

## HARASSMENT POLICY

### Policy Statement

Midsummer has a corporate commitment to dealing with all forms of harassment and will play a full and positive role in the community, working with others to prevent and combat harassment wherever it occurs.

In addition Midsummer will :

- Seek to ensure a resident's right to the quiet enjoyment of their home is not affected by harassment.
- Not tolerate any form of harassment against any of its residents, members of their household, any person occupying the property with the resident's permission, any visitors to the property and any member of the Association's staff, its agents, partners and contractors.
- Comply with all legislation and regulations relating to harassment and will refer where appropriate to all relevant Codes of Practice.
- Respond positively to any complaint of alleged harassment and deal with the complaint in a flexible and sensitive manner in accordance with the Association's policies and procedures.
- Actively promote a strong commitment to deal with harassment in all its forms.

### Definition

The Protection from Harassment Act 1997 defines the offence of harassment when:

“ the person whose course of conduct is in question ought to know that it amounts to harassment of another if a reasonable person in possession of the same information would think the course of conduct amounted to harassment of the other.”

The Act states that a course of conduct must include behaviour which amounts to harassment of another person on at least two occasions.

For the purpose of this Policy and its supporting procedure, harassment is defined as persecution by residents, members of their household or their visitors of a person or group of people, which is intended to intimidate, dominate, or harm.

There are many reasons for harassment and these can include a persons social standing, sexual orientation, religion, disability, colour, race, nationality, ethnicity, age, and medical circumstances.

### **Legislation**

In fulfilling its obligations under this Policy the Association will have regard to the following legislation :

- The Criminal Damage Act 1971
- Public Order Act 1986
- Malicious Communications Act 1988
- The Housing Act 1988
- Criminal Justice & Public Order Act 1994
- The Housing Act 1996
- Protection from Harassment Act 1997
- The Protection from Eviction Act 1997
- The Human Rights Act 1998
- Crime & Disorder Act 1998
- The Police Reform Act 2002

### **Linked Policies**

1. Equality and Diversity – sets out the Association’s commitment to equal opportunities in all aspects of its work.
2. Anti-social behaviour – sets out the Association’s commitment to tackling anti-social behaviour.
3. Racial Harassment – sets out the Association’s commitment to dealing with racial harassment in all its forms.
4. Domestic Violence – sets out the Association’s commitment to combating domestic violence.

### **Review**

The effectiveness of this Policy will be reviewed on an annual basis.