

## Response to questions on Disability Hate Crime

### 1. **Ask the Cabinet Member for Education and Safeguarding, Cllr Amanda Chadderton, to promote the materials published by the Crown Prosecution Service to support the delivery of the Disability Hate Crime Schools Project in local schools and academies**

- In partnership with Oldham LSCB Oldham Council held a seminar to introduce the Free CPS Hate Crime Resources for schools. The seminar took place on: Tuesday 11th November 2014, The Lees Suite, Civic Centre;
- The seminar showcased the free resources developed by the Crown Prosecution Service that can be used by teachers to explore the issue of hate crime with students;
- 30 teachers from across Oldham's Secondary & Primary Schools along with Oldham College and Sixth Form College attended the event;
- Oldham Council has been the first local authority in the North West to raise awareness of the resources with their schools.
- The Council has a very effective online reporting system for Notification of Hate Incidents and Bullying (NOHIB). This is an on-line system through which schools report incidents to the Council. It provides information about what happened, anonymised details about those who were involved and a summary of what action the school took to address the incident.

### 2. **Ask the Cabinet Member for Corporate Support, Cllr Abdul Jabbar, to review the existing support mechanisms for employees who become victims of disability hate crime to ensure that these model best practice**

The Council has a '**Policy and Procedures for Reporting and Recording Hate Incidents**' that is available for all Council employees to access through the Council's intranet.

The following is contained within the policy to provide advice and guidance to both the employee and manager:

#### **Employees**

Employees who work for (Volunteers or staff who are contracted to work for) Oldham.

Council has a responsibility under this policy, when carrying out their duties, to report any incidents of hate and/or harassment if they:

- witness them (this includes seeing, hearing or reading them);
- have incidents reported to them by victims or witnesses;
- have strong suspicion or evidence of hate crime.

Employees also need to be aware of using inappropriate language or comments which discriminate against others in conversations and the impact that this would have on fellow colleagues or service users. All staff are also bound by the Council's Code of Conduct to not to communicate or disclose information to the local or national media around incidents that involve Council services or its employees, see (<http://intranet.oldham.gov.uk/working-forombc/humanresources/hr-policies/code-of-conduct.htm>).

## Managers

Oldham Council is committed to creating a hate free environment and has a legal and moral responsibility to employees and service users, both under the law and as an equal opportunity employer, to protect and support employees who may be subjected to harassment from fellow employees, members of the public and service users.

Although it is the responsibility of all employees to report incidents of hate, Management have a specific responsibility to ensure that they do everything they can to support and protect employees and service users from intimidation, harassment, discrimination and victimisation.

This may be by:

- stating clearly to perpetrators that their behaviour will not be tolerated;
- stating that certain Council services may be withdrawn if necessary and appropriate, in order to protect employees and other people;
- supporting and advising employees who experience hate from service users, protecting them and offering assistance;
- ensuring details of incidents are recorded and seek further guidance if required from the Communities Unit;
- ensuring that all complaints of hate incidents are taken seriously and investigated as quickly and as effectively as possible by an appropriate officer/ manager;
- making employees who are harassed, aware of the Council's support mechanisms through the HR service;
- ensure that victims of hate are encouraged to use the Employee Assistance Programme (EAP) or the Stop Hate Helpline, which provides free confidential, independent counselling and support service to all Council employees;
- ensure that feedback is given to the person who has reported the incident in the first instance i.e. victim/ complainant. Feedback can be informing the person who has reported the incident, what actions were taken as a consequence of reporting or any referrals made to appropriate support agencies;
- Should physical injury result from a hate incident then the procedures for reporting and investigating accidents and incidents should be followed. These can be found in the Corporate Health and Safety manual available on the intranet. For further advice Contact a member of the Health Safety and Wellbeing Service;
- Managers are requested to follow the Code of Conduct procedures to address issues with employees, see (<http://intranet.oldham.gov.uk/workingforombc/humanresources/hrpolicies/code-of-conduct.htm>).

**An employer has a duty of care to protect its employees. Managers must therefore take all reasonable steps to prevent discrimination from occurring and ensure employees and service users are protected**