

OXFORD CITY COUNCIL

HOUSING SERVICES

RACIAL HARASSMENT POLICY

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Oxford City Council

Housing Services

RACIAL HARASSMENT POLICY

Housing Services Business Unit

The Housing Services Business Unit provides tenancy and property management services for Oxford City Council's residential properties and garages, and their tenants and leaseholders. It maintains registers of applicants for Council housing, and allocates new tenancies to those applicants in greatest housing need. Through its Elderly Services Section, the Business Unit provides for the maintenance of the communal areas of the sheltered housing schemes, an Alarm Control Centre and Mobile Warden Service for vulnerable sections of the community. Through its Housing Needs Team it assists people with the highest housing need, including those who meet the criteria for statutory homelessness as laid out in the Housing Act 1996, by assessing all applications and placing those who fulfil the criteria into temporary accommodation until they are offered permanent accommodation.

Oxford City Council's Vision

Oxford City Council's vision guides all the work we do in Housing Services.

This policy sets out guidelines that are in line with our vision.

Oxford City Council's vision is to build pride in our City. We are committed to achieving this vision by:

- Improving the Council's performance - We aim to provide services that the people of Oxford can rely on, services that get things right the first time. We will develop a service culture that is open and responsive to the needs of our customers. We will ensure that all our customers can access our services easily and on equal terms.
- Working more closely with partners to develop and deliver shared goals for the City - We believe that the Council, as the democratically elected body for Oxford, should play a focused and creative role in the life of the City. We will do this by working closely with the communities in our City and learning from them.

One of Oxford City Council's key strategic priorities to achieving the vision is to make Oxford a safer City. People cannot enjoy their City if they do not feel safe in their homes or on their streets. The Council will tackle anti-social behaviour. We will work with other bodies, especially the police, to reduce crime and the fear of crime.

What is Racial Harassment?

Oxford City Council has adopted the following definition of racial harassment:

Any unwanted conduct of a discriminatory nature or other conduct based on race, nationality, ethnicity or culture that is intimidating, upsetting, embarrassing, humiliating or offensive, and affects the dignity of persons to whom it is directed.

The Council has adopted the following definition of a racist incident:

A racial incident is any incident which is perceived to be racist by the victim or any other person.

This definition was developed as a result of the 1999 Stephen Lawrence Inquiry. The Council will use it as the first point of assessment in relation to any reported incident.

Using this definition of a racist incident during an investigation does not prejudice the perpetrator's intention. After a thorough investigation of an incident it may be clear that the harassment is not racially motivated. But using a survivor-centred definition for report taking and investigation ensures that any racial motivation is fully considered while the incident is investigated. (Tackling racial harassment: code of practice for social landlords, 2.1.3)

The following list, although not exhaustive, gives a guide to the types of behaviour that will be dealt with as racist incidents:

- Verbal racist abuse and using offensive racist language
- Making threatening, intimidating and derogatory remarks about a person's race, colour, nationality or ethnic or national origins
- Consistent complaints and derogatory remarks about a person's race, colour, nationality or ethnic or national origins
- Racially motivated assault including actual bodily harm and grievous bodily harm
- Sending written racist material or correspondence through the post or by e-mail or making abusive telephone calls of a racist nature
- Racially motivated damage to property and possessions, including arson
- Racially aggravated assault based on the victim's membership (or presumed membership) of a racial group

Why do we have a Racial Harassment Policy?

To respond to our customers needs

As stated in Oxford City Council's vision we are committed to being responsive to the needs of our customers and to ensuring that all our customers can access our services easily and on equal terms. We want to support customers experiencing racial harassment and encourage them to report all incidents.

Through this policy we can ensure that all staff in Housing Services adopt a common approach to meet the needs of our customers.

Work effectively in partnerships

As stated in Oxford City Council's vision we will work more closely with partners to develop and deliver shared goals for the City.

Racial harassment is a complex issue and we can achieve more through a multi-agency approach. Through the Oxfordshire Racial Equality Council (OREC) we can work with other agencies to reduce racial harassment in Oxford. Through this policy Housing Services' approach to racial harassment will be clear to those we are working in partnership with.

Legal obligations/statutory duties

The Council has statutory duties:

- to act in accordance with the European Convention of Human Rights (Human Rights Act 1998, particularly Articles 8 and 14);
- to provide for the well being of its citizens (Local Government Act 2000);
- to do all it reasonably can to prevent crime and disorder in its area (Crime and Disorder Act 1998);
- to eliminate unlawful discrimination and to promote equality of opportunity and good race relations (Race Relations (Amendment) Act 2000)

Policy Statement

We believe

- that every person has a right to be safe from fear and abuse;
- that racial harassment is unacceptable and should not be tolerated;
- anyone experiencing racial harassment should be supported and protected from further abuse.

We will

- record and investigate any racial incidents reported to us or incidents that staff themselves perceive as racial, in accordance with Oxford City Council's Corporate Racial Incident Reporting Policy;
- provide a supportive and enabling environment which encourages people to report racial harassment;
- as a landlord take action against perpetrators who are Council tenants;
- provide information and advice on what Oxford City Council can do, what the customer can do themselves and what help they can receive from other agencies;
- put the customer's safety first and ensure confidentiality;
- respect the choices of the customer;

- work in partnership with other agencies to prevent racial harassment;
- provide training for all staff on racial awareness and racial incident reporting;
- provide support to Housing staff who work with people experiencing racial harassment.

Key Principles

Oxford City Council has adopted a survivor-centred approach to people experiencing racial harassment. Our aim is to empower them by advising them of their options and giving guidance so they can make their own decisions.

Safety and confidentiality of the survivor are paramount. Oxford City Council will only involve other agencies or divulge information with the consent of the customer, unless required to do so by law or unless that information is necessary for the protection of people at risk.

Service provision – what customers can expect

We will arrange for you to speak to a member of staff in private and in a safe environment.

If possible we will arrange for you to speak to a member of staff who is of the same sex or ethnic origin if you feel more comfortable with this.

If required we will arrange for an interpreter or signer. We will always use a professional interpreter or signer.

We will listen to you and give you time to explain your situation.

We will treat all information you give to us in confidence and we will only pass on information to other agencies if you give your permission, though we will explain the benefits of sharing information with other agencies.

We will consider security improvements to the properties of Oxford City Council tenants who are at risk of or who are experiencing racial harassment.

We will offer safe, good quality temporary accommodation for victims and witnesses of racial harassment if there is a fear for their immediate safety.

Where possible we will take action against perpetrators, such as possession orders, injunctions, anti-social behaviour orders, parenting orders and child curfew orders.

We will arrange for mediation where appropriate.

We will offer the same type of support and protection to witnesses as to victims themselves.

Where we cannot help we will refer you to other agencies.

Monitoring racial harassment cases

All cases should be recorded on a racial incident reporting form, i.e. all approaches to the service as a result of racial harassment. Line managers should send a copy of the reporting form to the Policy & Performance Manager and to the CANAcT team each quarter.

Reviewing policy

This policy will be reviewed annually. It will also be reviewed if there is a change in legislation.

Literature List

148 Tackling racial harassment: code of practice for social landlords (DTLR, 2001).

Code of practice on reporting racist incidents in response to recommendation 15 of the Stephen Lawrence Inquiry Report (Home Office, 2000).

53 Racial attacks and harassment: the response of social landlords (DTLR, 1998).

Rented housing code of practice (Commission for Racial Equality).

Housing and Black and Minority Ethnic Communities – Review of the evidence base (ODPM, 2003).

Good Practice Briefing: Crime, Disorder and Anti-social Behaviour (CIH, 2002)