

## Promoting good campus relations – an institutional imperative

### Introduction

This document updates the Universities UK/GuildHE/Equality Challenge Unit (ECU) 2005 publication **Promoting good campus relations: dealing with hate crimes and intolerance** (2005 guidance).<sup>1</sup> It is also rooted in the principles provided in an ECU publication **Employing people in higher education: religion and belief**, published in July 2005.

This update has been produced in response to requests from higher education institutions (HEIs). It provides concise and practical guidance on appropriate steps to take where there is a likelihood of activity that threatens to undermine the safety and freedoms of staff and students on campus, and outlines ways to ensure campus harmony. Given the nature of demand from the sector, this update 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.

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1. While the Promoting good campus relations guidance should be used as a starting point, it is also recommended that more specific legal advice is sought on a case-by-case basis.

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This document is an update of the 2005 guidance, and is not intended to replace it. It is therefore recommended that it is read in conjunction with its predecessor, and that more specific legal advice is sought on a case-by-case basis. A specific **briefing** for heads of institutions has also been developed.

This publication has relevance for many institutional functions within HEIs and should be read by equality and diversity specialists, student services, chaplaincies and other pastoral support, registry, communications, estates, trade union branches and students' unions, etc.

The update is divided into four sections.

- = **Background** – outlines the approach used by the 2005 guidance, and provides an update of legislative provisions since the guidance was produced.
- = **Wider context** – looks at particular initiatives outside the sector, and how the principles of these approaches can be used by HEIs.
- = **Institutional responses** – outlines a variety of ways in which different HEIs have sought to promote good campus relations.
- = **Practical approaches** – brings together the previous sections to outline ways in which HEIs can prevent harmful and unlawful activity on campus and promote good relations.

## Background


1. The promotion of free speech and enquiry retains special legal status within the higher education sector.<sup>2</sup> This status is in part linked to the special responsibility HEIs have to help shape a democratic, civilised and inclusive society.<sup>3</sup>

2. It is therefore essential that HEIs create and maintain a healthy and inclusive environment of ethical and intellectual rigour. Accordingly, the following principles apply:

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2. s.43 Education Act 1986; s.202 Education Reform Act 1988.

3. The Dearing Report, National Committee of Inquiry into Higher Education, 1997.

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- = an environment of ethical and intellectual rigour should 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.

3. These principles are embedded in the 2005 guidance, and are also reflected in this update. Both documents emphasise the need for the practical application of these principles in the area of hate crimes and intolerance. To illustrate this, the 2005 guidance provided an outline of what threatening behaviour such as hate crimes and intolerance can include:

*'Crimes or behaviour motivated by prejudice, hatred or intolerance that intentionally demean individuals and groups defined by their ethnicity, race, religion and belief, sexuality, gender, conscience, disability, age or lawful working practices and which give rise to an environment in which people will experience, or could reasonably fear harassment, intimidation or violence.'*

4. This definition is necessarily a broad one, as it encompasses the many ways in which campus harmony can be disturbed over time and the effect this can have on people. It also takes into account the fact that some incidents, while not viewed as 'serious crimes', can nonetheless have a serious effect on an individual or community. Consideration should be given to how such incidents can affect the ability of staff and students to make the most of their experiences at university or college.

5. Following from the comprehensive outline provided by the 2005 guidance, this section of the briefing provides an outline of the legislation referred to in the guidance, an update of more recent legislation, and the implications of the law for HEIs.



## Legal context

6. As mentioned in the 2005 guidance, legislation in this area is characterised by three key themes:

Protection of the special status of HEIs:

- = Education Act 1986
- = Education Reform Act 1988

Anti-discrimination legislation and proactive equalities legislation:


- = Human Rights Act 1998 (incorporating the European Convention on Human Rights)
- = Employment Equality (Sexual Orientation) Regulations 2003
- = Employment Equality (Religion or Belief) Regulations 2003
- = Race Relations Act 1976
- = Race Relations (Amendment) Act 2000
- = Sex Discrimination Act 1976
- = Disability Discrimination Act 1995, as amended
- = Equality Act 2006

Provisions that qualify rights:

- = Public Order Act 1986
- = Crime and Disorder Act 1998
- = Protection from Harassment Act 1997
- = Criminal Justice Act 2003 and Criminal Justice (Scotland) Act 2003

7. These legislative provisions are described in further detail in the 2005 guidance. It is worth noting the following points:

- = the relevant legal rights, whether conferred in relation to academic freedom or under the broader remit of the Human Rights Act 1988 (e.g. freedom of expression, freedom of association, etc.) are qualified, which means that the manifestation of these rights is subject to limitation in areas such as (but not limited to) national security, public safety or the rights and freedoms of others
- = the promotion of good relations between people of different racial groups – a proactive provision – is an institutional requirement under the three strands of the General Duty of



the Race Relations Act 1976, as amended; the concept of good relations is extended further through the provisions of the Equality Act 2006, which will allow the Commission for Equality and Human Rights to monitor the promotion of good relations between different communities.

