Racist, Homophobic and Disability Related Harassment: Policy and Procedure

Equality Impact Assessment

Greenwich Housing Services, March 2003
1. Background
1.1 The Dealing with Racist Incidents policy and procedure was written following a thorough review of the previous racial harassment policy and procedure and implemented in April 2002. It is now being revised to include more information about homophobic harassment and introducing disability harassment. None of this will detract from work to tackle racial harassment across the Council.

1.2 The Council has adopted the Equality Standard for Local Government and is committed to reaching Level Two by March 2004. One of the requirements to reach Level Two is to have procedures for dealing with harassment on the grounds of race, gender and disability. As a the major provider of social rented housing in the borough it is important that the Council take a lead in developing policies and procedures to deal with the harassment of disabled people.

1.3 The Council works in partnership with the Metropolitan Police through the Crime and Disorder Reduction Partnership. The Met Police definition of Hate Crime includes harassment and abuse of vulnerable adults, and a third party reporting site for hate crime against disabled people has been set up through Greenwich Association of Disabled People (GAD). The establishment of the third party reporting arrangements is designed to increase reports to the Police, which is likely to lead to an increase in referrals to housing offices also. Extension of housing policies to address disability harassment in a similar way to racial and homophobic harassment will assist our multi agency working with the police and other partners.

1.4 The Criminal Justice Bill is being amended to increase the sentences for assaults where the offences have been aggravated by discrimination on the grounds of sexuality or disability in the same way that there are offences of racially aggravated assault.

2. The review process
This review of the equality impact of the policy changes has been carried out by Carol Hinvest and Jo Beck, in the Housing Policy Unit.

3. Aims of the policy and procedure
The aim of the new policy will be to respond effectively and provide a victim centred approach to tackling harassment on the grounds of race, homophobia and disability.

4. Relevance of the policy to equality legislation and categories
The policy meets the duties placed on the Council under the Race Relations Amendment Act to promote equality of opportunity and prevent unlawful discrimination. The addition of disability harassment will meet the requirements of the Disability Discrimination Act to make reasonable adjustments to policies to make services more accessible to disabled people.
5. Data sources used in the assessment
   Special needs housing survey
   Focus groups with disabled people organised by GAD
   Census data

6. The likely impact of the revised policy

6.1 The new policy will have significant positive impact for equality, and to particular benefit disabled and Lesbian, Gay, Bisexual and Transgender people experiencing harassment and abuse.

6.2 The following possible adverse affects were identified:

6.3 **Reduced emphasis on racial harassment, which would negatively impact on race equality.** Some staff have suggested that expanding harassment policies to include homophobic and disability related abuse, will ‘water down’ or detract from work to tackle racial harassment, partly because of the amount of time that staff have available to carry out this work. However, the following points must also be noted:

   - There is no alteration in arrangements to respond to racial incidents contained in the changes, and so no justification for a reduced response in future
   - Frequently victims are targeted on both racial and disability grounds, as vulnerable adults, and revised procedures will provide a more comprehensive response.
   - Staff would already be expected to respond vigorously and sympathetically to a disabled person reporting harassment. New procedures and support arrangements will assist staff in carrying out this work more effectively, and will ensure that their contribution is monitored properly.

6.4 **Policy and procedures will not be tailor-made to the needs of LGBT or disabled people.** By revising existing racial harassment procedures to address other areas there is potential for a less appropriate response being provided to disabled and Lesbian, Gay, Bisexual and Transgender (LGBT) people than would be provided if individual policies were developed for each group. However, it should also be noted that:

   - Consultation and research has been used to ensure that the particular needs of LGBT and disabled people are effectively addressed, just as consultation with BME and race equality organisations was central to the development of the original policy and procedure.
   - Greenwich Housing Services has co-funded research into the experiences of homophobic abuse amongst the LGBT community in Greenwich and Bexley, and is working closely with the Metro Centre through the Hate Crime Task Group of the Crime and Disorder Reduction Partnership.
Greenwich Association of Disabled People has made a significant contribution in the development of the new policy and procedures, to ensure that the particular needs of disabled people are addressed.

Focus group consultation has been carried out with disabled people, in co-operation with GAD

The Black and Ethnic Minority Association for Disability have been consulted on the revisions to the policy

6.5 This consultation demonstrated that, although experience and perception of harassment will vary across different groups and individuals, there are clear similarities in what victims want from the housing department when they report an incident. A comprehensive and inclusive harassment policy can more effectively address all of the different needs – for support, effective communication, accessible information etc – that all victims of abuse and harassment have.

7. Changes as a result of consultation
As a result of this input a number of alterations and additions to the proposed policy have been made, which include:

7.1 Publicity –must be available and accessible. This to include leaflets and information on the Council website and on the websites of groups such as GAD.

7.2 Greenwich Advice and Support Pack (GASP) is provided to all victims of harassment by their caseworkers. The GASP is currently available in ten community languages, in large print and on tape. The focus group raised the need for a version in a pictorial format for people with learning disabilities.

7.3 Disability awareness training for staff should accompany training to respond to disability harassment. This will enable them to support disabled people suffering harassment and to investigate their cases sensitively.

7.4 Monitoring forms must be extended to record incidents of disability harassment and to add GAD as a referral agency for disabled people. It already includes information about whether the victims are disabled people, whether they are experiencing homophobic abuse, and about their communication needs.

7.5 Partnership working has strengthened since the implementation of the racial harassment policy, particularly through the Crime and Disorder Reduction Partnership and the Hate Crime Panel. RSLs are now active players in the Hate Crime Panel, and there is an opportunity to seek their agreement to extend the Racial Harassment Protocol to include harassment and abuse on the basis of disability and sexual orientation.

8. Consultation

8.1 A briefing note on the changes was sent out for consultation with staff.
8.2 Consultation also took place with
- GAD
- Greenwich MENCAP
- Voice in Greenwich
- BEMAD
- Greenwich Council for Racial Equality
- Metro Centre
- Greenwich MIND
- Sahara
- Members of the Diversity Review Board
- All Councillors

9. Recommendations

9.1 Publicise the changes to the policy to encourage victims to come forward
- Use Hate Crime Leaflets
- Information on Council website
- Information on other websites
- Working with voluntary sector bodies to spread awareness about the policy

9.2 Produce GASP in a version for people with learning disabilities

9.3 Amend RHIF1 to monitor for disability harassment

9.4 Provide disability awareness training for staff

9.5 Renegotiate the protocol with RSLs on dealing with harassment

10. Monitoring of these recommendations
These recommendations will be included in service plans of the relevant teams and will be monitored through the service planning and review process.

11. Publication of the EIA
The EIA will be made available to the public through the Social Inclusion and Justice Division