applicant may still receive another offer of alternative accommodation.

If a tenant has left their home because of hate crime and cannot return, the Lettings Team must be told as soon as reasonably possible. This allows the property to be recorded as a sensitive let and lets the Lettings Team work with the local authority to identify a suitable nominee.

10. Prevention of Hate Crime

We understand the importance of preventing hate crime across all homes we manage. We want our neighbourhoods and communities to be safe places to live. We are also committed to making sure Pinnacle residents, and people living in homes managed by Pinnacle, understand their responsibilities under their tenancy agreements.

We will raise awareness of hate crime and related issues in the neighbourhoods and communities where we work. We will do this by providing information and advice. We will also explain our approach to hate crime on our website and tenant apps.

We will also use a range of measures to help prevent hate crime, including:

- Assessing all new housing applicants using the information on their housing application, any local authority or agency referral information, and any extra checks needed from partner agencies.
- Using starter tenancies and probationary periods where appropriate and in line with relevant contracts.
- Explaining a new tenant's rights and responsibilities at the tenancy sign-up meeting. This includes the tenancy agreement, the ASB Policy and the consequences of breaching the tenancy.
- Introducing tenants to community services and local support services.
- Using Good Neighbour Agreements where appropriate.
- Using Acceptable Behaviour Agreements where appropriate.
- Exploring enforcement measures used by local authorities and the police, such as community protection warnings and community protection notices.
- Recording details of hate crime incidents.
- Working with internal teams and external enforcement agencies to deal with repeat hate crime incidents or hotspot areas.
- Making sure risk assessments and ASB case management procedures are effective and support the right actions, interventions and enforcement measures.
- Identifying regular and appropriate training, learning and development opportunities for Pinnacle staff on hate crime, diversity and inclusion.
- Helping staff understand local communities on Pinnacle and client estates, including local demographics, support groups and resources. We will also use neighbourhood plans and consult residents and communities where appropriate.

- Making sure support, guidance and information is accessible to all Pinnacle residents through the relevant customer portal.

11. Action Against Perpetrators

Pinnacle will not tolerate hate crime in any form. We will take firm action against people responsible for hate crime, while recognising and supporting the needs of the victim. Where appropriate, we will take action against Pinnacle Group residents, people living in homes we manage, and people who are not Pinnacle residents.

We will not try to move hate crime incidents from one area to another. Instead, we will work with other agencies to deal with the incidents and decide the best prevention or enforcement action.

Where appropriate, we will offer support to people responsible for hate crime and refer them to suitable agencies if we identify support needs.

Where evidence is available, we will take early, firm and effective action against people responsible for hate crime. This includes people who do not engage with the support offered. We may work with partner agencies and will keep them updated about any action we take.

We will monitor hate crime cases across the homes we manage. This will help us identify repeat perpetrators, check whether our actions are working, and understand the satisfaction levels of victims and witnesses. We will use this information to improve our service.

12. Support and/or Action Against Pinnacle Staff

We are committed to keeping our staff safe and supporting their wellbeing. We will provide staff with training that is appropriate to their role so they understand their responsibilities when dealing with hate crime.

We recognise that hate crime can have an emotional impact on staff who experience it while doing their job. Staff can get support through their line manager and through our Employee Assistance Programme (EAP).

We will investigate any allegations or suspected hate crime by Pinnacle staff through our internal disciplinary procedures. Where appropriate, we will also follow formal statutory investigation procedures.

We will respond to all complaints about hate crime in line with Pinnacle's Complaints Policy.

13. Confidentiality

We will encourage victims and witnesses to agree to us sharing information with other agencies, including the police and local authorities. This helps make sure the right civil or criminal action can be considered and that appropriate support can be provided.

All Pinnacle employees have a legal duty to protect personal information they handle as part of their work. We will treat information from victims and witnesses confidentially. We will only share it with external agencies where we are legally required to do so, and in line with the UK GDPR, the Data Protection Act 2018 and the Human Rights Act 1998.

If we do not have the victim's or witness's consent, but we believe there is a high risk of serious harm to anyone involved, we may report the matter to the police or make a safeguarding referral to the local authority without consent. This may happen where information is needed to protect children, respond to safeguarding

concerns about adults, protect someone at immediate risk of harm, or support an ongoing police investigation. Information will be shared under Section 115 of the Crime and Disorder Act 1998.

14. Associated Policy Guidance Documents and Procedures

- ASB Policy and Procedure
- Complaints Policy
- Domestic Abuse Policy and Procedure
- Safeguarding Adults Policy
- Safeguarding Children Policy
- Information Security Policy and Procedure

15. Zero Tolerance

Pinnacle will not tolerate threats, abuse, aggression, discriminatory behaviour or violence towards our colleagues and contractors. If someone behaves in this way towards anyone working for, or on behalf of, Pinnacle, we will take immediate action. This may include legal action. The person responsible may be:

- Reported to the police
- Restricted to specific communication channels when contacting us
- Banned from attending Pinnacle premises
- Have services temporarily withdrawn while we put measures in place to protect colleagues and contractors

16. Monitoring, Review and Evaluation

We will monitor key performance indicators at Board, directorate and local team levels where appropriate.

We will review this policy at least every three years. We will check that it still meets its objectives and reflects good practice. We may review it sooner if there are changes in legislation, the business or the sector.

17. Diversity and Inclusion

Pinnacle will treat all customers fairly and with respect. We recognise our ethical and legal duty to promote equality of opportunity and prevent discrimination because of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.

We can translate or interpret this policy and any related documents, or provide them in accessible formats, where needed.