

Tameside Community Services

Race and other Hate Incidents and Crimes

Reporting procedure

Guidance for Staff to follow when customers report incidents

April 2010

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Foreword

The Council and the Community Services Directorate is fully committed to equal opportunities and harmonious race relations, not only in terms of complying with legislation, policy and guidelines, but also in the interests of effective community cohesion in Tameside. Our obligations under relevant legislation are highlighted in the introduction to this Guidance Document, and clearly it is imperative that we have sound systems and procedures in place for reporting and monitoring racial and other hate incidents and crimes

This guidance will assist staff in meeting these obligations, help you to identify racial and hate incidents and help you to respond appropriately. I would stress that this is not simply about recording of incidents – good accurate information helps us to plan proactive responses both as a Service, and from a multi-agency perspective. The Tameside Community Cohesion Partnership sees this information as critical to promoting community cohesion and enabling partners to be much more strategic and proactive in working to reduce the number of racist incidents and other hate incidents or crimes.

As a service we have continued contact with a range of customers vulnerable and I believe we can demonstrate commitment to them to listen and support them in eliminating discrimination from our service

I would therefore urge you to study and take on board this guidance, and encourage the accurate recording and reporting of racial incidents – it will ultimately serve to improve community cohesion in Tameside.

Martin Garnett
Assistant Executive Director
Older Adults
Community Services

Introduction –

This document lays out the reporting mechanisms and procedures, which we need to implement in Community Services in relation to monitoring of hate crimes and incidents including race related incidents.

This procedure is in relation to public, service users or carers, subsequently referred to as customers (as victims of racial or hate related incidents). This is covered in more detail on page 7.

Any incidents can be, and all crimes should also be reported to the police via the form on the website as described in more detail on page 5. If you are unsure if this is the case, please speak to your manager.

<http://www.gmp.police.uk/mainsite/hatecrime.htm>

Further information for support is available from :

<http://www.tameside.gov.uk/hatecrime> or

<http://www.gmp.police.uk/mainsite/hatecrime.htm>

Please note : The procedure to use if staff report incidents (as victims of racial and other incidents themselves) is covered in the Bullying and harassment Guidelines. The law does requires us to monitor incidents reported by staff, however, this information is collected SEPARATELY And SHOULD BE REPORTED USING THE APPROPRIATE HUMAN RESOURCES RELATED POLICY e.g. the bullying and harassment guidance. Information about these can be found on the HR link below

<http://intranet2.tameside.gov.uk/chiefexec/hr/index.htm>

The Legislation -

In Tameside MBC there has always been commitment to Equal Opportunities and Race Relations. When the Race Relations (Amendment) Act 2000 (RRAA) came into effect on 1st April 2001 it broadened responsibilities in the previous RRA 1976 and laid out duties for statutory bodies (including Local Authorities) to promote race equality.

The General Duty of the RRAA requires Local Authorities (amongst others) to:

- ◆ eliminate unlawful racial discrimination;
- ◆ promote equality of opportunity between persons of different racial groups, and;
- ◆ promote good relations between persons of different racial groups

One of the Specific duties is also to produce and maintain a Race Equality Scheme, which is monitored through BVPI 12b (the Council's duty to promote race equality). This requirement includes the need to monitor racial incidents reported and dealt with by the local authority under BVPI 174/175. These indicators look at the monitoring of racial incidents reported by customers. See Appendix 1 for descriptions of the Best Value indicators. From 2009 this requirement was removed, however TMBC wish to continue to collect this information to inform the council's community Cohesion Strategy work.

A new Single Equality scheme has been developed to follow national developments. The Single Corporate Equality Scheme is a plan that sets out

what the Council will do to ensure that everyone has access to services and can have a good quality of life regardless of who they are.

The monitoring requirements have also been designed to ensure that we would meet other legislative requirements in the process. See Corporate Equality Scheme. <http://www.tameside.gov.uk/equalitydiversity/single>

Reporting hate related incidents and crimes -

Identifying Incidents

A hate incident is defined as:

“Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate.”

A hate crime is defined as:

Any hate incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by prejudice or hate.”

A racial incident is defined as:

..ranging from criminal harrassment and abuse to physical violence under criminal law. Inciting racial hatred is also a criminkl offence. Publishing and disseminating materials such as leaflets and newspapers that are likely to incite racial hatred is also a criminal offence. If anyone has a complaint with any of these criminal matters they should be reported to the police

(RRA 2000)

Public authorities should collect all relevant hate incidents. A relevant incident is described as only incidents taking place on TMBC place of business or during TMBC business and activity should be recorded as part of TMBC procedure. Incidents which do not relate to the authority, for example an incident in the street, or a complaint against an outside body which has no relationship to the local authority or services should be reported by the victim themselves through GMP
<http://www.tameside.gov.uk/hatecrime>

Any incidents reported by customers and in Adult Community services need to be reported using the **Adult Services Hate Incident Monitoring Form** as outlined in this procedure page 7.

