

Pendle Borough Council

Responding to Hate Incidents An Employee Guide

A guide for Pendle Council employees on the organisational position in relation to hate crime, what to do if you are a victim of or witness to a hate incident or if a hate incident is disclosed to you in the course of your work.

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Revised 2010
Revised 2020

1. Purpose of Guidance

This guidance states what employees should do when they are victims or witnesses to a hate incident or an incident is brought to their attention in the course of carrying out their duties.

2. Definitions

Hate Crime

A crime that the victim or any other person perceives to be motivated by hostility or prejudice towards any aspect of a person's identity: Disability, Gender Identity, Race, Ethnicity or Nationality, Religion, Faith or Belief, Sexual Orientation (*Stop Hate UK*)

Hate Incident

Any incident, which may or may not be a crime, that the victim or any other person perceives to be motivated by hostility or prejudice towards any aspect of a person's identity. (*Stop Hate UK*)

ALL hate crimes are hate incidents BUT NOT all hate incidents amount to a crime.

Hate Incidents have the potential to be extremely detrimental in people's lives and in wider society. They can cause great personal harm and damage to community relations. Pendle Borough Council is committed to ensuring good relations between all people within the borough. Fulfilling our role as a community leader means that the Council has an important role in monitoring hate incidents because in some situations it can be used to help resolve and stop the escalation of community tensions.

The Council believes that hate incidents must be reported, recorded and action taken. The Council will not tolerate hate incidents in delivering Council services. This policy applies to employees, members of the public and councillors.

Examples of hate incidents

Below is a list of behaviours that would fall within the definition of a hate incident. The list is not exhaustive.

- Verbal abuse like name-calling and offensive jokes
- Harassment
- Bullying or intimidation by children, adults, neighbours or strangers
- Physical attacks such as hitting, punching, pushing, spitting
- Threats of violence
- Hoax calls, abusive phone or text messages, hate mail

- Online abuse for example on Facebook or Twitter
- Displaying or circulating discriminatory literature or posters
- Harm or damage to things such as your home, pet, vehicle
- Offensive graffiti and fly posting (e.g. of a racist or homophobic nature)
- Arson
- Ridicule for cultural difference (e.g. language, dress, food, music etc.)
- Throwing rubbish into a garden
- Malicious complaints for example over parking, smells or noise.

3. Scope

The Council is committed to raising awareness of Hate Crime and providing guidance for managers and staff to address the issues and its effect in the workplace and the wider community. The role of Pendle Council employees is to record all hate incidents and, where permission has been given, to report the incident to the Police.

4. Aims of the Guidance

To ensure the Council is effective in reporting, recording and taking action on hate incidents the following principles are built into our approach:

- The need to provide support for the victim; take appropriate action against perpetrators; take action to prevent any future recurrences and address underlying problems.
- Respond quickly in recording, reporting and taking follow up action including, where the victim consents, referral to the police or other agencies.
- Action all incidents thoroughly and objectively, treating all parties impartially.
- Treat all victims and witnesses in a sensitive, supportive and understanding manner, keeping the victim informed of progress with details about the action that is to be taken and feedback about the outcome
- Staff dealing with hate incidents receive appropriate advice and guidance.

5. Procedure for Reporting, Recording and Taking Action on Hate Incidents

Employees

Employees have a responsibility, when carrying out their duties, to report any incidents of hate and/or harassment if they:

- Witness them (this includes seeing, hearing or reading them);
- Have incidents reported to them by victims or witnesses;

- Have strong suspicion or evidence of hate crime

Employees also need to be aware of using inappropriate language or comments which discriminate against others in conversations and the impact that this would have on fellow colleagues or service users.

Managers

Pendle Council is committed to creating a hate free environment and has a legal and moral responsibility to employees and service users, both under the law and as an equal opportunity employer, to protect and support employees who may be subjected to harassment from fellow employees, members of the public and service users.

Although it is the responsibility of all employees to report incidents of hate, managers have a specific responsibility to ensure that they do everything they can to support and protect employees and service users from intimidation, harassment, discrimination and victimisation.

This may be by:

- Reporting to the Police;
- Stating clearly to perpetrators that their behaviour will not be tolerated;
- Stating that certain Council services may be withdrawn if necessary and appropriate, in order to protect employees and other people;
- Supporting and advising employees who experience hate crime from service users, protecting them and offering assistance;
- Ensuring details of incidents are recorded and seek further guidance if required from the Localities & Policy Manager;
- Ensuring that all complaints of hate incidents are taken seriously and investigated as quickly and as effectively as possible by an appropriate officer/manager;
- Making employees aware of the council's support mechanisms through the HR service;
- Ensuring that victims of hate are encouraged to use the Employee Assistance Programme or Lancashire Victim Services which provide free confidential, independent counselling and support to all Council employees;
- Ensuring that feedback is given to the person who has reported the incident in the first instance, i.e. victim/complainant. Feedback can be informing the person who has reported the incident, what actions were taken as a consequence of reporting or any referrals made to appropriate support agencies;
- Should any physical injury result from a hate incident then the procedure for reporting and investigating accidents / violent incidents should be followed. These can be found in the Employee Handbook on the staff intranet.

Pendle Council has a duty of care to protect its employees. Managers must therefore take all reasonable steps to prevent discrimination from occurring and ensure employees and service users are protected.

Who is making the complaint and who is the complaint about?

