

HARRASMENT POLICY

1.0 Introduction

- 1.1 Arhag will treat any form of harassment as a serious matter. We will adopt a victim centered approach when investigating allegations of harassment and all investigations will be conducted carefully and sensitively.
- 1.2 Victims will be given support and practical help to ensure they continue to live peacefully in their homes, and positive action taken against perpetrators of harassment wherever possible.
- 1.3 The purpose of this policy is to ensure that we are effective in preventing harassment, supporting customers who are being harassed and taking action against perpetrators

2.0 Legal Framework

- 2.1 In tackling harassment, Arhag is committed in complying with relevant legislation and standards:
 - Housing Act 1996
 - Protection from eviction act 1997
 - Crime and disorder act 1998
 - Anti-social behaviour Act 2003
 - Disability Discrimination act 1995
 - Race relations act 1976/Race Relations (Amendment) Act 2000
 - Police reform act 2002
 - Commission for Racial Equality Code of Practice on Rented Housing 1991
 - Human rights act 1998

3.0 Policy Statement

3.1 The purpose of this policy is to ensure that we are effective in preventing harassment, supporting customers who are being harassed and taking action against perpetrators

3.2 Arhag aims to achieve this by:

- Taking steps to prevent all forms of harassment
- Using a victim-centred approach
- Taking action against any person responsible for harassment
- Working with agencies to help provide support for victims
- Sharing information with partners
- Meeting all data protection and confidentiality requirements
- Providing appropriate training
- Providing tenancy support

3.3 In order to support and protect customers experiencing harassment, we will:

- Provide a supportive environment to encourage reporting
- Give information and advice to support victims
- Take action against perpetrators where possible
- Provide a range of options to support victims
- Liaise with relevant agencies where we are unable to help
- Always ensure customer safety and confidentiality

4.0 Implication

Definition

4.1 Arhag recognises harassment may occur based upon an individual's (or group's) race, religion, gender, disability, sexual orientation, illness or age.

4.2 However, Arhag recognises harassment may occur for any other reason other than those listed in 4.1 above, and so we will initially

investigate any case as harassment if the victim or anyone else perceives it to be harassment.

4.3 Upon further investigation, we will make a judgement on whether to continue to manage the case as harassment.

4.4 Harassment can be an isolated incident or series of incidents, there may also be no motivating factor.

4.5 Act of harassment include (but not limited to):

- Racist behaviour or language
- Hate crimes
- Actual or threatened violence
- Abusive or insulting words or behaviour
- Actual or threatened damage to another person's home or possessions
- Writing threatening, abusive or insulting graffiti or literature
- Behaviour that interferes with the peace, comfort or convenience of others

Enforcement

4.6 Taking action against perpetrators of harassment sends out a clear message to other residents that we will not tolerate such behaviour

4.7 The options we choose to take will vary from case to case and can depend on:

- The type of behaviour and its impact on others
- The severity and duration of the harassment
- The age of the perpetrator
- Any vulnerability suffered by the perpetrator
- Whether the perpetrator is a resident or non-resident
- The evidence available to support a case
- The wishes of the complainant

4.8 For harassment cases, Arhag will use the full range of tools available to tackle anti-social behaviour, as well as:

- Injunctions
 - Possession action
 - Criminal proceedings
- 4.9 Where the perpetrator is not a tenant the Anti-social Behaviour Act 2003 allows landlords to grant an injunction against **anyone** who threatens to or engages in conduct capable of causing a nuisance or annoyance to any person.
- 4.10 If the alleged perpetrator is a tenant of another Registered Social Landlord, we can also request that they take action against the perpetrator.

Where no perpetrator is identified

- 4.11 Instances where no perpetrator can be identified, or the person being harassed will not identify the perpetrator, we will liaise with the police to increase their profile in the area, give warnings to possible perpetrators and even visit all tenants stating that harassment will be dealt with.
- 4.12 Similarly, we will send a general warning letter to all tenants in the area or contact the tenants association to communicate the message that we take harassment seriously and will take action.