This form is also available on the intranet page, specifically for race and is being updated to capture all Hate incidents

http://public.tameside.gov.uk/forms/f1213racial_incidents.asp

Supporting someone to report a hate incident or crime

The main place that people can report a hate incident or crime is through GMP – this agency collates all the incidents and crimes and is responsible for dealing with the crimes reported and where possible victims can be directed to GMP or other reporting centres. Some people may be able to and/or feel comfortable enough to report the incident to the police directly and in such circumstances we may not need to help them to take up the issues for them. Please direct people to the reporting procedure available through Greater Manchester Police as above

However, there may be occasions when:

- people do not want to report to the police themselves; or
- people may need help to report the incident and present at Reporting Centres.

Tameside MBC is a 'third party reporting centre' and a full list of these is available on Tameside website

<http://www.tameside.gov.uk/racialharassment/reporting/locations>

- as a third party, staff have witnessed something that they perceive to be a hate incident or harassment towards a customer; or
- some incidents may be 'victimless' where a general comment is made towards a customer by other public or customers, but not directed at anyone person, but someone may have been offended and wishes to record a concern

In such circumstances the Adult services process for reporting and recording incidents should be followed as described on page 7.

Dealing with and reporting racial incidents faced by Customers within Adult services care or premises

Recording of incidents reported by Customers

There are a number of Reporting Centres, including customer first centres, and a range of statutory and voluntary organisations where any member of the public can report incidents. A full list of reporting centres can be found at <http://www.tameside.gov.uk/corpgen2/racial2.htm>

A member of public seeking support to report the incident may approach any Council employee. The member of public may be unaware of reporting procedures or unwilling to approach the police directly.

The staff member should:

- 1) ascertain whether the person(s) are prepared to report the incident to the Police directly. If so the person should be given the details for the Police or Reporting Centres as above.
- 2) If the person is unable or unwilling to report the incident to the Police themselves and needs support the member of staff should support the victim to report to the police or a reporting centre where a form will be completed.

The victim should be given a copy of their completed form. One copy is sent to the Community Safety team and one copy retained by the reporting centre (if different to the Police). The staff member could request a copy and send this to the RED team also.

- 3) If the person(s) does not wish to report the incident to the Police or a reporting centre, possibly because they are not the direct victim, or they are not wishing to take it further, the member of staff who is being made aware of the incident is required to complete a **Adult Services Hate Incident Monitoring Form** (a copy is included in this pack at appendix 3 which can also be photocopied or downloaded from the intranet). *Please note this form does not require completing if the person is prepared to report the incident to the Police themselves via the internet or printed out form.* This form is also available on the intranet to be completed on-line.
http://public.tameside.gov.uk/forms/f1213racial_incidents.asp

- 4) The completed form should be sent by to Paul Clarke, Team Manager by email or by post the at Rydal House, Rydal Avenue, Hyde SK14 4QB

It is intended that everyone should be asked to state their ethnicity and whatever is stated should be recorded in the form.

For guidance on the ethnicity monitoring – please refer to the ethnic monitoring categories prompt card (appendix 4).

Examples of incidents which can be reported in this way –

- ◆ A service user reports that they had been offended or insulted in a day centre, luncheon club or one of our facilities, by an action from another service user, or between two other service users.
- ◆ A member of the public comes to our reception services and discloses that something happened within a council owned building or involving our staff

Examples of incidents which cannot be recorded in this way are –

- ◆ Incidents which do not relate to the authority, for example an incident in the street, or a complaint against an outside body which has no relationship to the local authority or services.

Wherever possible staff should not record multiple incidents about the same person, from a multiple of complainants unless they are unrelated incidents. It is important the reports are kept in confidential, easily retrievable systems.

The flowchart in Appendix 2 gives more guidance if anything is unclear or alternatively staff may call any of the telephone numbers below for clarity:

Y.P Drugs & Community Cohesion co-ordinator

Haje Rakhman

Room 5.4, Council Offices

Tameside MBC

342 3337

haje.rakhman@tameside.gov.uk

Greater Manchester Police

Community and Race Relations Officer

Hyde Police Station

Clarendon Road, Hyde

SK14 2JZ

856 9353

Shameem.Eusuf@gmp.police.uk

APPENDIX 1- Best Value indicators descriptions

BVPI 174 – The number of racial incidents reported to the Local Authority, and subsequently recorded per 100,000 population

The category of incidents to be collected are –

Verbal racist abuse
Racial harrassment
Verbal & physical assault
Racial literature or materials
Graffiti
Others

Incidents to be included are ONLY those reported TO the TMBC staff or elected members, if advice only is given these should not be recorded.

