



NHS Greater Glasgow and Clyde

Responding to Hate Incidents

An Employee Guide

A guide for NHSGGC employees on the organisational position in relation to hate crime, what to do if you are a victim of or witness to a hate incident or if a hate incident is disclosed to you in the course of your work.

Introduction

1. PURPOSE of GUIDANCE

This guidance states what employees should do when they are victims or witnesses to a hate incident or an incident is brought to their attention in the course of executing their duty.

2. DEFINITIONS

2.1. Hate Crime:

NHSGGC applies the Scottish Government definition of hate crime:

“Crime motivated by malice or ill-will toward a social group.”

Scottish Executive, 2004: 3

In Scotland we have a mixture of criminal law covering crimes that are motivated by prejudice based on the following characteristics:

- Race¹ including nationality, ethnicity and skin colour.
- Religion²
- Disability³
- Sexual Orientation⁴
- Transgender Identity⁵

Staff should note the definition is based on the motivation of malice or ill will towards a social group. This means the question of the individual victim's identity is irrelevant. For example, if someone is the victim of a homophobic attack, they do not need to be lesbian or gay for a hate incident to have taken place.

2.2. Hate Incident:

Hate incidents are understood to include both crimes and non-crimes in policing terms and all such incidents should be reported, recorded and investigated with equal commitment. It is a matter for the police and Fiscal Service to determine whether a crime has been committed.

¹ The Public Order Act 1986, Sections 50A(1)(a) and 50A(1)(b) Criminal Law (Consolidation) (Scotland) Act 1995, Section 96 of the Crime and Disorder Act 1998

² Section 74 of the Criminal Justice (Scotland) Act 2003

³ Offences (Aggravation By Prejudice) (Scotland) Act 2009

⁴ Offences (Aggravation By Prejudice) (Scotland) Act 2009

⁵ Offences (Aggravation By Prejudice) (Scotland) Act 2009

The role of NHSGGC staff is to record all hate incidents and where permission has been given, report the incident to the Police.

3. SCOPE OF INCIDENTS COVERED BY GUIDANCE

The following incidents fall within the scope of the NHSGGC Hate Crime Policy and Employee Guide:

3.1. Public On Employee:

If you have been subjected to hate harassment or abuse from a member of the public, or have witnessed a member of staff being subject to such behaviour during the course of delivering a service, NHSGGC strongly encourages you to report it to your line manager and assess appropriate actions including the option of reporting to the police. You have the option to report to the police anonymously if you feel more comfortable doing this. NHSGGC strongly encourages you to report the incident to the police - all levels of reports can be useful for intelligence purposes, including anonymous reports.

A Datix report should be completed documenting the nature of the incident. There are drop down boxes available on the Datix reporting form relating to abuse perceived to be motivated on the grounds of Race, Religion, Disability, Sexual Orientation and Transgender Identity.

3.2. Public on Public

When a member of the public / patient / customer perceives that they have been a victim of a hate incident the following steps should be followed:

- Encourage the individual to report the incident to the police.
- Make the victim aware that they can report to the police through you and offer to make the report.
- Inform the victim that they have the option to report anonymously, although this will probably limit the action that the police can take.
- If the victim indicates that they want to report through NHSGGC then following methods of reporting could be adopted –

Telephone Police Scotland on behalf of the victim. The victim would then engage directly with police.

Inform the victim that an on-line [Hate Crime Reporting Form](#) can be submitted and direct them to the Police Scotland Website for them to complete the report and submit same. THIS IS FOR NON URGENT REPORTS.

NHSGGC either support the victim in the completion of the Hate Crime Reporting Form or alternatively complete the form on behalf of the victim (similar to the support provided by a Third Party Reporting Centre).

NHSGGC can report a Hate Crime even if the alleged incident took place out with NHSGGC setting.

NHSGGC staff should encourage victims to report all Hate Crime/Incidents regardless of whether or not there are any witnesses.

- Provide the victim with a "[Hate Crime – what you need to know](#)" leaflet.
- Assess whether the victim requires ongoing support and make appropriate referral, including referral to Victim Support, unless the victim opts out.

All public on public incidents that occur on NHSGGC property should be documented using the Datix reporting system.

3.3. Employee on Employee

If you believe that you or other employees are victims of or witnesses to hate incidents carried out by another employee, report the incident to your line manager. If you perceive a criminal offence has taken place then a request to report directly to the police can be made.

Also refer to the [Dignity in the Workplace Policy](#) which details the stages of procedures for dealing with such complaints.

A Datix report detailing the nature of the incident should be completed by a member of staff

3.4. Employee on Public

If a member of the public or service user feels that they have been the victim of a hate incident carried out by a NHSGGC employee they should be supported to report the incident via the NHSGGC Complaints Process. This may lead to disciplinary action being taken if it is found that the employee is in breach of the NHSGGC Code of Conduct. If the member of the public perceives the incident to constitute a criminal offence they are within their rights to report this directly to the Police and should be advised of this.

A Datix report detailing the nature of the incident should be completed by a member of staff.

4. PROCEDURE

In all categories of incident, a Hate Incident field should be selected and completed on the NHSGGC DATIX reporting system under the category 'violence and aggression'. Incidents are regularly reviewed by NHSGGC's Violence and Aggression Team and any developing trends or 'hotspots' can be identified and appropriate interventions made. Local managers with reviewing and approval responsibilities will interrogate the [Datix reports](#) and ensure appropriate outcomes are achieved.

4.1. All Staff

A central challenge to addressing hate incidents is extremely low levels of reporting to the police. Research among hate crime victims indicates that the biggest influence on whether they report an incident to the police or not, is encouragement from a trusted person close to the time of the incident. This gives NHSGGC staff an important role to play in improving reporting of hate incidents, both as service providers and as colleagues.

NHSGGC is committed to improving and supporting the reporting of hate incidents to the police in all instances. Where a NHSGGC staff member receives a hate incident disclosure from a patient, witnesses a hate incident or is the victim of a hate incident, they should always seek to report the incident to the police, with the victims' permission.

Victims should be made aware of the option to report to the police anonymously and through Third Parties.

Where a victim consents to report through a Third Party, the NHSGGC staff member should offer to make the report on the victim's behalf.

Where a victim indicates that they do not want the police to be contacted or do not want their personal details given to the police, this should be respected and confidentiality maintained.

The staff member should seek to identify if the victim requires additional support and a referral made to Victim Support unless the victim specifically opts out. Victim Support Glasgow City Contact Details: 131 – 141 Saltmarket, Glasgow G1 5LF tel 0141 553 2415 email glasgowcity@victimsupportsco.org.uk

The staff members should then inform their line manager to review the actions taken. The staff member has then fulfilled their obligations.

4.2. Line Managers and Service Managers

Managers should check the status of any reported hate incident. Key actions within this check should include:

- Establish whether police were informed
- Response the victim received
- Actions taken to address harassment / abuse
- Presence of ongoing risk
- Application of child protection policy where relevant.
- Check that referral to Victim Support has been made/offered.
- Ensure a report has been recorded on the DATIX system
- Line/ Service managers should determine what ongoing interventions or support are required e.g. employee counselling.

Related Policies

[Disciplinary Policy and Procedure](#)

[Dignity at Work Policy](#)

[Mental Health and Wellbeing Policy](#)

[Grievance Policy and Procedure](#)

[Corporate use of Social Media Policy](#)

[Management of Violence and Aggression Policy](#)

END