### Legal update

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

**The Racial and Religious Hatred Act 2006** amends the Public Order Act 1986 to create offences involving 'stirring up hatred' (namely the manifestation of hatred that could lead to a public order offence) against persons on religious grounds. The legislation ensures that protection is provided to people against harm 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 rather focuses on those who stir up violence and hatred on religious grounds. The main offences cover:

- = the use of words or behaviour or display of written material
- = publishing or distributing written material
- = the public performance of a play
- = distributing, showing or playing a recording.

9. The Act also creates a new offence of producing threatening material with a view to using it in a way that is intended to stir up religious hatred.


Example: If a student sends emails that could stir up hatred against people of a particular faith, this could constitute a criminal offence under the Act.

10. **The Terrorism Act 2006** creates a number of new offences that intend to prevent the recruitment and training of potential terrorists. Using the broad definition of the Terrorism Act 2000,<sup>4</sup> the main offences cover:

- = **acts preparatory to terrorism:** this aims to capture those planning serious acts of terrorism

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4. Amendments to the 2000 Act under the 2006 legislation are not applicable to this update.

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- = **encouragement to terrorism:** this makes it a criminal offence to directly or indirectly incite or encourage others to commit acts of terrorism; this will include the glorification of terrorism, where this may be understood as encouraging the emulation of terrorism
  - = **dissemination of terrorist publications:** this will cover the sale, loan, or other dissemination of terrorist publications, including those publications that encourage terrorism, and those that provide assistance to terrorists
  - = **terrorist training offences:** this makes sure that anyone who gives or receives training in 'terrorist techniques' can be prosecuted; the Act also criminalises attendance at a place of terrorist training.

Source: **Home Office**

### **Implications for HEIs**

11. In providing an environment where academic rigour and freedom are maintained, it is important that HEIs are alert to any activity that could serve to intimidate others, and are in a position to use the law in an appropriate way.


12. A good example of this is provided in the **2005 guidance** (page 32), which outlines a scenario where a member of a far-right party has been invited to speak at a meeting in a lecture theatre. This example outlines the steps the HEI should undertake in deciding whether the meeting should be cancelled, having due regard to a range of factors under the law.

13. The steps in the following table cover (including consideration of more recent legislation):

**Step 1** The need for the HEI to consider its responsibilities:



Responsibility	Questions to ask
Encouraging divergent views and debate - Education Act 1986 - Education Reform Act 1988	How is the speaker's contribution likely to encourage debate? Is this contribution likely to interfere with the rights and freedoms of others?
Freedom of Expression Human Rights Act 1988	Is the speaker's right to impart information and ideas likely to affect public safety, or lead to disorder or crime, or affect the rights and freedoms of others on campus?
Promoting good race relations Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000	Is the speaker likely to breach this requirement? How would it be breached?
Protection against incitement to racial and/or religious hatred Public Order Act 1986 Racial and Religious Hatred Act 1986	Is the speaker likely to incite/stir up racial or religious hatred? How will the speaker engage in incitement?
Protection against discrimination and/or harassment Race Relations Act 1976 Public Order Act 1986 Protection from Harassment Act 1997 Employment Equality (Religion or Belief) Regulations 2003	Is the speaker's attendance/conduct likely to discriminate against staff or students, or lead to an environment that is intimidating, hostile, degrading, humiliating or offensive? Is it likely to cause others to fear that violence will be used against them? How is this likely to manifest itself?
The maintenance of public order and safety Public Order Act 1986	Is the speaker's presence likely to cause public disorder on campus? Why is there likely to be disorder? Has the HEI ensured that staff and student concerns have been addressed?  Is there likely to be a threat to public safety as a result of the speaker's presence on campus?



In order to answer these questions, it is important that HEIs also consider the following contextual areas:

- = the speaker's history and the organisation they represent
- = the impact such a visit will have on campus
- = the impact such a visit will have on community relations and the wider community
- = guidance documents, such as the HEI's race equality policy and other relevant equalities schemes or codes.