Working with others

- 4.13 Local authorities have a variety of roles to play in tackling harassment and have various powers to enforce notices against nuisance (under the Environmental Protection Act 1990, Control of Pollution Act 1974 and the Local Government Act 1972).
- 4.14 Many local authorities have race units, which may be able to provide support for tenants being harassed. The race unit may be able to access counsellors, interpreters, security measures and even surveillance equipment in the most serious cases.
- 4.15 Local authorities have a strategic role to play in combating harassment and some have set up inter agency forums to devise borough wide strategies and monitor incidents in their areas. Where such forums exist Arhag will co-operate and participate in such forums.

- 4.16 On consortium schemes we will work effectively with other landlord partners and stakeholders including local safer neighbourhood teams to eradicate and tackle harassment including joint interviews, joint visits and joint action where appropriate.

Security

- 4.17 Improvements to the security of a property can act both as a deterrent to criminals and to make vulnerable residents feel safe and secure within and outside their properties. This can include proper window locks, door entry systems, the gating of alleyways where people might congregate etc.

- 4.18 Where appropriate, advice will be sought from local police and crime prevention advisors.

Support and referrals

- 4.19 We will refer to specialist agencies, where relevant, who provide specialist help and support to help tackle harassment and work with local agencies and community groups to help provide support for victims of harassment.

Professional witnesses

- 4.20 Where necessary Arhag will employ professional witnesses for the purpose of gathering evidence.
- 4.21 This is generally appropriate where harassment is taking place but we are unable to obtain evidence, or where people are too afraid to come forward and act as witnesses.

Transfer

- 4.22 Arhag may award a management transfer status if there have been physical assaults or a life endangering incident, or the complainant is no longer able to live in the home
- 4.23 Where emergency accommodation is required, Arhag will support residents and provide comprehensive advice on housing options including approaches to local authorities and reciprocals

Service Standards

- 4.24 We will make initial contact within 24 hours for harassment cases.
- 4.25 We will remove offensive or discriminatory graffiti within 24 hours of being notified.
- 4.26 We will arrange for complainants to speak to staff in a private and safe environment.
- 4.27 Where possible we will provide staff of the same sex and/or ethnic origin when requested.
- 4.28 We will work with each customer to agree an action plan for managing their case. This will include agreeing on the method and frequency of communication throughout the case.
- 4.29 We will review all open cases after 3 months. If we feel a case should be closed, we will discuss this with the customer and give them an opportunity to appeal.
- 4.30 After a case is closed we will conduct a satisfaction survey in writing.
- 4.31 We will deal with victims in a sympathetic and supportive manner and treat all information as confidential.
- 4.32 We will take legal action where appropriate, advising victims of their rights.
- 4.33 Where we are unable to resolve cases of harassment ourselves, we will work with other agencies to find effective and quick solutions.

5.0 Monitoring

- 5.1 Harassment cases will be reported in accordance with the Anti social behaviour policy

6.0 Equality and diversity

- 6.1 It is essential to recognise that customers of all races, ages, religions, gender, sexual orientation and disability should be treated equally and fairly.
- 6.2 We will initially investigate any case as harassment if the victim or anyone else perceives it to be harassment.
- 6.3 Offensive or discriminatory graffiti will be removed within 24 hours of being notified.
- 6.4 All customers will have access to this document upon request or from our website www.arhag.co.uk
- 6.5 This document can be translated or provided in alternative formats (e.g. Braille, large print, audio) upon request.
- 6.6 Equality and Diversity training is mandatory for all staff.

7.0 Responsibility

- 7.1 It is the responsibility of the Chief Executive to ensure that this policy is in place.
- 7.2 The Head of Housing is responsible for the effective implementation of this policy
- 7.3 The head of Housing is also responsible for ensuring that staff involved in the tackling harassment are trained.

8.0 Consultation

- 8.1 This policy will be reviewed in consultation with residents at least once every two years.

9.0 Review and Board Approval

- 9.1 This policy will be reviewed each year taking account of any changes to legislation that may occur and best practice.

Person Responsible for the review of this policy:	Head of Housing
Date of this review:	November 2008
Date of Board approval:	
Date the next review is due:	July 2017