

# HATE CRIME AND INCIDENTS POLICY 2020 - 24

APPROVED BY (SELT) ON (March 2022)

Applies to:	
Harrogate College	✓
Keighley College	✓
Leeds City College	✓
Leeds Conservatoire	

## CHANGE CONTROL

<b>Version:</b>	1	
<b>Approved by:</b>	SELT	
<b>Date approved:</b>	March 2022	
<b>Name of author:</b>	Andrew Ottey	
<b>Name of responsible committee:</b>	SELT	
<b>Related policies: (list)</b>	<p>The related policies listed below can be found on the staff SharePoint Policy site</p> <p><a href="https://leedscitycoll.sharepoint.com/sites/Policies">https://leedscitycoll.sharepoint.com/sites/Policies</a></p> <p>Promoting Positive Relationships and Supporting Behaviour Policy</p> <p>Safeguarding Children and Adults Policy</p> <p>Complaints Procedure</p> <p>Staff Code of Conduct</p> <p>Employee Grievance Policy and Procedure</p>	
<b>Equality impact assessment completed</b>	<b>Date:</b>	22 February 2022
	<b>Assessment type</b> <input checked="" type="checkbox"/> <b>Full</b> <input type="checkbox"/> <b>Part</b> <input type="checkbox"/> <b>Not required</b>	
<b>Policy will be communicated via:</b>	<p>All staff email update</p> <p>Staff SharePoint policy site</p> <p>Google student life staff site</p> <p>Student Information site</p>	
<b>Next review date:</b>	November 2024	

## Contents

1. 4
2. 5
3. 8
4. 45
5. 5
6. 8
7. 46
8. 57
9. 87
10. 49
11. 511

## **1. POLICY STATEMENT**

This policy applies to the Luminate Education Group FE Colleges. These are Leeds City College (including University Centre Leeds), Keighley College and Harrogate College, hereinafter referred to as “the college”

The college is committed to tackling all forms of Hate Crime and Hate Incidents to protect and safeguard all our staff, students and visitors. It is a key priority for the college to raise awareness of this issue, ensure all students and staff are clear on acceptable behaviour, ensure all staff and students are aware of how to report any incidents and as well as for support to always be available for staff and students affected. The college has a zero-tolerance approach to all forms of Hate Crime and Hate Incidents and any form of abusive or discriminatory behaviour both inside and outside the college estate

The college should be a safe environment for all staff, students and visitors and a safe space for conversations to take place and concerns reported, including those in respect of identifying, reporting and tackling Hate Crime and Hate Incidents for both staff and students. As a college we promote the message of “be an upstander not a bystander” and this applies to calling out and reporting Hate Crime and Hate Incidents. This policy applies to all staff and students at the college

The college mission is to create learning environments where every student can reach their full potential. We apply a fair and consistent approach to behaviour and communication that is appropriate to the needs of students and their circumstances, as set out in the Promoting Positive Relationships and Supporting Behaviour Policy.

## **2. POLICY AIMS/OBJECTIVES**

This policy seeks to ensure that:

- Staff and students are safe from harm.
- Staff and students understand the definition of Hate Crime and Hate Incidents
- Staff understand how to report Hate Crime or Hate Incident that takes place either in or outside of the workplace
- Students understand how to report a Hate Crime or Hate Incident that takes place in or outside of the College
- Staff know how to deal with a Hate Crime or Hate Incident between two students
- Staff and students know where to seek support if they have been a victim of a Hate Crime or Hate Incident

## **3. WHAT IS A HATE INCIDENT?**

A Hate Incident is any incident, which may or may not be a crime, that an individual or any other person perceives to be motivated by hostility or prejudice towards that person's race, religion, disability, sexual orientation or transgender identity or perceived transgender identity.

Hate incidents can take many forms. Here are examples of hate incidents:

- 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
- graffiti
- arson
- throwing rubbish into a garden
- malicious complaints for example over parking, smells or noise

#### **4. WHAT IS A HATE CRIME?**

When Hate Incidents become criminal offences they are known as Hate Crimes. A criminal offence is something which breaks the law of the land.

