

REPORT TO:		Cabinet	
DATE:		20 July 2016	
PORTFOLIO:		Cllr Munsif Dad - Health and Communities	
REPORT AUTHOR:		Kirsten Burnett, Head of HR	
TITLE OF REPORT:		Draft Hate Crime / Incident Procedure	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

1. Purpose of Report

1.1 To present a draft Hate Crime / Incident Procedure.

2. Recommendations

2.1 That Cabinet approves the draft procedure.

3. Reasons for Recommendations and Background

3.1 The current Hate Crime / Incident Policy and Procedure was approved in May 2008. It is 24 pages long, including 8 appendices. Some of the details are out of date. For example, it refers to old legislation, the Community Advice Centre is listed as a third party reporting centre, and the Community Safety Manager is the nominated officer.

3.2 Procedurally, the current document is more or less sound. However, the length of it and the detail it goes into mean that it is not easily readable or understood. If the aim of the procedure is to help employees and elected members understand what hate crimes and incidents are, and what they should do if they are told of or witness any, then there is room for improvement.

3.3 The draft procedure attempts to explain, very simply, the steps employees or elected members should take if they receive a report or witness a hate crime / incident.

3.4 The introduction of a revised document provides an opportunity to update employees and elected members so that they are aware of their responsibilities in relation to this and the Council's commitment to tackling hate crime. While the Council is not listed as a third party reporting centre, it is foreseeable that Council staff and elected members will be made aware of, or witness, hate crimes or incidents

4. **Alternative Options considered and Reasons for Rejection**

4.1 We could retain the existing document with a few revisions to bring it up to date.

5. **Consultations**

5.1 An earlier draft was subject to consultation via the Health and Communities Working Group and the Community Safety Partnership in 2015. The draft has changed in response to feedback from this and to ensure that definitions and contact details are up to date.

6. **Implications**

Financial implications (including any future financial commitments for the Council)	None
Legal and human rights implications	The proposed procedure helps us to signpost others to services that can help protect their legal and human rights. Reporting of incidents and crimes supports the police and contributes to more accurate recording of hate crimes and incidents.
Assessment of risk	No risks have been identified.
Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	See attached CFA.

7. **Local Government (Access to Information) Act 1985: List of Background Papers**

7.1 The previous policy / procedure from Cabinet meeting of 14 May 2008
http://www.hyndburnbc.gov.uk/site/scripts/meetings_info.php?attachmentID=2890

8. **Freedom of Information**

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.

Customer First Analysis Hate Crime / Incident Procedure

1. Purpose

- What are you trying to achieve with the policy / service / function?
 - ✓ Clear guidance on how employees and elected members should deal with reports of hate incidents and crimes and what to do if they witness these.
 - ✓ Clear accountability for co-ordinating and reporting within the Council.
 - ✓ Signposting information to ensure people can get the support they need and access the available reporting channels.
- Who defines and manages it?
 - ✓ The nominated officer within the procedure is the Head of HR.
- Who do you intend to benefit from it and how?
 - ✓ Actual or potential victims of hate crimes and incidents and anyone who witnesses or becomes aware of such crimes or incidents.
- What could prevent people from getting the most out of the policy / service / function?
 - ✓ Lack of awareness or understanding.
- How will you get your customers involved in the analysis and how will you tell people about it?
 - ✓ We will inform staff and elected members through the usual communications channels.

2. Evidence

- ✓ How will you know if the policy delivers its intended outcome / benefits?
 - ✓ By looking at how individual cases are dealt with.
 - ✓ By checking awareness.
- ✓ What existing data do you have on the people that use the service and the wider population?
 - ✓ We have very little information. It is for the police and third party reporting centres to keep proper records and statistics but the Council should also keep simple records. There was a recent incident which was reported to the police by a manager: the nominated officer was also a witness. This was dealt with appropriately but it is not known how many other incidents there have been.

- ✓ There has been a recent increase reported in hate crimes and incidents following the EU referendum.
- ✓ Are you using partners, stakeholders, and councillors to get information and feedback?

The Council is part of the Community Safety Partnership. The Head of HR has joined the Lancashire Strategic Hate Crime and Cohesion Group. Within the Council, the Health and Communities Working Group considers these matters.

3. Impact

- Are some people benefiting more – or less - than others? If so, why might this be?
 - ✓ Not known.

4. Actions

- ✓ Revise procedure which gives simple and easy to understand guidance to staff and elected members on what to do.
- ✓ Monitor the number of hate crime / incidents reported to the Council.

Kirsten Burnett, Head of HR
June 2016