**Step 2** In reaching a decision, an HEI will need to make sure that the concepts of reasonableness and proportionality have been taken into account, as the rights of individuals may be restricted. As advised by the 2005 guidance, it will be necessary to show that the decision:


- = has been reached after careful consideration
- = is based on evidence
- = is necessary to prevent crime or disorder, or otherwise to protect the rights and freedoms of others
- = is proportionate.

### **Wider society**

14. It is useful to consider recent work in the wider context that covers the issue of good relations, as there may be areas that can be used specifically in the higher education context.

15. An Economic and Social Research Council briefing paper of July 2005 (**Security, Terrorism and the UK**) found that community resilience – the need to strengthen community bonds through a shared identity and sense of purpose – is particularly important in crisis situations such as a security threat. The briefing paper stresses the need for authorities and professionals to engage with society from within, otherwise a situation of mistrust and suspicion within the local community could result.

16. Also in 2005, seven community-led working groups were set up by the Government under the banner of '**Preventing Extremism Together**' in order to tackle violent extremism. The findings of these working groups provided a useful background to enable




community cohesion, identifying a series of recommendations for this purpose. In particular, the working groups looking at issues concerning education concluded that there is an opportunity to nurture better understanding and respect between people of various backgrounds and cultures in Britain through schools and places of learning.

17. The report of the **All-Party Parliamentary Inquiry into Anti-Semitism**, which was published in September 2006, found that despite a growing level of activity to combat anti-Semitism on campuses, more work was required. Discussions during a recent House of Lords debate emphasised that extremism or intolerance of any kind has no place in universities, and that instances of anti-Semitic activity on campus had been handled accordingly. The important role of leadership (in the form of vice-chancellors, chancellors and governing bodies) in defeating all discrimination was also noted (see **Hansard report**).

18. In June 2006 the Government launched the **Commission on Integration and Cohesion**. The stated aims of this Commission include the need to look at 'how local areas themselves can play a role in forging cohesive and resilient communities.' The Commission reported in June 2007 with a series of recommendations at national, regional and local levels. It is worth noting the report's proposed definition of an integrative and cohesive community, where:

- = there is a clearly defined and widely shared sense of the contribution of different individuals and different communities to a future vision for a neighbourhood, city, region or country
- = there is a strong sense of an individual's rights and responsibilities when living in a particular place – people know what everyone expects of them, and what they can expect in turn
- = those from different backgrounds have similar life opportunities and access to services and treatment
- = there is a strong sense of trust in local institutions to act fairly in arbitrating between different interests, and for their role and justifications to be subject to public scrutiny

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- = there is a strong recognition of the contribution of both those who have newly arrived, and those who already have deep attachments to a particular place, with a focus on what they have in common
  - = there are strong and positive relationships between people from different backgrounds in the workplace, in schools and other institutions within neighbourhoods.

19. A study in Northern Ireland, as part of the **Shared Future consultation**, found that three fundamental areas of activity are a necessary prerequisite to promoting good relations:


- = eliminate sectarianism and racism in order to enable individuals to live and work without fear or intimidation
- = reduce tension and conflict at interface areas
- = support the development of integrated/shared communities where people wish to learn, live, [and] work....together.

Source: John Darby and Colin Knox (2004) *An analysis of the responses to the shared future consultation*.

20. A specific area of positive activity involves the use of dialogue groups – informal gatherings to promote greater understanding between different people. It is possible to see the degree to which dialogue groups are used as a means of facilitating shared understanding among different communities. Alif Aleph UK, which conducted a **mapping exercise** to look at positive contact between British Jews and Muslims, made a number of recommendations to aid the progress of dialogue groups. This included the need to create safe spaces for dialogue to take place, ensuring that the group remains small and informal, and that it is properly facilitated.

21. If we consider that HEIs represent a microcosm of wider society, the above examples can be seen as very useful ones, as they indicate a number of valuable requirements for the purposes of promoting good relations:

- = creating and maintaining shared spaces for interaction and discussion
- = establishing an environment where people do not experience fear and intimidation



= allowing different organisations to work together in a coordinated way.

The following section looks at the steps some HEIs have taken to embed the above requirements into their campus community.

### **Sectoral responses**

22. Given that higher education can facilitate an environment that is ideally suited to the promotion of greater understanding, particularly through exploratory debate, it is an institutional imperative to ensure good relations are promoted, and fear and intimidation eradicated. Promoting good relations can help preserve exploratory debate in the long term.

