

Harassment Policy

Our mission is to enhance the Life Chances of residents and service users through providing great homes, first class services and working in partnership to build sustainable communities.

1 Scope

- 1.1 This policy applies to the residents, tenants and service users of all Group partners within the Circle Housing Group.
- 1.2 Where managing agents manage properties on our behalf they will be required to meet the requirements of this policy and procedure.
- 1.3 Where residents are leaseholders or shared owners, much of this policy and procedure will still apply. We may take legal action in accordance with the terms of the lease, as these may differ from case to case.
- 1.4 Harassment (including hate crime) is any form of unwanted and unwelcome behaviour based on a person's actual or perceived difference. Harassment can occur as an isolated incident or a series of incidents.
- 1.5 We are committed to preventing and tackling harassment at its early stages working with relevant partners and will initially respond to all reports of harassment within 24 hours (during normal working hours).
- 1.6 Harassment can have a devastating affect on individuals and communities. It is essential that we work in partnership with all residents regardless of tenure or landlord to tackle it. There are separate policies and procedures covering Antisocial Behaviour and Domestic Violence.

2 Policy

Harassment

- 2.1 Harassment can include any deliberate attack suffered by an individual or group because of their race, religion, gender, disability, sexual orientation or age. Harassment can occur as an isolated incident or a series of incidents.



Hate Crime

- 2.2 Hate crime refers to any crime where the perpetrator's prejudice against an identifiable group of people is a factor in determining who is victimised.

Resident Responsibilities

- 2.3 We encourage communities to take ownership of their neighbourhoods, and to play a part in preventing and responding to harassment by behaving in a responsible way, respecting other residents in the area, ensuring any visitors and other household members do the same and reporting any incidents of harassment to us.

Partnership Working

- 2.4 The effective management of harassment is reliant on successful partnership working. Where serious incidents, such as hate crimes, are reported our first priority will be to work with the police to ensure the safety of the victim(s) and coordinate legal action taken against the perpetrator.

3 Reporting and Responding to Harassment

- 3.1 We recognise that harassment may occur for many reasons and we will initially investigate any reported case of harassment, if the victim or anyone else perceives it to be harassment.

Reporting and Contact

- 3.2 Harassment can be brought to our attention by any reasonable means. Where it is reported to us, we aim to respond promptly whilst working in partnership where appropriate.

Initial Response

- 3.3 Our response to reports of harassment will be managed on a case-by-case basis. We are committed to reacting sensitively and proportionately using any response options we feel are appropriate. ([Appendix 1](#))
- 3.4 We aim to provide an initial response to the report within **24 hours** (during normal working hours);
- acknowledging its receipt
 - informing the complainant who will be dealing with the case
 - informing them when they will next be contacted.
- 3.5 We will initially investigate any case as harassment, if the victim or anyone else perceives it to be harassment. After further investigation, we will make a judgement on whether to continue to manage the case as harassment and offer advice where appropriate.
- 3.6 Where it is considered that the complainant is in fact perpetrating harassment, we will take action accordingly.

Action Plan

- 3.7 We will agree an action plan within **two weeks** of receiving a report and review this every month unless we are not able to agree an appropriate time with the complainant within that timescale. We will review all open cases after **three months**.
- 3.8 We will do everything we can to tackle harassment and close cases successfully; however, we acknowledge there will be cases where we cannot do this due to insufficient evidence.

Complaints which are not Harassment

- 3.9 Complaints about the behaviour of staff or contractors will be taken forward through our Complaints procedure.
- 3.10 Staff members will be aware of the possibility of unfounded or libelous reports being made, as well as racist or other discriminatory motivations behind accusations.

4 Enforcement

- 4.1 We reserve the right to take whatever what enforcement action is most appropriate on a case by case basis after taking appropriate legal advice and are committed to intervening at an early stage.

Legal Action

- 4.2 Legal action against most types of harassment can usually only be taken where there has been a series of incidents. Legal action against hate crime can be taken after only one incident.
- 4.3 All Circle tenancy agreements prohibit threatening or committing harassment and we may take action as a result of harassment perpetrated by any members of a resident's household (including children) or visitors.
- 4.4 Some of the legal remedies we may use include (but are not limited to); Injunctions, Antisocial Behaviour Orders (ASBOs), Antisocial Behaviour Injunctions (ASBIs), Parenting Orders, Demoted Tenancies, Possession and Suspended Possession Orders.
- 4.5 In severe cases, for example where physical violence has been experienced, we may consider whether a voluntary move [for anyone considered at high risk] on management grounds would be appropriate.

