

## Promoting good campus relations

### *For heads of institutions and senior management*

This briefing updates **Promoting good campus relations: dealing with hate crimes and intolerance** (2005 guidance), published by Universities UK/GuildHE/Equality Challenge Unit in 2005.

It provides guidelines for heads of institutions on steps to take where there is a likelihood of activity that threatens to undermine the safety and freedoms of staff and students on campus. It has a particular focus on religious and racial intolerance. While its recommended approaches can be used to deal with instances of anti-Semitism and Islamophobia, we would recommend that it is used to help ensure that people from all ethnic backgrounds, and from all faiths and none, are afforded equivalent protection.

Both this briefing and the **2007 update** are not intended to replace the 2005 guidance. It is therefore recommended that it is read in conjunction with its predecessor, and more specific legal advice should be sought on a case-by-case basis.

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## Context

1. In the higher education sector, the promotion of free speech and enquiry within the law has special legal status. It is therefore essential that higher education institutions (HEIs) create and maintain a healthy and inclusive environment of ethical and intellectual rigour. Accordingly, the following points apply.


- = These principles need to be reflected in an HEI's own institutional life, and in the experiences of staff and students.
- = Institutions need to ensure staff and students of all backgrounds are protected from intimidation, harassment and violent behaviour.
- = The environment on campus should be characterised by good relations between staff and students of different backgrounds, and by a culture of active tolerance and respect.

## Legal update

2. Since the 2005 guidance was published, the following legislation has come into effect:

<p><b>The Racial and Religious Hatred Act 2006</b> amends the Public Order Act 1986 to create offences involving stirring up hatred against persons on religious grounds. The legislation ensures that people are protected against harm caused because of their religious beliefs or lack of religious beliefs. The law does not outlaw disagreement with or disapproval of a particular religious viewpoint, but focuses on those who stir up violence and hatred on religious grounds.</p>	<p><b>The Terrorism Act 2006</b> creates a number of new offences that intend to prevent the recruitment and training of potential terrorists.</p>
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3. Although HEIs must be alert to any activity that could intimidate or threaten others, recent developments should not eclipse other legal requirements on institutions, including the legal requirement to promote good race relations, as outlined in the 2005 guidance.



4. An example is provided on page 32 of the 2005 guidance – a scenario where a member of a far-right party has been invited to speak at a meeting in a lecture theatre. The example raises issues of freedom of speech, and also the requirement to promote good race relations. The guidance outlines the particular steps the law requires HEIs to undertake in deciding whether the meeting should be authorised or cancelled. This example has been changed in the **Promoting good campus relations update** (2007 update) to take account of legislative developments.

### **Key points outlined under the context section**

5. In light of the principles outlined in the context section, it is particularly important that senior management should:

- = present a united standard embodying the principles that the institution represents in terms of respect and tolerance
- = coordinate different functions to ensure a consistent approach
- = adopt long-, medium- and short-term strategies and measures to prevent hate crimes and intolerant behaviour on campus, and be in a position to deal with such issues should they arise

These points are outlined below and are explained further in the 2007 update.

### **Preventive action**

6. This involves a range of long-term strategic interventions that enable the promotion of good relations and the pre-emption of hate crimes and intolerance on campus:

#### **Presence of an institutional standard for equalities**

7. An HEI's equality and diversity strategy and associated policies such as its race equality policy can, if properly drafted and implemented, show the institution's commitment to equality and diversity principles and practice; indicate how these are embedded in institutional functions; and show clearly what constitutes acceptable and unacceptable activity in the institution.



## **Infrastructure**

8. The HEI's infrastructure should be sufficiently equipped to respond effectively to activities that could harm staff and students, and to help embed good relations on campus. This will involve effective coordination between relevant functions.

## **Collaborative working**

9. It is important that HEIs maintain good, collaborative links with internal (e.g. trade unions and staff networks, and students unions and student associations/groups) and external stakeholders (local faith organisations, voluntary and community organisations, etc). This will ensure that the institutional standard is clearly articulated both within and outside the HEI.

## **Shared spaces for discussion**

10. The need for debate to flourish in the higher education environment means that all staff and students should have the right to engage in relevant discussions. However, HEIs need to consider ways of protecting against the abuse of that right, which might preclude certain groups from contributing to discussions. It is important that HEIs should help facilitate shared spaces for discussions on issues relevant to staff and students.

## **Communication strategies**

11. The benefits of communicating the institutional standard cannot be underestimated – it helps staff and students understand their rights and responsibilities as part of the campus community, and outlines acceptable and unacceptable activity. Communication strategies and approaches can also be used to outline positive measures that HEIs are undertaking to promote good campus relations.

## **Remedial action**

12. Medium-term activity under this heading can arise where there appear to be local, regional or national issues that require an institutional response.



### **Engaging with local communities**

13. Engaging with local communities, such as local faith organisations, may be necessary in situations where the local area experiences heightened conflict or tension.

### **Communication mechanisms**

14. There is a need to ensure staff and students do not abuse the use of resources such as the internet and internal communications, but there is also a need for the HEI to work with networks, student and trade unions to make sure that there is a good level of awareness of institutional support. Written or verbal briefings may also be a useful way of communicating the institutional standard along with preventive activity.

### **Immediate crisis interventions**

15. These interventions involve short-term measures to be taken when there is an immediate risk of hate crimes and intolerant activity threatening to affect staff and students.

### **Ensuring clarity and maintaining order**

16. If the institution has suffered from an immediate crisis, it is important that all those on campus are clear as to what is happening, and remain calm. HEIs should make all reasonable efforts to ensure information is both clear and informative, particularly in terms of what the HEIs' next steps are going to be.

### **Dealing with harmful activity**

17. There is a consistent rule that applies to all HEIs, regardless of factors such as size or location:

#### **Activity that threatens to harm members of the campus community cannot be tolerated under any circumstances.**

18. If an individual or group, whether internally or externally, engages in activity that is likely to harm the institution, its staff and/or students, it is important that the HEI takes strong measures to remove the threat as soon as possible, in terms of both ensuring the safety of all and maintaining a strong institutional standard. This may involve the suspension or dismissal of a member of staff, or the equivalent for a student.



## General considerations

19. Some actions referred to above will involve a restriction of rights. The 2005 guidance recommends that HEIs should take into account the concepts of reasonableness and proportionality if a legal right is to be restricted. HEIs should be in a position to show that any such decision has been reached after careful consideration, is based on evidence, is necessary to prevent crime, disorder or otherwise to protect the rights and freedoms of others, and is proportionate.



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