23. For example, HEIs can use their skills in teaching and learning, perhaps (but not only) as extracurricular activities, to promote better understanding of faith, belief and non-belief. The presence of shared spaces through multi-faith centres can also facilitate constructive dialogue between different groups. The University of Derby has a well established **multi-faith centre** that holds events looking at ways of promoting positive social cohesion. Similarly, the University of Glasgow established a new inter-faith facility on site in January 2007, particularly as a means of supporting and integrating international students on campus. The University has also held annual Holocaust Memorial Lectures since 2001.

24. There is a substantial amount of research looking at the perspectives of people from different backgrounds, which can help facilitate greater understanding. For example, the University of Bristol and Liverpool John Moores University recently published a **research study** on the experiences of Muslim women in higher education. Looking at entry into higher education, family commitments and career aspirations, this study helped promote greater understanding of a group that is often misunderstood.

25. Some HEIs have recognised the importance developing more systematic ways of promoting good relations, and have contributed to valuable and practical research in this area. For example, the University of Ulster's Future Ways programme provides



indicators of **Good Relations Work and Practice**, which include an organisational setting:


- = where people feel valued and of worth, enabling them to contribute more fully to the organisation
- = where there is an absence of fear and humiliation within and beyond the organisation
- = where ideas come from different people at different levels, areas of work and experiences towards actively including those voices that are currently marginal in decision making
- = where people feel free to experiment and take risks, and are open about mistakes, achievements and results
- = which holds a relational understanding of its place and purpose and has effective communication systems across all levels and teams
- = which ensures empowerment and accountability at all levels, and values the different perspectives formed by gender, ethnic, racial, political, age, class and sexual orientation.

26. Again, it is striking to note that these indicators embody many of the core values of higher education, which indicates that HEIs can provide an ideal environment for promoting good relations.

27. The University of Salford includes the following statement on its registration form, which is signed by all new and returning students:

*'The University of Salford is committed to developing and maintaining an environment in which a diversity of backgrounds and experiences is valued. Individuals will be treated solely on their merits, abilities and potential. Behaviour which affects the rights of individuals to peaceful enjoyment of any University provision or facilities will be viewed extremely seriously. Accordingly racist, sexist and homophobic behaviour will not be tolerated and neither will behaviour which discriminates against people on the grounds of disability, religion or belief, or age.'*

28. Close links with local organisations can also help deal with and prevent harmful incidents on campus. Anglia Ruskin University took swift action against repeated anti-Semitic activity on campus, and




as a consequence established close links with the Cambridge Racial Incident Support Panel. This liaison has helped to develop a more effective means of promoting good relations on campus by sharing information more quickly and effectively (Source: **Partnership work at Anglia Ruskin University**).

29. As well as helping prevent harmful incidents on campus, close and well meaning links with local community groups and organisations can provide a valuable fund of goodwill, which the institution can draw on to meet its various operational and strategic needs. Buckinghamshire Chilterns University College (BCUC) has, for more than 10 years, pioneered a highly successful programme of active dialogue with the local black and minority ethnic communities through its Community Consultative Forum. As a result, many of the participating community organisations are now affiliated with the Forum in an officially 'linked' relationship of friendship and cooperation.

30. Other initiatives aimed at promoting good community relations, in which BCUC has been playing a leading part, include:

- = vice-chairing the multi-agency Wycombe Racial Incidents Group and hosting its meetings
- = in conjunction with the local authority, organising a high-profile Eid Celebration event under the theme of 'One Community', attended by over 200 invited guests and dignitaries including BCUC's Council Members and local authority councillors
- = actively supporting and participating in the work of the 'Sharing of Faiths' group, whose aim is to promote better understanding and mutual respect within the local multi-faith communities; a Council for Christian–Muslim Relations (High Wycombe) has recently been set up in collaboration with the local mosques and churches, with the purpose of promoting proactive, bridge-building leadership in this particularly sensitive area of community and campus relations.

31. The University of Essex is a member of the Neighbourhood Action Panel in Colchester. The panel, which is split into separate neighbourhood policing areas, comprises other local groups



including neighbourhood watch, the local police force, housing associations and local councillors. The aim behind the group is to use the expertise of different agencies, and coordinate responses and preventive measures. With this in mind, members of the Neighbourhood Action Panel meet regularly to discuss local issues relating to security, crime and disorder, including hate crime. The University covers two areas, and is represented on two of the panels. There is also a police Independent Advisory Group in Colchester which includes the University's Equality and Diversity Officer, Student Support and soon the Students' Union.

32. It is also important that HEIs monitor racist and similar types of incident that can harm members of the campus community. The Institute of Cancer Research has devised a system of recording racist and other equality-related incidents that fall outside the range of areas that HEIs are legally required to monitor. The Equality Related Incident Log (ERIL) is designed to gain the fullest picture of activity in order to identify trends, multiple victims or perpetrators or actual crimes, and helps ensure harmful activity is dealt with.


