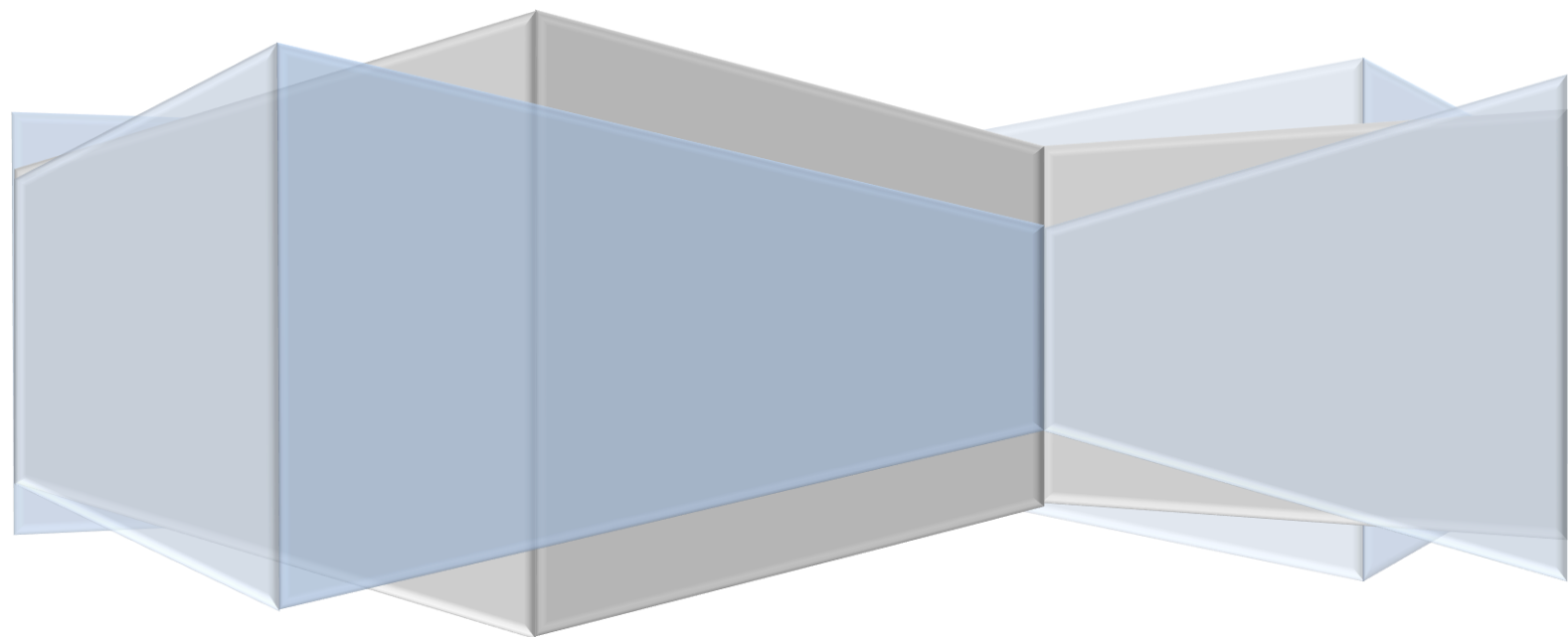


# **Blackburn with Darwen Borough Council**

## **Responsible Event Booking & Venue Hire: Policy and Procedure**

**Local Authority and Community Premises Protocol**



## Foreword

Blackburn with Darwen is made up of communities that have shared values and principles embedded in their fabric. Modern day challenges associated with extremism threaten the positive influence of our diverse communities, which is why Blackburn with Darwen Borough Council (BwDBC) is refreshing our approach to community cohesion and engagement with a renewed focus on strengthening the bond our communities share, celebrating diversity, and isolating those that wish to deny, distort or divide us.

As a vibrant multi-cultural borough we have a responsibility to protect our communities from speakers who seek to spread hate using speech to incite violence or hatred and threaten community cohesion, health and public safety. It is vital that people are given the space to think and speak freely even when we disagree or are offended by what they have to say. People do have a right to offend us, so long as we also maintain our right not to be subject to that which we find offensive.

