151 Serious and On-going Harassment Policy

1. Purpose

This Policy outlines Link Housing’s commitment to deal with all incidents involving the harassment, intimidation and victimisation of its tenants and residents promptly and positively.

2. Policy Scope

This policy applies to all Link Housing residents.

3. Policy Details

Link Housing’s vision is ‘A better future for those in need, through safe, affordable housing’. Link Housing will therefore not tolerate harassment, discrimination or intimidation.

Link Housing will:

• support victims of harassment in resolving issues related to their tenure and safety by taking the following steps o take a victim centered approach to reports of harassment o give priority to the safety of victims and children o take action to evict perpetrators of harassment where appropriate o accept what victims say until evidence suggests otherwise

• only take action in support of victims with their consent

Where there is evidence of criminal or violent activity, Link Housing encourages tenants to refer the issue to the Police.

3.1 Definition of Harassment

Harassment is unwarranted, unwelcome and uninvited behaviour, which is intimidating, humiliating, degrading, offensive or distressing to the recipient

Harassment can consist of acts of intimidation against a person because of their race / ethnicity, sexual orientation, gender, age, religion / belief or disability (there may be other reasons).

General examples of harassment may include:

• Verbal abuse or taunting
• Leering or insulting gestures
• Embarrassing comments
• Intrusion or pestering, stalking, spying etc
• Graffiti
• Damage to home or personal property
• Display or circulation of offensive materials
• Intrusive or persistent questioning
• Persistent unwanted telephone calls and text messages

3.2 Nuisance Behaviour

Nuisance behaviour is behaviour that unreasonably interferes with other people's rights to use and enjoy their home and community such as:

• Excessive Noise
• Intimidation
• Aggressive or abusive behaviour or language
• Vandalism
• Nuisance caused by pets
• Vehicle nuisance such as where they are parked

People may be unaware that an issue has occurred until you bring it to their attention in a friendly manner. Once aware, most people are reasonable and will take your request into consideration prior to repeating the behaviour.

3.3 Distinction between Harassment and Nuisance

Whilst all acts of harassment will be acts of nuisance, few acts of nuisance will be harassment

Nuisance is usually anti-social behaviour committed by people who do not care who suffers, whilst perpetrators of harassment will single out their victim(s). (For example, an owner who allows their dog to urinate outside a neighbour's door would be creating a nuisance; an owner who deliberately took their dog to the neighbour's door to urinate there would be committing an act of harassment)

3.4 Impact of Serious and On-going Harassment

Link Housing recognises that harassment affects the well-being of a person and can result in:

• Isolation
• Humiliation and feeling ridiculed
• Low self-esteem and confidence
• Depression and/or other symptoms of ill health
• Inability to cope with day-to-day activities
• Anxiety and stress

3.5 Tenant Relocation from Serious and on-going Harassment

Where serious and ongoing harassment has been proven, Link Housing will take action to evict perpetrators under breaches of the Residential Tenancies Act.

Link Housing also recognises that due to personal circumstances there may be occasions where tenants will seek a transfer as a result of serious and on-going harassment.

To be eligible for a transfer resulting from serious and on-going harassment, tenants need to show that:

• The risk is serious and ongoing
• The risk means that they cannot remain in the current dwelling and/or location beyond a medium length of time (generally six months)
• The property and/or location significantly increases the risk and reduces their safety
• Apart from transferring, there are no practical steps that can be taken by the tenant’s household to lower or remove the risk
• Being relocated will help or resolve the situation and remove or significantly decrease the risk

4. Legislative Framework

• Residential Tenancies Act 2010
• The Anti-Discrimination Act 1977

5. Related Policies

• Tenant Initiated Transfer Policy
• Management Transfer Policy
• Neighbour Nuisance Policy
• Complaints Policy
• Appeals Policy

6. Privacy & Confidentiality

Link Housing will be mindful of its responsibilities under its Privacy and Confidentiality Statement. Information released will be on ‘a need to know’ basis only unless required by
law. Where ever possible special arrangements will be made without informing contractors or external parties of the reasons why.

7. Complaints and Appeals

A tenant who is not happy with a decision made by Link Housing Ltd or who believes that Link Housing Ltd has not followed this policy may complain or appeal using the complaints and appeals policies.