33. The criteria for inclusion under ERIL are based on the definition of a racial incident under the Stephen Lawrence Inquiry Report:

*'Any incident which is perceived by the victim or any other person to be motivated by prejudice, or results in discrimination, based on gender, race, age, disability, sexual identity or orientation, religion or belief.'*

The following categories are recorded:

- = name and contact details of person reporting
- = date and time of incident.
- = nature/description of incident
- = category of incident (race, gender, disability, etc.)
- = action taken
- = cross-reference (harassment log, personal file, etc.)
- = name of person making log entry
- = date of log entry.

34. This information is kept on a database, from which regular reports can be produced. While it does not aim to replace methods




of resolution, it is intended to enable The Institute to consider particular locations, practices or circumstances that may give rise to low level incidents, with a view to pre-empting more serious incidents.

35. London Metropolitan University is part of the **Campus Watch** scheme, which aims to work in partnership with the police on security measures, personal safety and crime. A specific aim of the scheme is to reduce the number of crime- and personal safety-related incidents per year. The scheme has a substantial presence at freshers' fairs, and has produced a student safety guide.

36. Good inter-faith relations are an important part of good relations on campus. The Inter Faith Network for the UK, which works towards the promotion of good relations between people of different faiths, has produced a useful code to encourage ongoing dialogue between different faith communities which is already promoted by many chaplaincies at HEIs. **Building Good Relations with People of Different Faiths and Beliefs** provides useful guidance on appropriate ways of maintaining inter-faith dialogue within an environment of respect and courtesy. This is a particularly good way of maintaining good relations, as it helps ensure people are not alienated and potentially demonised on the basis of their racial and/or religious backgrounds.

37. Student faith forums have been established on a number of campuses (see The Inter Faith Network's resource guide for young people, **Connect**). Similarly, there are also a number of dialogue groups. Alif Aleph UK's **mapping exercise** (see page 10) demonstrates how well constructed and maintained dialogue groups can help promote positive relations. For example, a Jewish and a Muslim student at Manchester University set up a dialogue group at grassroots level. The group increased in number, but remained small enough so that members did not feel intimidated. While the first couple of group sessions were facilitated by a person who did not work or study at the institution, the group was then cofacilitated by the two founders of the group. Group sessions were informal, but allowed members to move from non-contentious



issues, such as family, food, etc., to more contentious areas such as politics. While the latter discussions were quite heated, the fact that trust had been established at the early stages meant that the group was able to survive and grow stronger.

## Practical ways forward

38. The **2005 guidance** outlined a structured plan for HEIs to follow in order to ensure the maintenance of good campus relations. For quick reference, these are as follows:

- = long-term preventive action
- = medium-term remedial action
- = immediate crisis interventions.

This section gives further information on these areas, and outlines additional questions institutions can consider to maintain good campus relations.


39. Long-term preventive action involves a range of strategic interventions that enable the promotion of good relations and the pre-emption of hate crimes and intolerance on campus.

40. It is important to note that there is nothing in the long-term solutions that does not or should not apply to specific issues that might have an impact on campus relations. A broader long-term strategy of promoting good relations should assist HEIs in identifying potential sources of concern. Long-term activity should comprise tasks that will enable an HEI to embed campus harmony as part of its strategic and operational functions. These tasks encompass three (not necessarily sequential) elements:

- = to understand what the issues are
- = to tackle those issues
- = to make sure this approach is at the heart of all institutional activity.

41. The 2005 guidance recommended the following activities under this heading:

- = understanding the legal context
- = understanding the relevant issues in this area


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- = reviewing and strengthening existing institutional structures
  - = engaging in effective consultation with staff and students
  - = demonstrating visible commitment to the promotion of good campus relations
  - = mainstreaming and embedding work into institutional functions
  - = allocating and communicating responsibilities effectively
  - = conducting training to raise awareness across the institution
  - = ensuring there is a comprehensive equal opportunities policy that is linked to strategic functions
  - = acknowledging and celebrating good work by the HEI.

42. Medium-term remedial action involves activity to be undertaken when there appear to be local, regional or national issues that could affect the HEI in the future.