However, the line between free speech and hate speech is not easily defined. The challenge for public authorities like Blackburn with Darwen Borough Council is two-fold: Where is the line between a person's right to offend and what they say requiring action be taken; and then what does the public body do about it?

Whether it is racist groups or individuals who promote extremist ideas and sow seeds of division and hate in the borough, as a public body we need to ensure our buildings are safe and welcoming spaces for all, as well as seeking to use our influence to ensure other facilities in the borough are too.

Building stronger and resilient communities is at the heart of everything we do here in Blackburn with Darwen. The approach to challenging hate speech and intolerance will require a multi-agency approach from other public and third sector organisations.

We hope that local, private and community venues will also refer to our framework for guidance, should they be presented with events featuring individuals or groups promoting hatred and intolerance. Thus creating uniformity in approach and strengthening the status of this framework.

Denise Park

A handwritten signature in black ink that reads "Denise Park". The signature is written in a cursive, flowing style.

Chief Executive  
Blackburn with Darwen Borough Council

## Contents

Foreword.....	2
Executive Summary .....	4
Introduction .....	5
What is the purpose of this document? .....	5
Who is the guidance for? .....	5
Why is this policy important?.....	6
Legislation and Due Diligence informing policy framework .....	7
The Counter Terrorism and Security Act 2015 .....	7
Crime and Disorder Act 1998.....	7
Human Rights Act 1998 .....	7
Equality Act 2010: Public Sector Equality Duty .....	9
Local Elections in England & Wales.....	10
Due Diligence .....	10
Managing booking of venues.....	11
The SARA process .....	11
Information gathering process.....	11
Seeking advice or guidance.....	13
Who can raise a concern? .....	14
Responding to Events of Concern .....	14
The Decision Making Process.....	16
Frequently Asked Questions .....	18
Appendix 1: .....	19
Venues Booking Checklist .....	19
Appendix 2: .....	20
Event / Speaker of Concern – Reporting Form .....	20
Appendix 3: .....	21
Investigation Recording Form .....	21
Appendix 4.....	24
Guide for volunteers managing BwDBC community facilities .....	24
Glossary.....	26

## Executive Summary

The Responsible Event Booking & Venue Hire Policy has been compiled to assist Local Authority & Community Premises in Blackburn and Darwen with their hire procedures. Visitors to these venues have the right to enjoy services and facilities without fear of intimidation, harassment, extremist or threatening behaviour. This protocol provides guidance on mitigating the risk and the processes involved in ensuring that defensible and informed decisions are made when hiring out venues.

When hiring venues for events, consideration should be given to Health and Safety, responsibilities under various legislation, potential for reputational risk and impact on the community and visitors to the premises etc. Where a booking has been made which causes concern, it is expected that the booking be passed on to the relevant agencies for further checks.

The main legislation/guidance governing this issue is:

Statutory guidance issued under s29 of the *Counter-Terrorism and Security Act 2015* makes explicit reference to the '*Use of local authority resources*' and outlines expectations of partnership working and that '*local authorities should ensure that publicly-owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views*' through the establishment of a responsible booking policy for public venues.

As a responsible authority under the *Crime and Disorder Act 1998*, BwDBC also has a statutory duty to work in partnership with other agencies to reduce and prevent crime. Maintaining public order is a priority for the Local Authority and the Police, therefore when an event poses a risk to the general public, there are grounds to review and reconsider venue hire. Where the property is not under Local Authority control, they can provide advice to the property owners/occupiers.

The *Human Rights Act 1998* sets out the fundamental rights and freedoms that everyone in the UK is entitled to. In some limited situations, certain freedoms are qualified meaning that public authorities may interfere with them. This is only possible where the authority can show that its action has a proper basis in law, and is necessary and 'proportionate' in order to protect Public safety, Public order, Health or morals, the rights and freedoms of other people.

The *Equality Act 2010* requires public bodies to have due regard to the need to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act as well as advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not. The latter relates to the need to tackle prejudice and promote understanding.

