

## **RACIAL EQUALITY IN RENTED HOUSING**

### **1 SUMMARY**

- 1.1 Members are invited to consider the adoption of the ODPM's Code of Practice for Social Landlords.

### **2 INTRODUCTION**

- 1.1 Under the Race Relations Act 1976, and the Race Relations Amendment Act 2000, the Housing Division is required, in the carrying out of its various functions, to have due regard to the need to eliminate unlawful discrimination and to promote racial equality and good race relations.
- 1.2 In May 2000 the Council adopted the Commission for Racial Equality Race Relations Code of Practice in Rented Housing, for the elimination of racial discrimination and the promotion of equal opportunities.
- 1.3 In December 2000 the Council adopted the Commission for Racial Equality Standards for Local Government. Following consultation with the Essex Council for Racial Equality, the Corporate Director (Law, Planning and Administration) produced a policy statement and action plan.

### **3 DETAILED CONSIDERATION**

- 3.1 In June 2001 the then DETR produced a Housing Research Summary 'Tackling Racial Harassment: Code of Practice for Social Landlords' a copy of which has been placed in the Members library.
- 3.2 This document has been followed since 2001 and was used as the basis for writing the Council's social housing policy for dealing with racial harassment, formally adopted in November 2001.
- 3.3 It is proposed that the Council also adopts this Code, un-amended, as since February 2003 it is a requirement of Best Value Performance Indicator 164 that this is followed and formal adoption clarifies the Council's positive position. (See appendix)
- 3.4 The Racial Harassment Policy for Social Housing required Members to be notified regularly of any incidents of racial harassment. Whilst there have been no reported instances in Council owned properties there have been a number of instances within Rochford District reported via the South East Racial Incident Panel since 1 January 2003. Since the adoption by the police of the McPherson definition that incidents should

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be recorded as racially motivated if perceived to be so by the victim there has been an increase in incidents. Prior to 1 January 2003 there have been incidents which would now be considered to be racially motivated but were not recorded as such by the police at the time.

Incidents since 1 January 2003 within the District of Rochford:

- 27/01/03 Afro-Caribbean occupants have been harassed by neighbours for four years regarding race. Neighbours informally warned.
  - 15/02/03 Aggrieved (Asian) works in Rochford was subject of racist comments and pushed by suspect. Perpetrator issued with fixed penalty notice for disorder.
  - 24/02/03 Aggrieved (Asian) living in Basildon rang a company based in Rochford to complain about the standard of work. Aggrieved was subject of racist comments. Victim requested no formal investigation, but suspect has been spoken to.
  - 8/03/03 Aggrieved (White European Muslim) was sitting in car with her 12 year old son when suspect referred to her husband as 'your husband, that foreign bastard'. Suspect given first stage harassment warning.
- 3.5 There were also two homophobic incidents in 2002 and there has been one incident so far this year on 8<sup>th</sup> May 2003 when the aggrieved was assaulted and derogatory references made about his sexuality.

#### **4 CRIME AND DISORDER IMPLICATIONS**

- 4.1 This policy meets the primary objectives of Rochford District Council's Crime and Disorder Reduction Strategy.

#### **5 RESOURCE IMPLICATIONS**

- 5.1 The on-going costs of adopting this Code of Practice is minimal involving the ordering of leaflets and posters from the Commission for Racial Equality and in-house staff training to ensure the education of the front-line staff.
- 5.2 Just recently the ODPM have announced plans for the withholding of Housing Benefit Payment to those who behave in an anti-social manner. This could have resource implications, but at this stage it is too early to tell.

#### **6 LEGAL IMPLICATIONS**

- 6.1 Adoption of this code of guidance does not change the Council's legal position with regard to its legal responsibilities under statute.

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**7 RECOMMENDATION**

7.1 It is proposed that the Committee **RESOLVES**

- (1) That the ODPM's Tackling Racial Harassment: Code of Practice for Social Landlords be adopted.
- (2) That the Housing Manager be charged with the responsibility for implementing the overall and component parts of the policy.
- (3) That racial incidents associated with tenancies be reported on an annual basis. (HRHM)

Steve Clarkson

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**Background Papers:**

Commission for Racial Equality Race Relations Code of Practice in Rented Housing.

Department of Environment, Transport and Regions, Tackling Racial Harassment: Code of Practice for Social Landlords.

Chartered Institute of Housing good practice manual.

HMSO- Racial Attacks and Harassment: the Response of Social Landlords.

Home Office 1996 – Taking Steps: A Multi-Agency response to Racial Attacks and Harassment.

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APPENDIX

Performance Indicator BV164	2000/1 (actual)	2001/2 (actual)	2002/3 (target)	2002/3 (actual)
Does the authority follow the CRE's code of practice in rented housing and follow the Good Practice Standards for Social Landlords on tackling harassment included in the Code of Practice for Social Landlords:Tackling Racial Harassment?	No	Yes	Yes	Yes

Details

The Good Practice Standards are listed in section 1 of the Code.

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To answer 'yes' means that the authority follows the ODPM's Code of Practice for Social Landlords ([www.housing.odpm.gov.uk/hrs/hrs148](http://www.housing.odpm.gov.uk/hrs/hrs148)) as well as the CRE's Code of Practice in Rented Housing.