43. Situations necessitating medium-term actions require a more enhanced level of activity by the HEI. An example of this could be intrusive and potentially distressing media interest in people based on their racial or religious background. Key tasks include the need for the HEI to consult with those likely to be affected by the situation, so that a considered approach can be taken. It is also imperative that channels of communication are open, so the institution is able to hear of potential unrest in a pre-emptive way and, in turn, is able to communicate messages in a clear and comprehensive way. In particular, institutions may wish to consider campaigns to highlight key messages – what activity is and is not acceptable, and what staff and students should do in the event of hate crimes and intolerant activities. Measures recommended under this heading include the following:

- = engaging in more targeted consultation
- = communications campaigns to alleviate concerns
- = pre-emptive action to prevent harmful activity occurring on campus.

44. Immediate crisis interventions involve measures taken when hate crimes and intolerant activity threaten to affect staff and students. The 2005 guidance recommended the following activity:

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- = use of an emergency working group to make quick but effective decisions
  - = a thorough consideration of relevant information
  - = consultation with relevant organisations, both internally and externally
  - = learning from the experience.

45. This section allows institutions to consider the recommendations of the 2005 guidance against the context outlined above. It is not intended to be prescriptive, but rather to enable HEIs to reflect on the types of activity that can promote good relations on campus.


### **Long-term preventive action**

#### *An institutional standard for equalities*

46. An HEI's equality and diversity policy and associated policies such as its race equality policy can, if properly drafted and implemented, produce the institution's own standard for equalities. The standard will show the HEI's commitment to equality and diversity principles and practice, and how these are embedded in institutional functions, what type of activity is acceptable within the HEI, and what staff and students should do if they feel that the standard has been breached.

Questions to consider:

- = Does your HEI have an overarching equal opportunities/equality and diversity policy or equivalent covering all the equality strands?
- = Does this policy take the Promoting good campus relations definition of hate crimes and intolerance into account?
- = Does your race equality policy outline how staff and students are protected against racist hate crimes and intolerant behaviour?
- = Does the HEI have a policy on religion and belief? Does it outline how staff and students are protected against hate crimes and intolerant behaviour based on religion and belief?
- = Do the HEI's policies outline how staff and students who breach the standard will be dealt with?
- = Does the institution publicise the institutional standard for equality in other ways, e.g. through internal and external


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- communications campaigns?
- = How accessible is this information?
  - = How are staff trained to recognise the difference between undesirable conduct that is not illegal, and illegal conduct?
  - = Are staff aware of how they should deal with the latter?
  - = Would a prospective or current member of staff or student know what the HEI's position is on promoting race equality and equality in terms of religion and belief?
  - = Are the systems for reporting and dealing with activities against the institutional standard sufficiently robust?
    - are there sufficiently accessible opportunities for staff and students to use reporting systems (anonymously if required)?
    - how do these systems deal with complaints?
    - are there mechanisms to report relevant matters to the police?

### **Infrastructure**

47. The HEI's infrastructure must be able to respond effectively, and often very quickly, to activity that could harm staff and students. It is important that there is effective coordination between these functions to pre-empt or deal with any harmful activity that could arise on campus.

Questions to consider:

- = Has your HEI clearly identified responsibilities across the institution?
- = Is there a senior management champion?
- = Do you have equality and diversity specialist staff (individual or dedicated team)?
- = Are the following aware of the need to challenge harmful activity in an explicit way?
  - board of governors
  - heads of schools/units/departments
  - directors of professional units.
- = Is your HEI's work in this area coordinated and overseen by a working group?
- = Are staff and students aware of these responsibilities? Do they know who to contact if they have any concerns? Is there a specific contact point for staff and students?


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- = Does the HEI have links with the local police force for the purposes of reporting hate crimes?
  - = How does the HEI monitor activity that could harm the campus community?
  - = How is the impact assessment process used to review the HEI's systems for preventing hate crimes and intolerance and promoting good campus relations?
  - = How does the impact assessment process cover the different areas of equality in relation to hate crimes, intolerance and promoting good campus relations?
  - = How does it test its responsiveness to harmful activity?
  - = Are there protocols for the following areas:
    - computer use
    - hiring rooms
    - freedom of speech
    - organising events/meetings?

### **Collaborative working**

48. It is vital that HEIs maintain good links internally and externally by working in a collaborative way within the local context. This will ensure more coordinated activity, and more solutions. The 2005 guidance also provides a useful outline of internal and external roles. It is vital that the principles from the Inter Faith Network's code (see page 15) are an important part of any interaction.

Questions to consider:

- = Does the HEI have good links with internal stakeholders, such as the trade unions, students' unions, etc?
- = Are the internal stakeholders aware of staff and students' rights and responsibilities in relation to equality as part of the institutional standard?
- = Does the HEI have good links with external stakeholders, such as local community organisations, local authorities and representative bodies?
- = How robust are the links between the HEI and external stakeholders, such as local faith organisations, anti-racist organisations, Government Office regions, local authorities, etc?