This policy provides practical assistance and support to venues in ensuring that local service users are not subjected to messages of hate or intolerance of any kind. The recommended steps for *Managing booking of venues* are outlined in this document:

- Receive and identify booking requests
- Gather and assess the information and the level of risk posed by the event
- Communicating the process to the applicant and make a joint decision with partners on whether event should or should not run forward
- Review event and consider future booking requests

Detailed guidance on how to conduct information gathering, analyse the data, seek advice, raise a concern and respond is provided. The appendix also includes a one page *Venues Booking Checklist*, *Event/Speaker of Concern reporting form* and an *Investigation Recording Form*.

## Introduction

### What is the purpose of this document?

This Responsible Event Booking & Venue Hire Policy has been compiled to assist Local Authority & Community Premises with their hall hire procedures.

Visitors to these venues have the right to enjoy services and facilities without fear of intimidation, harassment, extremist or threatening behaviour. A robust policy would assist to reduce the risk of local venues being vulnerable to hosting events which are not conducive to promoting cohesion, equality, diversity or tolerance.

Local authorities have a responsibility to ensure their venues are not used by those with views that may draw people into terrorism, by ensuring that rigorous booking systems are in place and staff responsible for them are trained to know what to do if they have suspicions.

Whilst Blackburn with Darwen Borough Council (BwDBC) recognises the need to support *Freedom of Expression* amongst the community, it cannot support events which are contrary to the Borough's values.

This protocol provides guidance on mitigating the risk and the processes involved in ensuring that defensible and informed decisions are made when hiring out community venues. Where a booking has been made which causes concern, it is expected that the booking be passed on to the relevant agencies for further checks.

### Who is the guidance for?

This guidance provides practical assistance and support to venues in ensuring that local service users are not subjected to messages of hate or intolerance of any kind. The recommended steps for the booking process are outlined and it is anticipated that the following users will be expected to refer to this document:

1. Venue booking staff / volunteers
2. Centre Managers
3. Governing Bodies/Trustees
4. Caretakers

The types of venues covered by this policy include:

- Council owned and operated
- Business centres
- Libraries
- Community centres/ community assets
- Leisure centres
- Children's centres

**Please note** that this list is not exhaustive and any person concerned with the booking or hiring of Council owned and operated property should consult this guidance.

## Why is this policy important?

There are several important issues that must be considered when using community venues, some examples of these are listed below:

- **Regulatory enforcement framework**

A range of regulations are relevant to events (e.g. licensing, environmental health, noise pollution) and early discussion should be had to look at whether an event conforms to the relevant regulations.

- **Reputational Risk**

Local Authorities and venue owners will need to be made aware if there are concerns about speakers who have a history of expressing extremist views and/or views that aren't consistent with British values using a private venue for an event in view of the potential reputational impact of an unsuitable booking. Consideration should be given to exposure from media coverage (this encompasses both journalistic reporting and online posts).

- **Charities**

Those organisations registered as a Charity should be aware that trustees have specific duties under charity law which are relevant to the protection of their institutions. The Charity Commission has a variety of guidance available for trustees, including Chapter 5 of the Compliance Toolkit 'Protecting Charities from abuse for extremist purposes'.<sup>1</sup> Amongst other information, this provides guidance on managing risks associated with speakers, events and publications.

- **Illegal activities**

It is important that venues pay due regard to preventing illegal activities i.e. fundraising for unlawful purposes, criminal activities or discriminatory actions etc. This should also include actively limiting the effect of leafleting by extremist groups in or around their premises.

---

<sup>1</sup> <https://www.gov.uk/government/publications/protecting-charities-from-abuse-for-extremist-purposes>

## Legislation and Due Diligence informing policy framework

### The Counter Terrorism and Security Act 2015<sup>2</sup>

The Counter-Terrorism and Security Act came into force on 1<sup>st</sup> July 2015. The Act imposes a duty upon specified authorities to have “*due regard to the need to prevent people from being drawn into terrorism*” and guidance anticipates that all Local Authorities will be partners in prevention efforts.

The legislation makes explicit reference to the ‘*Use of local authority resources*’ and that ‘*local authorities should ensure that publicly-owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views*’ through the establishment of a responsible booking policy for public venues.