Hate Crimes are any crimes that are targeted at a person because of hostility or prejudice towards that person's

- Race
- Religion
- Disability
- Sexual orientation
- Transgender identity

A Hate Crime can be committed against a person or property. A victim does not have to be a member of the group at which the hostility is targeted, anyone could be a victim of a Hate Crime. Someone can be a victim of more than one type of Hate Crime.

When something is classed as a hate crime, the judge can impose a tougher sentence on the offender under the Criminal Justice Act 2003.

Incidents which are based on other personal characteristics, such as age and belonging to an alternative subculture, are not considered to be hate crimes under the law. You can still report these, but they will not be prosecuted specifically as hate crimes by the police and the Crown Prosecution Service.

Hate crimes can take many forms. Here are examples of hate crimes

- assaults
- criminal damage
- harassment
- murder
- sexual assault
- theft
- fraud
- burglary
- hate mail (Malicious Communications Act 1988)
- causing harassment, alarm or distress (Public Order Act 1986)

#### **5. HATE CRIME AND THE LAW**

Any crime can be prosecuted as a hate crime if the offender has either:

- demonstrated hostility based on race, religion, disability, sexual orientation or transgender identity

**Or**

- been motivated by hostility based on race, religion, disability, sexual orientation or transgender identity

These crimes are covered by legislation (Crime and Disorder Act 1998 and section 66 of the Sentencing Act 2020) which allows prosecutors to apply for an uplift in sentence for those convicted of a hate crime.

The police and the CPS have agreed the following definition for identifying and flagging hate crimes:

"Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity."

## **6. THE IMPACT OF HATE CRIME AND INCIDENTS**

Hate Crimes and Incidents, whether experienced directly, indirectly, in person or online can have a serious impact on both the mental and physical wellbeing of an individual. Individuals subjected to hate crimes or incidents are reported to suffer from increased stress levels, anxiety, depression, PTSD or injuries, which can result in increased sickness absence for staff. For students it can impact on attendance in college in turn having implications for achievement and progression.

## **7. REPORTING HATE CRIMES AND INCIDENTS**

The College has a duty of care to its staff and students and encourages them to report any hate crimes or incidents at the earliest opportunity. This includes anyone who has witnessed a hate crime or incident (seeing, hearing or reading), where a hate crime or incident reported to them by victims or witnesses or has a strong suspicion or evidence of a hate crime/incident.

### **7.1 Hate Crimes and Incidents Relating to Staff**

Where a staff member discloses, they have been victim of a hate crime or incident outside of the college they should be encouraged to report it to the police. See Annex A for a list of third-party reporting services.

Where a staff member discloses, they have been a victim of a hate crime or incident from a student at the college they should be encouraged to report this to the police. It should also be reported to the Head of Department the student belongs to who will action restoratively in accordance with the Promoting Positive Relationships and Supporting Behaviour Policy

Where a staff member discloses, they have been a victim of a hate crime or incident from a staff member at the college they should be encouraged to report this to the police. It should also be reported to their line Manager initially and the College Employee Grievance Policy and Procedure followed in the first instance. Where the alleged perpetrator is the Line Manager then it should be reported to a member of the Human Resources team.

Where it has had an impact on the staff members wellbeing it is advised they have a discussion with their line manager so they are aware and can offer support. If they feel unable to do this, they can alternatively contact a member of the HR team.

Staff can access wellbeing support through the college's employer assist programme.

## **7.2 Hate Crimes and Incidents Relating to Students**

Where a student discloses, they have been victim of a hate crime or incident outside of the college they should be encouraged to report it to the police. See Annex A for a list of third-party reporting services. It should be reported as a safeguarding concern by following the colleges safeguarding reporting procedure.

Where a student discloses, they have been a victim of a hate crime or incident from another student at the college they should be encouraged to report this to the police. It should also be reported to the Head of Department the student belongs to who will action restoratively in accordance with the Promoting Positive Relationships and Supporting Behaviour Policy. A discussion should take place with the alleged perpetrator and the behaviour meeting recorded on ProMonitor and the reason being selected as 'discrimination and Hate Crime' It should be reported as a safeguarding concern by following the colleges safeguarding reporting procedure.

Where a student discloses, they have been a victim of a hate crime or incident from a staff member at the college they should be encouraged to report this to the police. It should also be reported to in the first instance to one of the Senior HR Business Partners.

