



The MAST Academy Trust

Policy	Hate Crime and Hate Incident Appendix	
Owner	The Mast Executive Administrator	
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Approver	Trust Board	
Date consulted on with recognised trade unions	February 2021	
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Notes relating to the appendix

This Appendix forms part of the following policy documents:

- The Equalities policy
- The Disciplinary Policy
- The Code of Conduct
- The Grievance policy

All policies can be found on the [Trust website](#).

An impact assessment is undertaken annually on all staffing policies to ensure that no groups or individuals with protected characteristics are unintentionally disadvantaged by the policy or practice.

Version Control	
Version Number	Summary of amends from previous version
1.0	Development of appendix

Sign off requirements			
Approvers		Position	
Staffing Committee		Trust Board	
Reviewers		Position	
Natasha Greenough		CEO The MAST	
Tim Wade		Trustee	
Unions consulted			
ASCL	GMB	NEU, (ATL)	NAHT
NASUWT	UNISON	UNITE	

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1.0 Statement of Commitment

The Mast Academy Trust is committed to tackling all forms of Hate Crime and Hate Incidents to protect and safeguard all our employees. It is a key priority for The Mast Academy Trust to raise awareness of this issue, ensure all employees are clear on acceptable behaviour; all employees are aware of how to report any incidents and that support is always available for employees affected. The Mast Academy Trust has a zero tolerance approach to all forms of Hate Crime and any abusive or discriminatory behaviour both inside and outside the workplace.

2.0 Scope of Appendix

This policy appendix is relevant to all staff and all service users. It also gives due regard to the following policies and procedures:

- Whistleblowing Policy
- Social Media policy (code of conduct)
- Complaints Procedure

[All policies are available on the trust website](#)

3.0 What is a Hate Crime and a Hate Incident?

Hate Crime is defined as a criminal action, typically one involving violence (but not exclusively), that is motivated by prejudice on the basis of Disability, Gender Identity, Race, Ethnicity or Nationality, Religion, Faith or Belief and Sexual Orientation.

Examples of hate crimes include (this list is not exhaustive):

- assaults
- criminal damage
- harassment
- sexual assault
- murder
- theft
- fraud
- burglary
- hate mail
- causing harassment, alarm or distress

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 any aspect of a person's identity.

Examples of hate incidents include (this list is not exhaustive):

- 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.
- displays of any writing, sign or other visible representation which is threatening or abusive, within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby.

4.0 The Impact of Hate Crimes 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.

5.0 Reporting Hate Crimes and Incidents

The Mast Academy Trust encourages its employees to report any hate crimes or incidents at the earliest opportunity to the headteacher, or the CEO if the crime or incident relates to the headteacher. 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.

Any employee is suspected of posting or sharing hate speech via social media sites (Facebook / Twitter, etc) will be referred to The Mast Academy Trust’s disciplinary procedure.

If a complaint is identified as being criminal in nature it will immediately be reported to the Police for them to follow up and investigate. In these circumstances any collection of evidence should be carried out by the police officer in charge of the investigation.

To independently report a hate incident / crime, a list of third party reporting services is listed below who offer advice and support to anyone who has been a witness or victim of a hate crime

In an emergency	Call 999
Contact the police	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. To find your nearest police stations go to www.police.uk/

True Vision	This is the official website for reporting hate crime – www.report-it.org.uk True Vision have information about third party reporting centres for those that do not want to go to the police directly.
Self reporting	You can download a self reporting form and send this to your local police force via the True vision website
Report online	You can download a self reporting form and send this to your local police force via the True vision website
Crimestoppers	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.
Third Party Reporting Centre	Local organisations like the Citizens Advice Bureau, Community Voluntary Service or your local GMB branch can help with support and direct you to charities and organisations which offer third party reporting facilities. Stop Hate UK provides a confidential 24 hour helpline – 0800 138 1625 where you can report incidents.
Trade Union Branches	A colleague can seek additional support and guidance from their designated trade union.