---

*“In order to maintain our existing high levels of community cohesion, promote equality and maintain public order, Blackburn with Darwen Borough Council will not tolerate messages of hate and intolerance in the borough”*

---

### Crime and Disorder Act 1998<sup>3</sup>

As a responsible authority under the Crime and Disorder Act 1998, BwDBC has a statutory duty to work in partnership with other agencies to reduce and prevent crime.

Maintaining public order is a priority for the Local Authority and the Police, therefore when an event poses a risk to the general public, there are grounds to review and reconsider venue hire. Where the property is not under Local Authority control, they can provide vigorous advice to the property owners/occupiers.

### Health & Safety Considerations

Some events can attract significant attendance with the potential for disorder outside a premise and health and safety implications for staff, visitors and residents. Local authorities may need to assess the risk, ensure appropriate measures are put in place or advise private venues accordingly.

### Human Rights Act 1998

The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to.

In practice, the Act incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law; ensuring that law will be interpreted to uphold The Human Rights Act, no national law should directly conflict with The Human Rights Act 1998<sup>4</sup>. In some limited situations, certain freedoms are qualified meaning that public authorities may interfere with them.

---

<sup>2</sup> The Counter Terrorism and Security Act 2015 (Specific guidance under Part 5 of the statute)

<sup>3</sup> The Crime and Disorder Act 1998 (Specific guidance under Part 1 of the Statute)

<sup>4</sup> Section 2(1) The Human Rights Act 1998

This is only possible where the authority can show that its action has a proper basis in law, and is necessary and 'proportionate' in order to protect:

1. Public safety
2. Public order
3. Health or morals
4. The rights and freedoms of other people.

*Below are examples of Human Rights that a Public Authority may seek to withdraw from a group or individual.*

### *Article 10: The Freedom of Expression<sup>5</sup>*

People have the right to hold their own opinions and to express themselves freely without government interference. This includes the right to express views aloud or through:

1. Published articles, books or leaflets
2. Television or radio broadcasting
3. Works of art
4. Communication on the internet

Public authorities may restrict the right to freedom of expression if they can show that their action has a proper basis in law, and is necessary and 'proportionate' in order to:

- Protect national security, territorial integrity or public safety
- Prevent disorder or crime
- Protect health or morals
- Protect the rights and reputations of other people
- Prevent the disclosure of information received in confidence
- Maintain the authority and impartiality of the judiciary.

It may be permissible to restrict a person's freedom of expression if, for example, a person expresses views that encourages racial or religious hatred.

However, the public authority must show that the restriction is 'proportionate'; the restriction must be no more than is necessary and appropriate and should not be excessive, in the circumstances.

### *Article 11: Freedom of Assembly and Association<sup>6</sup>*

People have the right to protest by holding meetings and demonstrations with other people.

Nobody has the right to force anyone else to join a protest, trade union, political party or another association. On occasions, it can be acceptable for a public authority to restrict a person's rights to freedom of assembly and association. This is the case only where the authority can show that its action has a proper basis in law, and is necessary and 'proportionate' in order to:

---

<sup>5</sup> Article 10 The Human Rights Act 1998

<sup>6</sup> Article 11 The Human Rights Act 1998



- Protect national security or public safety
- Prevent disorder or crime
- Protect health or morals
- Protect the rights and freedoms of other people.

A 'proportionate' response to a problem is one that is necessary; appropriate and not excessive in the circumstances.

### *Article 14: Prohibition of Discrimination*<sup>7</sup>

The Human Rights Act prohibits discrimination on a wide range of grounds including 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

### **Equality Act 2010: Public Sector Equality Duty**<sup>8</sup>

The Equality Act 2010 requires public bodies to have due regard to the need to:

1. Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act
2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
3. Foster good relations between people who share a protected characteristic and people who do not share it

The latter relates to the need to tackle prejudice and promote understanding. A 'protected characteristic' as defined in the Act includes age, disability, gender reassignment, pregnancy and maternity, race (including ethnic or national origins, colour or nationality), religion or belief, sex and sexual orientation<sup>9</sup>.

### *Gender Segregation*

Local authorities are required to ensure they are fully familiar with their legal obligations under equality law and how this relates to their policy on gender segregation at events and meetings held on their estate or in connection with their activities.