Students can access wellbeing support through the college wellbeing team as well as seek practical advice on hate incidents and crime from one of the College Police Officers. See appendix B for Key Contacts.

For students who speak English as a second language, college will arrange for an interpreter to facilitate reporting of hate crime and hate incidents. To arrange this the ESOL department should be contacted in the first instance.

For students with and EHCP or SEND they can access an internal advocate to support with hate crime and incidents as an alleged victim or perpetrator. To arrange this the SEND team should be contacted in the first instance.

## **8. EDUCATION AND TRAINING**

### **8.1 Staff**

All new and existing staff will be made aware of this policy through communications from the Executive Leadership Team (ELT) as part of the ELT email updates. The policy will be available for all staff on the SharePoint policy site. New staff will be informed about the policy as part of their induction programme and pre- employment information.

Additional training can arrange for staff by the hate crime coordinator from West Yorkshire Police. The Head of Safeguarding and Wellbeing or the Health and Behaviour lead can be contacted to help set this up, see appendix B for contact details.

### **8.2 Students**

Information on Hate Incidents and Hate Crime is available on the student information hub. As part of student induction all students are informed what to do if they are worried about themselves or someone else. Behaviour expectations are included as part of student induction, and we recognise positive behaviour needs to be modelled and can be learned. Resources on hate crime are available on the tutorial site for tutors to deliver with students as part of the timetabled tutorial time. Our Safer Colleges Police Officer are also available to deliver sessions to students.

Apprentices will be made aware of this policy through the work placement handbook and the policy will also be available on the college website and via the safeguarding and wellbeing student app.

## **9. REVIEW**

This policy will be reviewed every three years by the Head of Safeguarding and Wellbeing. The College reserve the right to review the policy at any time.



## ANNEX A – REPORTING SERVICES

To independently report a hate incident / crime, a list of third-party reporting services is listed below

Police - In an Emergency	The Police should be called by dialling 999
Police - non Emergency	<p>Call 101 (non-emergency) to report an incident. You can speak to the police in confidence, and you do not have to give your personal details, however this would impact on the investigation and Police's ability to prosecute the offender if the police cannot contact you. You can also report online via the police website.</p> <p><a href="https://www.police.uk/pu/contact-the-police/report-a-crime-incident/">https://www.police.uk/pu/contact-the-police/report-a-crime-incident/</a></p>
True Vision	<p>True Vision is the official website for reporting hate crime, True Vision have information about third party reporting centres for those that do not want to go to the police directly.</p> <p><a href="https://www.report-it.org.uk/your_police_force">https://www.report-it.org.uk/your_police_force</a></p>
Crime Stoppers	<p>If you do not want to speak to the police or fill in a form you can still report the incident by calling Crimestoppers on 0800 555111 or via their website. This can be done anonymously and is confidential.</p> <p><a href="https://crimestoppers-uk.org">https://crimestoppers-uk.org</a></p>
Stop Hate Uk	<p>Stop Hate UK is a national organisation working to challenge all forms of Hate Crime and discrimination, based on any aspect of an individual's identity. Stop Hate UK provides independent, confidential and accessible reporting and support for victims, witnesses and third parties and has a 24-hour helpline Tel: 0800 138 1625</p> <p><a href="https://www.stophateuk.org">https://www.stophateuk.org</a></p>
Tell MAMA	<p>Measuring Anti-Muslim Attacks (MAMA) is a secure and reliable service that allows people from across England to report any form of Anti-Muslim abuse. They have created a unique portal where you may address your concerns and record any incident that you experience as a result of your Muslim faith or someone perceiving you to be Muslim.</p> <p>By using their 'Submit a Report' section, you can describe the details of the abuse you suffered, whether verbal or physical, and then add in the location of the attack so that we can effectively map incidents across England. They can also refer you for support through partner agencies if you have been a victim of an Anti-Muslim incident.</p> <p><a href="https://tellmamauk.org/">https://tellmamauk.org/</a></p>