Incidents reports via staff or services which we commission should be included.

Grievances reported to HR will be included by HR services

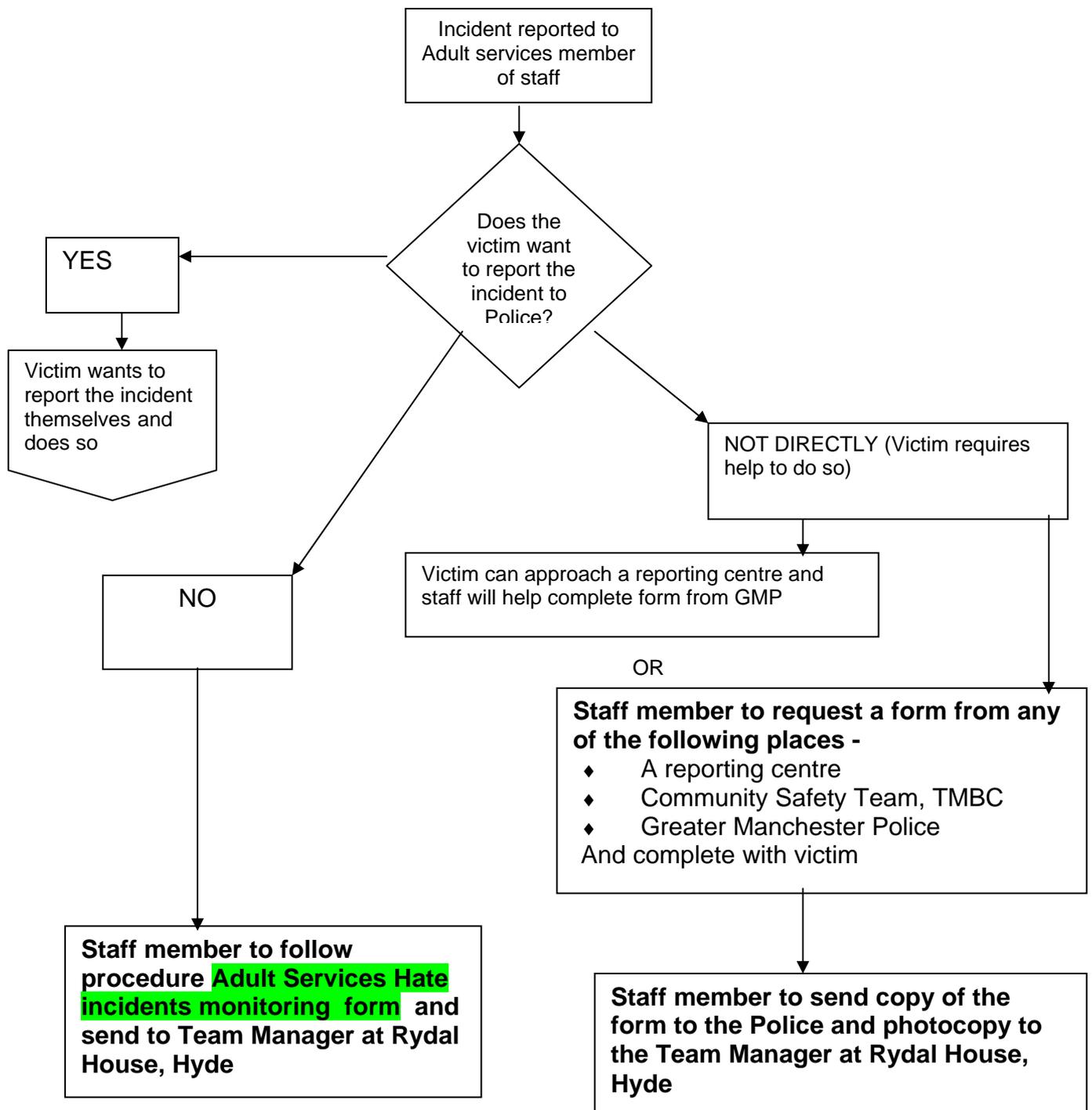
BVPI 175 – The percentage of racial incidents reported to the Local Authority that resulted in further action (the subsequent action needs to be included in a written report)

Examples of recorded actions –

Detailed investigations e.g. interviews with alleged perpetrator(s)
Mediation
Referral to another body e.g. Police, CRE, Victim support, CAB
Formal disciplinary procedures
Counselling/training recommended
Relocation of victim
Removal of graffiti/literature
Other?