Harassment occurring outside our neighbourhoods

- 4.6 We reserve the right to take action against residents committing harassment outside our neighbourhoods. We will manage these situations on a case-by-case basis, unless we are unable to take such action due to statutory or other limitations.

Under 18s

- 4.7 Where the alleged perpetrators are children or young people we will involve parents and guardians to help resolve the problem, and may liaise with social services, schools, youth offending teams, and any other relevant bodies to ensure any necessary assessments are undertaken.
- 4.8 We will take appropriate action in cases involving vulnerable under 18s according to our Safeguarding Children Policy under the guidance of the designated Safeguarding Children Champion from the relevant Circle Registered Provider.
- 4.9 We may take action against parents or guardians due to the actions of under 18s in their household.

Non-Tenants

- 4.10 Where alleged perpetrators are not our tenants we will work with the police and other partners in line with any information sharing agreements to tackle

5 Support for Victims, Witnesses and Alleged Perpetrators

Victims and Witnesses

- 5.1 We take the safety and perception of safety, of victims and witnesses seriously. Where appropriate will work with partners to provide additional safety measures, including but not limited to, regular patrols, visits by officers, provision of personal alarms, which may be through third parties. We will consider the use of CCTV in line with our CCTV policy.
- 5.2 We will make every effort to protect and support witnesses during court proceedings including covering reasonable expenses.

Vulnerable Residents

- 5.3 We will consider whether victims, witnesses or perpetrators have any known support needs that may affect their case. We will be sensitive about allegations against those that already feel stigmatised or victimised. We will take appropriate action in these cases according to our Safeguarding Adults Policy.

Alleged perpetrators of Harassment

- 5.4 Where we are considering legal action against an individual for harassment, we will endeavour to make sure we are not discriminating against the perpetrator because of a disability that they have, in accordance with the Equality Act 2010.

6 Data Protection and Confidentiality

- 6.1 We will adhere to the Data Protection Act and comply with the best practice guidance set out in the [Framework Code of Practice for Sharing Personal Information](#) published by the Information Commissioner to ensure that we maintain confidentiality. Our approach to safe management of data is outlined in our Data Protection Policy

6.2 We reserve the right to make a referral to social services or to the police without the permission of the complainant, where the situation and the provisions of the Data Protection Act 1998 (and any other relevant legislation) justify it.

7 Equality and Diversity

7.1 Circle will treat all customers and staff with fairness and respect. We value diversity and work to promote equality and tackle unlawful discrimination.

7.2 We are committed to supporting customers and staff access information in a way that suits individual needs. Please get in touch with your local office to discuss this.

Glossary

Term	Definition
Mosquitoes	This is a device that creates an ultrasonic sound which is unpleasant for youths and teenagers to hear, discouraging groups from hanging around in certain areas.
Classical music outlets	Classical music is played in areas where there has been trouble or youths gathering to make them less appealing to loiter.

Appendix 1

Starter Tenancies

We will use starter tenancies in some Local Authority areas (in line with our Starter Tenancy policy) to enable us to deal more effectively with tenants causing anti-social behaviour early in their tenancies. We will monitor tenancies during their probationary period to assist our residents where possible to understand and comply with their rights and responsibilities.

Good Neighbourhood Agreements

These voluntary agreements involve the community in setting standards and expectations for behaviour in their area. Breaching these agreements can provide evidence that supports further action. We may use Good Neighbourhood Agreements in conjunction with a range of other enforcement and preventative measures.

Neighbourhood Management

We recognise that improving the physical environment of a neighbourhood can reduce the likelihood of anti-social behaviour and increase resident safety and perception of safety in the area.

In line with our Neighbourhood Management policy, we will carry out regular neighbourhood inspections, manage maintenance contracts and carry out estate improvements and planned property upgrade programmes.

Where appropriate we may use crime deterrents such as:

- improved lighting arrangements
- changing the layout of vegetation or landscaping, or carrying out alterations to walls, passageways, hedges and entranceways to remove trouble spots
- installation of signage
- installation of CCTV cameras where there is a clear benefit to be gained and there is an arrangement to monitor the tapes
- installation of dummy CCTV cameras
- installation or improvement of controlled door entry systems, particularly in blocks with communal entrances
- other security systems
- the installation of 'mosquitoes'
- classical music outlets
- other creative approaches to tackling antisocial behaviour.

Other antisocial behaviour reduction initiatives

Individual Group partners may work in any number of locally appropriate ways to help prevent antisocial behaviour occurring using a range of locally appropriate methods. Check with your local office for more information.