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- = Are these links formalised through – for example – an equalities working group?
  - = Does the equalities group have links to other committees and/or the senior management team?

### **Impact assessment**

49. Impact assessment, which forms an important part of policy review, helps to ensure that institutional policies are fit for purpose, and are a statutory requirement in the area of race, disability and gender equalities. HEIs should ensure hate crimes and intolerance are incorporated into the existing impact assessment process.

Questions to consider:

- = Has the HEI conducted an impact assessment into the HEI's complaints system or equivalent?
- = How does monitoring of racist incidents or religious hate crimes feed into the impact assessment process?
- = What types of action have the HEI adopted to ensure promotion of good campus relations?
- = How are these actions publicised to ensure a comprehensive level of knowledge and understanding?

### **Students' unions/associations/guilds**

50. Students unions, associations and guilds are a key means of contact for many students at HEIs. HEIs should therefore maintain close links with students' unions or equivalents, and make sure key aspects of the HEI's approach (the institutional standard for equality; provision of dialogue groups; how breaches are dealt with, etc.) are communicated and understood.

Questions to consider:

- = Is there students' union representation on the HEI's equality committees or equivalent?
- = Are there any communications/briefing materials on promoting good relations that the students' union can use?
- = How do students' unions contribute to dialogue groups, etc?



## Developing practical indicators

51. A good way of monitoring the campus landscape would be through developing indicators that can be used to gain a picture of what is happening on the ground. It is important that these indicators are interpreted properly, and that appropriate action is taken after fully considering the relevant information. It would also be useful to scan activities in other parts of the country, primarily through the media, as activity in one area could indicate future activity elsewhere. Examples of likely indicators are listed below.

Incident indicators:

- = record of incidents – internal
- = record of incidents – external (to staff and/or students)
- = record of incidents – external (to members of the public in the local area)
- = positive and negative news reports – national and regional.

Positive indicators:

- = an increase in the number of appropriate methods by which staff and students can report hate crimes and intolerant activity
- = recorded complaints by staff and students related to hate crimes and intolerance, and subsequent action by the institution
- = increase in training interventions
- = increase in positive impact of institutional initiatives informed by experiences of staff, students and relevant organisations
- = increase in positive impact of wider community initiatives.

Indicators of attitudinal change:

- = decrease in incidents
- = increase in integrated contact
- = increase in cooperation and shared activities between different groups and individuals.

Questions to consider:

- = Does your HEI have such indicators?
- = How are they used to inform HEI decisions?
- = Are relevant committees able to use this information for decision-making?



## **Shared spaces for discussion**

52. HEIs provide spaces where debate should flourish, and where staff and students should not be afraid to engage in discussions. This freedom is balanced by the need to protect people from abuse, for example through inciting of hatred. This requires a degree of management by the HEI to ensure continued protection of the campus community. It is important that HEIs facilitate shared spaces for discussion of relevant issues for staff and students.

Questions to consider:

- = Are there informal means by which staff and students can discuss issues of interest and/or concern?
- = Are they open to all?
- = How does the HEI encourage students to engage in debate and to challenge received wisdom?
- = Are participants happy with the way in which shared spaces are provided? how are their views sought?

## **Communication strategies**

53. A particular benefit of long-term communication strategies is that HEIs can clearly identify their institutional standard internally and externally. The benefits of communicating the institutional standard clearly cannot be overestimated – it helps staff and students understand their rights and the responsibilities of students and staff as part of the campus community, and outlines acceptable and unacceptable activity. Communication approaches can also be used to outline positive measures that institutions are undertaking to promote good campus relations.

Questions to consider:

- = Are measures to promote good campus relations part of the HEI's long-term strategy?
- = Are people's rights and responsibilities communicated clearly?
- = How is the effectiveness of communications in this area reviewed?
- = Is there a nominated contact person to deal with all media queries?



## Medium-term remedial action

### *Use of practical indicators*

54. It is useful for an HEI to consider the data derived from indicators to see if remedial action in particular areas should be increased. For example, if an HEI has recorded a rise in hate crimes against Chinese students in the local area, it would be worth liaising with the local police, local community organisations and the local authority to report these matters, and also to see what type of preventive measures could be used or enhanced. Similarly, any positive issues arising from the indicators can be used to outline the results of constructive work by the HEI. A key point to remember is that decisions should be made and actioned in a timely way: activity that harms or threatens to harm staff or students cannot be tolerated under any circumstances and has to be dealt with as soon as possible.