These actions may be internal processes, and should be recorded.

APPENDIX 2 Flowchart showing process for customers who wish to report incidents



APPENDIX 3 - Adult Services Hate incidents Monitoring form

This form can also be completed on line at

<http://intranet2.tameside.gov.uk/socialserv/formsindex.htm>



Worker's name and team making the report

Date of incident

Place where incident took place

Who was involved in the incident?

Victim's details

Name

Address

Ethnicity – see ethnic monitoring prompt card or APPENDIX 4 of guidance

Gender

Perpetrator's details (if known)

Name

Address

Ethnicity - see ethnic monitoring prompt card or APPENDIX 4 for guidance

Gender

PTO

Type of incident - please tick each box which applies

Verbal abuse

e.g. name calling, ridicule, insult, joke, comment

Physical Abuse

e.g. hitting, pushing, punching, biting

Incitement of hate crime or display of information

e.g. magazines, leaflets badges,

Other

Please describe.....

Incident related to other groups

Gender

Sexual Orientation

Age

Disability

Details of incident – what actually happened? Please continue on separate sheet if required and attach to this form.

Action taken or planned

e.g. service review, mediation, internal procedure invoked e.g. disciplinary procedure, report to manager, raised at team meeting, referred to another agency

Please return this form to the Team Manager, Rydal House, Rydal Avenue, Hyde, SK14 4QB.

This form is also available to be completed on-line on the intranet page http://public.tameside.gov.uk/forms/f1213racial_incidents.asp

APPENDIX 4 - Ethnic monitoring categories/Prompt card

Updated November 2008

<p>W WHITE</p> <p>01 British, Mixed British</p> <p>02 Irish</p> <p>03-39 Any other white background</p> <p>03 English</p> <p>04 Scottish</p> <p>05 Welsh</p> <p>06 Cornish</p> <p>07 Cypriot (part not stated)</p> <p>08 Greek</p> <p>09 Greek Cypriot</p> <p>10 Turkish</p> <p>11 Turkish Cypriot</p> <p>12 Italian</p> <p>13 Traveller of Irish Heritage</p> <p>14 Traveller</p> <p>15 Gypsy/ Romany</p> <p>16 Polish</p> <p>17 Former USSR (pto)</p> <p>18 Kosovan</p> <p>19 Albanian</p> <p>31 Bosnian</p> <p>32 Croatian</p> <p>33 Serbian</p> <p>34 Other Former Yugoslavia (pto)</p> <p>36 Mixed white</p> <p>37 Other European</p> <p>38 Northern Irish</p> <p>39 Other white (no mixed race description given)</p>	<p>A ASIAN GROUP</p> <p>41 (British) Indian</p> <p>42 (British) Pakistani</p> <p>43 (British) Bangladeshi</p> <p>44-59 Other Asian Background</p> <p>44 Asian/Mixed</p> <p>45 Punjabi</p> <p>46 Kashmiri</p> <p>47 East African Asian</p> <p>48 Sri Lankan</p> <p>49 Tamil</p> <p>50 Sinhalese</p> <p>51 British Asian</p> <p>57 Caribbean and Asian</p> <p>59 Other Asian unspecified</p>
<p>M MIXED GROUPS</p> <p>21 White and Black Caribbean</p> <p>22 White and Black African</p> <p>23 White and Asian</p> <p>24-29 Any other mixed background</p> <p>24 Black and Asian</p> <p>25 Black and Chinese</p> <p>26 Black and White</p> <p>27 White and Chinese</p> <p>28 Asian and Chinese</p> <p>29 Other Mixed (within combination above)</p>	<p>B BLACK GROUP</p> <p>61 Caribbean (West Indian)</p> <p>62 African (pto)</p> <p>63-69 Any other Black background</p> <p>63 Somali</p> <p>64 Mixed Black (combination of these)</p> <p>65 Nigerian</p> <p>66 Black British</p> <p>69 Other Black (not specified)</p>
	<p>O OTHER ETHNIC GROUPS</p> <p>81 Chinese</p> <p>82-89 Any other Ethnic Group</p> <p>82 African (no colour defined)</p> <p>83 Middle Eastern (pto)</p> <p>84 Vietnamese</p> <p>85 Japanese</p> <p>86 Filipino</p> <p>87 Malaysian</p> <p>89 Any other Group</p>
	<p>99 REFUSED</p> <p>100 INFORMATION NOT YET OBTAINED</p>