



Norfolk and Waveney
Clinical Commissioning Group



Stop Hate in Norfolk (SHiN) Hate incident reporting policy

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1. Introduction

- 1.1. This policy sets out the approach adopted by Norfolk and Waveney Clinical Commissioning Group (CCG) with regard to how we deal with hate incidents and support the third-party reporting process set out in the Stop Hate in Norfolk protocol www.norfolk.police.uk/stop-hate
- 1.2. This policy applies to all staff, volunteers and commissioned services within Norfolk and Waveney CCG.
- 1.3. We are committed to:
 - Ensuring that victims and witnesses of hate crimes and hate incidents have the confidence to report their problems
 - Providing a positive response to reports of hate incidents and being clear about what we can and cannot do
 - Taking a person-centred approach to responding to reports of hate incidents by victims and witnesses
 - Taking a robust approach to tackling hate incidents being caused by, or affecting members of the public or clients accessing our service/s
- 1.4. We take all reports of hate incidents very seriously and treat reports as a priority. We recognise that a failure to respond promptly to a reported incident might put people at further risk and therefore clear guidance must be in place to deal with all reported incidents within our organisation and through our third-party reporting process.
- 1.5. We are committed to supporting anyone who has been a victim of a hate incident to report and will take positive action wherever possible to encourage reporting of hate incidents within our organisation and when working with partners.

2. What is Hate Crime?

Definition

- 2.1. A **hate incident** is defined as any incident which may or may not be a criminal offence, which is **perceived** by the victim or any other person as being motivated by prejudice or hate.
- 2.2. A **hate crime** is defined as any Hate Incident, which constitutes a criminal offence and is **perceived** by the victim or any other person, as being motivated by prejudice and hate. (**Only the police can classify a hate incident to be a hate crime**)
- 2.3. A '**mate crime**' is a term used nationally as a distinct form of hate incident. Mate crime is when vulnerable people are befriended by members of the

community who go on to exploit and take advantage of them. 'Mate' covers a wide number of people including friends, family and supporters and may also have a Safeguarding element as well. As with any hate incident, a mate crime may not be an illegal act but still has a negative effect on the individual, the Police will recognise and record 'mate crime' as an incident and act accordingly.

3. Why it is important to report hate incidents

- 3.1. In Norfolk, it is recognised that hate incidents and crimes are vastly under reported; this can be for several reasons including fear of reprisals, to people not being aware of their rights.
- 3.2. It is important that staff members support the rights of customers, clients and other staff members; this includes being free from discrimination, harassment and bullying.

Reporting of hate incidents will help to:

- Improve our understanding of the extent and nature of hate incidents in our communities
- Identify potential problem areas so they can be addressed
- Improve the quality of information collected about incidents which could contribute towards more successful prosecutions and convictions
- Protect the rights and promote the interests of the most vulnerable in society
- Heighten the awareness and confidence amongst people we work with so that reporting is seen more as the 'norm' and less the exception.
- Give victims access to a range of support services they might not be aware of

Please note:

For hate incidents affecting Norfolk and Waveney CCG employees at work please read this guidance in conjunction with the Dignity at Work Policy.

4. Legislation

Equality Duty

- 4.1. Norfolk and Waveney CCG has a legal responsibility under the Equality Act 2010 to have due regard to eliminating discrimination, harassment and victimisation, advancing equality of opportunity and fostering good relations between people on the grounds of the following protected characteristics:
 - Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership
 - Pregnancy and maternity
 - Race

- Religion or belief
- Gender
- Sexual orientation

Crime and Disorder Act

- 1.1. Under the Crime and Disorder Act any relevant authority to which this section applies has a duty to consider crime and disorder in exercising its functions.

As part of this we have a leading role with other public and voluntary sector bodies in tackling hate incidents and hate crime and encouraging effective reporting. It states, 'it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area'. As part of this we have a leading role with other public and voluntary sector bodies in tackling hate incidents and hate crime and encouraging effective reporting

Safeguarding

- 1.2. Norfolk and Waveney CCG have a legal obligation for the protection and safeguarding of people that we provide services for. As part of the introduction of the Care Act, hate incidents must now be considered as a motivating factor as part of identifying and investigating any form of abuse under Safeguarding.
- 1.3. 'Everyone is entitled to the protection of the law and access to justice. Behaviour which amounts to abuse and neglect, for example physical or sexual assault or rape, psychological abuse or hate crime, wilful neglect, unlawful imprisonment, theft and fraud and certain forms of discrimination also often constitute specific criminal offences under various pieces of legislation'.
- 1.4. It is the responsibility of all organisations to act where there are Safeguarding concerns.

5. What does it mean for me as an employee?

- 2.1. It is **everyone's** responsibility to be aware of and to report potential hate incidents. Not to do so, could constitute a disciplinary offence.
- 2.2. If Staff witness or is a victim of a hate incident, they should report it in the following ways;
 - Online through – <https://www.norfolk.police.uk/stop-hate>
 - Non-emergency police telephone number - 101
 - Emergency police telephone number – 999
 - Norfolk Adults Safeguarding <https://www.norfolksafeguardingadultsboard.info/>
 - Norfolk Children's Safeguarding <https://www.norfolkscb.org/>
- 2.3. Where an incident is perpetrated by a staff member on another staff member, the victim does have the right to report it as a hate incident through the

mechanisms above, we would encourage a conversation with our internal HR Officers first to ensure it is the best course of action.

- 2.4. It is recommended that all staff undertake the hate incident e-learning, which can be accessed via <https://www.norfolk.police.uk/stop-hate>

6. Hate Incident Reporting Places

- 3.1. Hate Incident Reporting Places are any organisation outside the police that supports people in reporting a hate incident to the police.
- 3.2. They can be specialist and non-specialist organisations e.g. Commissioned Services, Community or activity groups, Voluntary Organisation, GP Surgery or a Local Church
- 3.3. Their aim is to encourage and facilitate the reporting of hate crime by providing a safe, accessible and supportive place that the **person feels comfortable in**.
- 3.4. Expectations of the amount and level of support they provide will differ depending on if the report is being made for a member of the public or for a service user/client.
 - For members of the public, the service is purely there to facilitate a report being made, there is No expectation that that service will be providing ongoing support for that person.
 - For people who are service users/clients/staff or volunteers, we may need to offer a different level of support depending on the situation.

7. What you should do if you witness a hate incident or have one reported to you

- 4.1. Members of the public, service users/clients, staff and volunteers do have the right to report an incident anonymously, however, this will limit how far the police can action any report coming into them as details of victim will be needed to progress. Saying this, even if the person does not want to put their name to the report, they should be encouraged to report the incident as the more information the police have on hate incidents in Norfolk the better their overall understanding of what is happening. It could also enable the police to link up information, ultimately leading them to identification of the perpetrator leading to charges being made without needing the victim's details
- 4.2. Incidents can be reported in several ways listed in Section 4, depending on what is most suitable and most accessible for the individual wanting to report:

8. What happens when a hate incident is reported?

- 5.1. All reports are subject to an initial investigation using which the police will make a judgement as to whether the report will be classified as a hate crime or hate

incident and what action should be taken. There will be situations where the instance will not constitute further action but as detailed in section 5, the more information the police have the more likely we are to be able to stop it happening to someone else.

- 5.2. Staff may be required to take part in multi-agency case conferences as a way of addressing the issues as described in the Stop Hate in Norfolk protocol, in this situation it would be beneficial for those staff members to attend the Hate incident face to face training listed in Section 4.

9. What to do if you are unsure

- 6.1. Any member of staff with concerns about an incident should discuss these with their line manager, Safeguarding Lead or HR Department.