6.0 Duties of managers and supervisors

Managers and Supervisors have a duty to ensure this policy is implemented and have a responsibility to address any concerns raised by employees so as to prevent hate crimes and incidents within the workplace.

Managers will be trained in recognising hate crimes and incidents and in investigating complaints raised by employees.

7.0 Information and Training

All employees, both new and existing, will be made aware of this policy.

This policy will also be brought to the attention of all contractors, agency staff, visitors, clients and will form part of all external contract specifications.

Required training will be made available for all employees through the Trust. The Training Programme will include (this list is not exhaustive):

- details of this policy, its implementation and promotion
- summary of hate crimes and incidents, its causes and effects
- behavioural awareness
- how to report a hate crime or incident

- how to get support
- the help available to those affected by a hate crime or incident

8.0 Criminal Offences

Where an employee is convicted of a criminal offence, they will not be automatically dismissed. The employer will consider if the offence is one that makes the employee unsuitable for his/her type of work or unacceptable to other employees, partners or clients of the organisation and if so whether there is suitable alternative work available. Following this consideration the employer may initiate the disciplinary process.

9.0 Grievance/Complaints and Investigation Procedure

Complaints of hate crimes and hate incidents are too serious to be dealt with through any informal approach. Any complaint and allegation should be made formally through the grievance procedure, as outlined in our grievance policy, [available on the trust website](#). Alternatively complaints can be registered independently as outlined in point 6.

Any complaint and allegation will be investigated by an appropriately appointed manager in-line with our workplace investigation procedures and policy as outlined in the disciplinary policy, appendix A; [available on the trust website](#),

Alternatively if a complaint is identified as being criminal in nature it will immediately be reported to the Police for them to follow up and investigated as referenced above in point 5.

10.0 Disciplinary Procedure

Following a workplace investigation where evidence is provided to substantiate a grievance complaint of a hate crime or incident individuals may not only be subject to The Mast Academy Trust disciplinary policy but could face criminal prosecution if the action is of a severe enough nature.

11.0 Right to appeal

Following an investigation into the alleged incident, if there is a case to bring by the employer the employee will be informed in writing that the incident will be referred to the governing body or Trust board (dependent on role within the Mast Academy Trust) At all formal stages of this policy the employee has the right to appeal in accordance with the grievance policy.. The appeals will be heard in an appeal hearing by a senior manager that has previously had no involvement with the case.

12.0 Confidentiality

All documentation and information relating to the allegation of misconduct will not distribute to any parties not involved with the process. Any information relating the case will be kept in accordance with the Data Protection Act 2018 and complies with

GDPR requirements. Any breach of confidence may be treated as a disciplinary case of misconduct and in accordance with the disciplinary policy

Audio/ Visual recordings of the proceedings by the employee or their companion are not acceptable at any stage of this process, unless this is required as a reasonable adjustment in which case, it must be requested at least 5 days in advance of any meetings. Conversely the use of surveillance evidence submitted as part of the case must comply with the organisation's surveillance policy.

13.0 Trade Union Representatives

The employee at all stages in this procedure has the right to be represented and accompanied by their trade union representative, full-time union official or work colleague.

14.0 Counselling and Support

The Mast Academy Trust is committed to an inclusive workforce where everyone is free from prejudice and fear. Anyone who is a victim or a witness of hate crime will be provided with counselling/mentoring support through the SAS .

15.0 Sickness Absence

Any absence from work due to being a victim of a hate crime will be treated in accordance with the Mast Academy Trust attendance policy, [available on the trust website](#); however no sanctions will be incurred on the employee's employment file for absence related to this incident.

16.0 Monitoring Procedure

The health and safety of all employees is a priority and a full risk assessment will be conducted by the Trust routinely when an incident of hate crime/incident has been reported, in order to ensure no employee is at further risk.

Staff appraisal systems, anonymous feedback from counsellors and exit interviews when staff leave the job will also be used to assess the change and effectiveness of this policy.