Community Security Trust	<p>Community Security Trust (CST) is a charity that protects British Jews from antisemitism and related threats. CST received charitable status in 1994 and is recognised by police and Government as a unique model of best practice. CST has over 90 full and part-time staff based in offices in London, Manchester and Leeds.</p> <p>Victims of an antisemitic incident or information regarding an antisemitic incident that happened to somebody else can be reported to CST on 0800 032 3263 or by completing the online form on their website.</p> <p><a href="https://cst.org.uk/report-incident">https://cst.org.uk/report-incident</a></p>
Galop	<p>Galop works directly with thousands of LGBT+ people who have experienced abuse and violence every year. They specialise in supporting victims and survivors of domestic abuse, sexual violence, hate crime, and other forms of abuse including honour-based abuse, forced marriage, and so-called conversion therapies. They are a service run by LGBT+ people, for LGBT+ people.</p> <p><a href="https://galop.org.uk/">https://galop.org.uk/</a></p>
Trade Unions	<p>Your local Trade Union rep / branch can also help if you have witnessed or experienced a hate crime or incident in the workplace</p>
Ruils	<p>Ruils is a user-led charity supporting disabled children and adults and people with long term health &amp; mental health conditions to live independently, be part of their community and to live life to the full. We provide information, advice, advocacy, befriending and activities to our clients and their families</p> <p><a href="https://www.ruils.co.uk/services/disability-hate-crime/">https://www.ruils.co.uk/services/disability-hate-crime/</a></p>
Mind	<p>Support and advice when racism is affecting mental health</p> <p><a href="https://www.mind.org.uk/information-support/tips-for-everyday-living/racism-and-mental-health/useful-contacts/">https://www.mind.org.uk/information-support/tips-for-everyday-living/racism-and-mental-health/useful-contacts/</a></p>
Scope	<p>Support and advice on disability and hate crime</p> <p><a href="https://www.scope.org.uk/advice-and-support/hate-crime/#Disability-hate-crime-click">https://www.scope.org.uk/advice-and-support/hate-crime/#Disability-hate-crime-click</a></p>

## ANNEX B – COLLEGE CONTACTS

Head of Safeguarding and Wellbeing	Andrew Ottey – Tel: 07710 138 460 <a href="mailto:andrew.ottey@leedscitycollege.ac.uk">andrew.ottey@leedscitycollege.ac.uk</a>
Safeguarding Teams	<a href="mailto:Safeguarding@leedscitycollege.ac.uk">Safeguarding@leedscitycollege.ac.uk</a> <a href="mailto:Safeguarding@keighleycollege.ac.uk">Safeguarding@keighleycollege.ac.uk</a> <a href="mailto:Safeguarding@harrogate.ac.uk">Safeguarding@harrogate.ac.uk</a>
Head of Send	Liz Burkey – interim Head of Send <a href="mailto:Liz.burkey@leedscitycollege.ac.uk">Liz.burkey@leedscitycollege.ac.uk</a>
Head of ESOL	Stephen Woulds <a href="mailto:Stephen.woulds@leedscitycollege.ac.uk">Stephen.woulds@leedscitycollege.ac.uk</a>
Health and Behaviour Lead	Lauren Turnbull <a href="mailto:Lauren.turnbull@leedscitycollege.ac.uk">Lauren.turnbull@leedscitycollege.ac.uk</a>
College Police Officers	PC Matthew Beilby - Tel: 07734 983945 <a href="mailto:Matthew.Beilby@leedscitycollege.ac.uk">Matthew.Beilby@leedscitycollege.ac.uk</a>  PC Leon Ricketts – Tel: 07590 357171 <a href="mailto:Leon.Ricketts@leedscitycollege.ac.uk">Leon.Ricketts@leedscitycollege.ac.uk</a>
Human resources team	Chris Burleigh – Senior HR Business Partner, Tel: 07973 657152 <a href="mailto:chris.burleigh@luminare.ac.uk">chris.burleigh@luminare.ac.uk</a>  Steve Dolan – Senior HR Business Partner, Tel: 07500 083175 <a href="mailto:steve.dolan@luminare.ac.uk">steve.dolan@luminare.ac.uk</a>  Melissa Hutchins – Senior HR Business Partner, Tel: 07814 818861 <a href="mailto:melissa.hutchins@leedscitycollege.ac.uk">melissa.hutchins@leedscitycollege.ac.uk</a>
Tutorial resources	Ellie Faulkner – Pastoral and Digital Lead <a href="mailto:ellie.faulkner@leedscitycollege.ac.uk">ellie.faulkner@leedscitycollege.ac.uk</a>