Forced gender segregation is not consistent with British values. Where it occurs on the public estate or in connection with the functions of local authorities as public bodies there is a risk this will be viewed as tolerance or even support for such practices.

It is important that the relevant staff are aware of:

- the legal obligations under equality law
- what is permissible and not permissible on a segregated basis
- Exceptions from equality law for religious practice and observance:

---

<sup>7</sup> Article 14 The Human Rights Act 1998

<sup>8</sup> Section 149 of The Equality Act 2010

<sup>9</sup> Protected characteristics are discussed fully by Section 4 of The Equality Act 2010

Segregation by gender will constitute unlawful discrimination except for in a few specifically defined purposes falling within one of the exceptions under the Equality Act 2010. The general rule is that exceptions in the Act must be interpreted narrowly as they are a departure from the fundamental principle of equal treatment.

Local authorities must not knowingly facilitate discrimination by others at the request of a speaker or an individual attending or wishing to attend an event. In order to comply with their duties under the Act, Local Authorities and their contractors should request information about the purpose of the meeting and firm detail of seating arrangements on any form used to book premises for events.

If there is reason to suspect a risk of unlawful segregation, Local Authorities should conduct further investigation and, if proportionate, decline any bookings for the individual or organisation concerned where this would be justified under either their Equality or Prevent duties.

## **Elections in England & Wales**

Guidance has been produced by the Electoral Commission for candidates and agents<sup>10</sup> in relation to campaigning during elections. This maybe in the form of engaging with the public at meetings, promoting their views and responding to questions from the audience. Any individual candidate or party list candidate is entitled to use publicly funded rooms and schools for public meetings.

The Electoral Registration Officer<sup>11</sup> keeps a list of the location and availability of meeting rooms in their area. They will make this list available for inspection by candidates and election agents (and persons authorised by them) from the day the notice of election is published. Candidates will be able to use public rooms up until the day before polling day.

Candidates must contact the owner of the premises to make a booking, giving reasonable notice to reduce the risk of the request being refused although any prior letting would take precedence.

The Equality & Human Rights Commission have published guidance<sup>12</sup> for local authorities, candidates and political parties about how the legal framework for equality and human rights law operates in England, Scotland and Wales during local and national elections

## **Due Diligence**

This refers to the reasonable steps taken by the Council to avoid committing an offence under either Civil or Criminal law. In relation to this policy, BwDBC will conduct checks on individuals and groups seeking to host an event in BwDBC owned and operated premises to ensure they are not espousing extremist views and are not associated with other extremism related activity.

Rigorous scrutiny will assist in ensuring compliance with section 149 of the Public Sector Equality Duty which includes having due regard to the need to advance equality of opportunity and foster good relations between people sharing different “protected characteristics”.

Those responsible for undertaking checks to ensure events are compliant and adhering to BwDBC values are reminded that conducting such checks should be managed sensitively and proportionately, in strict accordance with the legal requirements for information sharing amongst statutory partners and data protection principles.

---

<sup>10</sup> [https://www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0011/141788/Part-4-The-campaign-LGEW.pdf](https://www.electoralcommission.org.uk/_data/assets/pdf_file/0011/141788/Part-4-The-campaign-LGEW.pdf)  
[https://www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0006/163527/EPE-Part-4-The-Campaign.pdf](https://www.electoralcommission.org.uk/_data/assets/pdf_file/0006/163527/EPE-Part-4-The-Campaign.pdf)

<sup>11</sup> [www.yourvotematters.co.uk](http://www.yourvotematters.co.uk)

<sup>12</sup> <https://www.conwy.gov.uk/en/Council/Voting-and-Elections/Assets/documents/GeneralElections/Equality-and-Human-Rights-Law-during-an-Election-Period.pdf>

## Managing booking of venues

### The SARA process

BwDBC recommend undertaking the *SARA* process (Scan, Analyse, Respond and Assess) to safely administer and manage booking of venues.

<b>S</b> can	Receive and identify booking requests
<b>A</b> nalyse	Gather and assess the information and the level of risk posed by the event
<b>R</b> espond	Communicating the process to the applicant and make a joint decision with partners on whether event should or should not run forward
<b>A</b> ssess	Review event and consider future booking requests

### Information gathering process

When information is collected for the purposes of sensitive decision making, there must be a clear and thorough process that collates relevant information from a variety of sources.