Questions to consider:

- = How regularly are the indicators updated?
- = How long does it take for data from the indicators to be considered by the HEI?
- = How long does it take for a decision based on the indicators to be actioned?
- = Are the appropriate organisations involved in further action, e.g. the police?
- = How does the HEI measure the effectiveness of its actions?

### *Engaging with local communities*

55. At times when potential dangers could arise, it is particularly useful for HEIs to liaise with local communities, such as local religious organisations, to establish key local concerns and comprehensive remedial action.

Questions to consider:

- = Does your HEI have links with local communities?
- = How does the HEI work with them?
- = Would you describe the contact as beneficial to the HEI and the local community?



## *Briefings*

56. It is important that those who have been allocated particular roles and responsibilities are informed about any activity that may necessitate increased action on the part of the HEI. HEIs should consider the use of written or verbal briefings to the members of staff affected.

Questions to consider:

- = How are staff and student representatives involved in/informed of decisions by the HEI?
- = Are these regular or ad hoc updates?
- = Is there an opportunity for representatives to seek further clarification if necessary?


## **Communication mechanisms**

57. Avenues of communication for staff and students are all-important. For students, it is important that the HEI works with the local students' union to ensure students are aware of the HEI's work on a particular issue, and who they can go to if they need support. Similar communications for staff can be communicated through the HEI's newsletter, and through work with local trade and students' unions.

58. HEIs' email and internet systems can be subject to abuse, and it is important that adequate measures are taken to prevent the harassment or intimidation of staff and students as part of the HEI's more general duty of care. There is, for example, a need to consider email and internet systems in the context of inciting racial and religious hatred, along with the duty to promote good relations between people of different racial groups. As a means of illustrating this point, the publishing and dissemination of online materials that are likely to incite racial hatred could constitute a criminal offence.

Questions to consider:

- = Do staff and students know what good relations means in relation to the institutional standard?
- = What are the main means of communication by the HEI to staff and students?

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- = How effective are these means of communication?
  - = Do staff and students know where they can go to for further advice and guidance?
  - = Is there an 'acceptable use' policy in relation to the HEI's internet and email system?
  - = Are the following provisions in place:
    - confidential reporting for staff and students
    - procedures to report criminal matters to the police?

## **Immediate crisis interventions**

### *Ensuring people remain calm*

59. During an emergency, it is important that staff and students are able to remain calm. HEIs should make all reasonable efforts to ensure information is provided clearly, and that the HEI's next steps are explained. The Inter Faith Network of the UK has produced a very useful publication, **Looking after one another: the safety and security of our faith communities** that outlines effective ways of dealing with crisis situations. While it is primarily focused on faith-based organisations, the guidance contains good principles of practice that can be used more widely.


### *Dealing with harmful activity*

60. As mentioned above, there is a consistent rule that applies to all HEIs, regardless of size or location: activity that harms, or threatens to harm, members of the campus community cannot be tolerated under any circumstances and has to be dealt with as soon as possible.

61. If staff and students engage in activity that is likely to be harmful, it is important that the HEI takes strong steps to remove the threat as soon as possible, in terms of both ensuring safety and maintaining a strong institutional standard. This may involve the suspension or dismissal of a member of staff following investigation, or the equivalent for a student at the HEI.

### *Dealing with media contacts*

62. There should be one designated contact between the HEI and the media, to ensure a consistent message is provided. While



there should be close links with the institution's communications department, this spokesperson should ideally be at a senior level, and should be prepared to respond to diverse media queries.

### **General considerations**

#### *Ensuring fair decision-making*

63. Some of the considerations above will involve a restriction of rights, as mentioned in the legal context (page 4). 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 or disorder, or otherwise to protect the rights and freedoms of others
- = is proportionate.

#### *Learning from experience*

64. Maintaining campus harmony and promoting good relations is an ongoing process. It is important that HEIs keep a log of all actions taken by the HEI and evaluate the effectiveness of any actions they have undertaken.

### **Further information**

ECU is in the process of creating a dialogue group to discuss and agree suitable approaches for promoting good campus relations, provide critical reader input to relevant ECU guidance, and advise on ECU's work in developing a repository of good practice for promoting good campus relations. If you would like further information on this area of ECU's work, please contact the Race, Religion and Belief team at [race@ecu.ac.uk](mailto:race@ecu.ac.uk) or [religionandbelief@ecu.ac.uk](mailto:religionandbelief@ecu.ac.uk) or on 020 7438 1017.



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This update is a developing resource, and in view of this the ECU welcomes comments and additional information that can be used to build upon the information provided.



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