➤ **Public on Employee:**

If you have been subjected to hate harassment or abuse from a member of the public, or have witnessed a member of staff being subject to such behaviour during the course of delivering a service, Pendle Council strongly encourages you to report it to your line manager and assess appropriate actions including the option of reporting to the Police. You have the option to report to the Police anonymously if you feel more comfortable doing this.

➤ **Public on Public**

When a member of the public / customer perceives that they have been a victim of a hate incident the following steps should be followed:

- Encourage the individual to report the incident to the Police.
- Inform the victim that they have the option to report anonymously, although this will probably limit the action that the Police can take.
- Make the victim aware that they can report to the Police through you and offer to make the report.
- If the victim indicates that they want to report through Pendle Council then following methods of reporting could be adopted –
 - Contact Lancashire Police on behalf of the victim. The victim would then engage directly with the Police: www.lancashire.police.uk
 - Inform the victim that an online Hate Crime Reporting Form can be submitted and direct them to Lancashire Police website for them to complete the report and submit same: www.lancashire.police.uk

➤ **Employee on Employee**

If you believe that you or other employees are victims of, or witnesses to, hate incidents carried out by another employee, report the incident to your line manager. If you perceive a criminal offence has taken place then a request to report directly to the Police can be made. You should also refer to the Council's Harassment & Bullying procedure.

➤ **Employee on Public**

If a member of the public or service user feels that they have been the victim of a hate incident carried out by a Pendle Council employee they should be supported to report the incident via the Council's Complaints Procedure. This may lead to disciplinary action being taken if it is found that the employee is in breach of the Council's Employee Code of Conduct. If the member of the public perceives the incident to constitute a criminal offence they are within their rights to report this directly to the Police and should be advised of this.

How Can I Report a Hate Crime or Hate Incident?

If you have witnessed or been a victim of hate crime please report it:

- In an emergency always ring 999

- For non-emergencies ring 101
- Report anonymously online via True Vision, at one of our Third Party Reporting Centres, or to Lancashire Police online.

A person can give as little or as much personal information as they wish. But please note:

- With your details - the incident can be investigated fully and you can get the service you deserve and the support you need.
- Without your details - the report will be used for monitoring purposes to get a true vision of what is happening.

Hate crimes/incidents can also be reported anonymously online via:

True Vision: www.report-it.org.uk/home

Or at local Third Party Reporting Centres: <https://www.lancashire.police.uk/contact-us/hate-crime-and-third-party-reporting-centres/>

Staff within these third party reporting centres have been trained to help victims and witnesses to submit a report to the Police, or can make a report on your behalf.

If a victim doesn't want to talk to the Police or fill in reporting forms, they can still report a hate crime by contacting Crimestoppers on 0800 555111 (for free). They do not have to give their name and what you say is confidential.

Deciding on action

The Police will determine any follow-up action to be taken on hate incidents / hate crimes reported to them.

6. Roles

Service Managers

The approach depends on each service area:

- Consistently recording hate incidents including those involving employees, councillors and members of the public
- Ensuring all reported hate incidents are forwarded to the Localities & Policy Manager.
- Supporting staff to ensure consistency in the reporting of hate incidents.

- Assessing all incidents thoroughly and objectively, involving relevant external agencies where appropriate e.g. the Police and victim support services.
- Checking on the progress of follow up actions and report these to the Localities & Policy team when the issue has been resolved.

Localities & Policy Team

To develop a corporate overview of reported hate incidents, which will include the following aspects:

- Receiving information from service areas on all hate incidents recorded within their service area including those involving employees, members of the public and councillors and those involving incidents of Pendle Borough Council's premises or property (e.g. damage or graffiti)
- Maintain accurate and up to date records of all incidents and action taken
- Include number of incidents and action taken in the bi-annual Safeguarding report to Management Team and Policy and Resources Committee

Providing support and guidance to staff and members of the public on request

Contribute to the development of strategic responses to hate incidents by:

- Working through the Community Safety Partnership, the Pennine Hate Crime Group and relevant agencies
- Reporting on trends and issues to the Community Safety Partnership and Management Team
- Updating this guidance as and when appropriate to keep it current

All Staff

A central challenge to addressing hate incidents is extremely low levels of reporting to the Police. Research amongst hate crime victims indicates that the biggest influence on whether they report an incident to the Police or not, is encouragement from a trusted person close to the time of the incident. This gives Pendle Council employees an important role to play in improving the reporting of hate incidents, both as service providers and as colleagues.

Pendle Council is committed to improving and supporting the reporting of hate incidents to the Police in all instances. Where a Pendle Council employee receives a hate incident disclosure, witnesses a hate incident or is the victim of a hate incident, **they should always seek to report the incident to the Police, with the victim's permission.**

POLICY LINKS

- [Safeguarding Policies](#)
- [Code of Conduct for Employees](#)
- [Equal Opportunities Policy](#)
- [Harassment & Bullying Procedure](#)
- [Accident Reporting Procedure](#)
- [Violence Incident Reporting procedure](#)
- [Complaints Procedure/Policy](#)

USEFUL CONTACTS

Lancashire Police

<https://www.lancashire.police.uk/help-advice/personal-safety/hate-crime.aspx>

Lancashire Victim Services

0300 323 0085

www.lancashirevictimservices.org

Crimestoppers

0800 555 111

<https://crimestoppers-uk.org/>

Third Party Reporting Centres

<https://www.lancashire.police.uk/contact-us/hate-crime-and-third-party-reporting-centres/>

True Vision

<http://www.report-it.org.uk/home>