It is anticipated that during this exercise, it will often be necessary to consult appropriate partner organisations for advice and guidance (i.e. when trying to interpret information or to better understand the context).

Once the type of venue has been confirmed, information about the event should be gathered considering the following points:

1. The hiring party should be requested to provide details of the event. This may involve an advance look at the materials which the speaker intends to present, an agenda for the meeting, names of speakers, seating arrangements etc. as well as copies of any promotion material or social media marketing.
2. An '*open source search*'<sup>13</sup> should be conducted for any information regarding the event/ key speakers / organisation.
3. Any material found as a result of the search should be critically assessed in terms of:
  - a. Its validity and reliability (this can be informed via the source of this information and the author or publisher details)
  - b. Is there any evidence or information to suggest that the speaker has promoted messages of hate or intolerance towards any groups that are protected under the Equalities Act 2010
  - c. Is there any evidence or information which suggests that the speaker has been banned or prohibited from speaking elsewhere nationally or internationally?
  - d. Any indication to suggest potential public order issues as a result of this event?
4. Engage in dialogue with the hiring party and / or the speaker.

---

<sup>13</sup> An Open Source search is a search conducted on the Internet for any information that is freely available to the general public. Any information that is restricted access and is not freely available to the public is not considered to be 'open source'.

## Open Source Information Gathering

When conducting open source internet searches, *primary* source material must be considered as the preferred data type. This is because data emitting from a secondary source may have been misinterpreted or misrepresented, thus hindering the overall validity and reliability of the information. For this reason, it is important to be wary of over relying on information contained within blog sites, or opinions/hearsay shared on social media (*'fake news'*).

### What is primary and secondary information?

Below is a table which outlines the differences between sources with some examples.

Primary Source Data	Secondary Source Data
<p>Any data written by the original author, Primary data is original data straight from the person or group that you are interested in.</p> <p>Examples: A book/ journal written by the original person, the person's own Facebook account, a clip of the person talking or the band playing</p>	<p>Any information which may make use of the original author's work,</p> <p>Examples: Any newspaper article which discusses an author's work but is written by someone else, any information which may talk about the group that you are interested in, but is not written directly by them.</p>

### Reflections for data gathering online

The following reflections have been outlined to assist the information gathering process. It is important that these are taken into account as they will affect the quality of the data gathered and in turn have a bearing on the decision making process to allow an event to take place or not. It is important that a thorough assessment is completed in order to arrive at a well informed decision.

When using the internet and conducting open source searches, aim to use a variety of different website and search engines. This will negate any bias and if the same information is available on a variety of sources, this does suggest it is more credible. Finding the same information across a number of different sites will also expose a number of varieties in opinion and interpretations.

Primary source data is more reliable and valid than secondary accounts or interpretations on the internet. For example, can you find a group manifesto? Are there any YouTube videos containing the group or person in question? Originality in sources will eliminate secondary opinions and alternative interpretations of material.

What kind of information is available on the website? Is there empirical data which is from an authoritative source? Is the website prone to unsubstantiated opinions or conspiracy theories? Or is there a well-reasoned and informed data set available? Are there any references available for you to assess on the website? Look at the dates of the website, are they current? If the website is out of date, consider its credibility and reliability.

Are there any organizations affiliated with the website in questions? Remember, just because a website has a logo or link, this is not conclusive evidence that the organization in question does endorse the website views or policies. Can you verify these links?

## *How to analyse the information that you have collated*

As per the Council's obligations under The Equalities Act 2010, using the following questions should help you analyze the information that you have gathered in order to arrive at a decision to allow the event or otherwise:

Use the information that you have found to answer the following – if you are struggling to provide a response, this may suggest a gap in the information that you have gathered.

- Does the event have the potential to advance equality and promote good relations?
- Has the information identified a predominantly negative or positive impact to the wider community?
- Does the event have a greater impact on one protected group from the community over others? Moreover, is this consistent with the overall aims of the event?
- If the event was to go ahead, would it deliver potential benefits for protected groups in the community?
- Have you found that some groups are less satisfied than others with the activity as it is currently described?
- Is there any part of the proposed activity that has the potential to discriminate unlawfully?
- Where negative impacts have been identified, have you discussed those? If so, who with? Are these discussions documented and what is the view of the other party?
- Are there any further changes that could be made in order to improve the responsiveness of the activity?

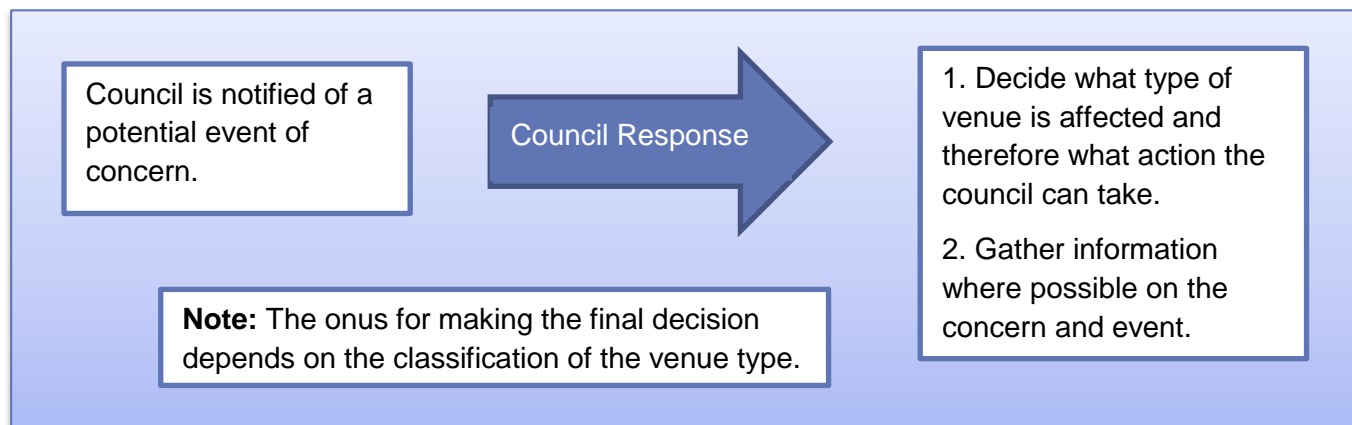
## **Seeking advice or guidance**

If further clarification is required in relation to the information gathered or if there are any concerns identified, internal or external partners should be consulted for advice and guidance. These can include but should not be limited to:

- The Senior Management Team / Prevent lead internally.
- BwDBC Prevent Team
- BwDBC Community Safety (Communities Coordinator / Cohesion Advisor)
- Community Assets Manager
- Lancashire Constabulary (Prevent Team or Hate Crime & Diversity Unit)
- Where applicable, relevant community contacts from protected groups which may be affected by the event taking place (this could be the LGBT community for example or an ethnic minority group).

## Who can raise a concern?

**Concerns or queries can come from: Local residents, organisations, concerned groups or statutory partner agencies.**



## Responding to Events of Concern

There are a number of relevant issues that must be considered when responding to speakers or groups promoting potential messages of hate and intolerance in venues within the borough.

### *BwDBC operated and owned premises*

- BwDBC owns and manages venues such as King George's Hall and events run in parks and open spaces in the borough.
- When responding to the threat of hate or intolerant speakers at events taking place in BwDBC operated and owned venues, the Local Authority are the final decision maker on whether an event will take place within a particular venue space.
- Where an event is deemed unsuitable, the host will be notified and the rationale given.
- Where a host can agree to remove problem groups or speakers from an event and BwDBC is satisfied that the event will subsequently pose no threat to cohesion, equality or public order, the event may be allowed to proceed.
- BwDBC reserve the right to make the final decision on all events planned in BwDBC owned and operated space.

### *BwDBC owned premises managed or leased by Community Organisations*

- BwDBC owns a number of properties within the borough that are leased to local community organisations to run and manage for the purposes and enjoyment of the community. Some of these spaces are available for hire by local residents and groups.
- When responding to the threat of hate or intolerant speakers at events taking place in Community Assets, BwDBC will support the managing organisation to assess the risk and provide advice to inform decision making.

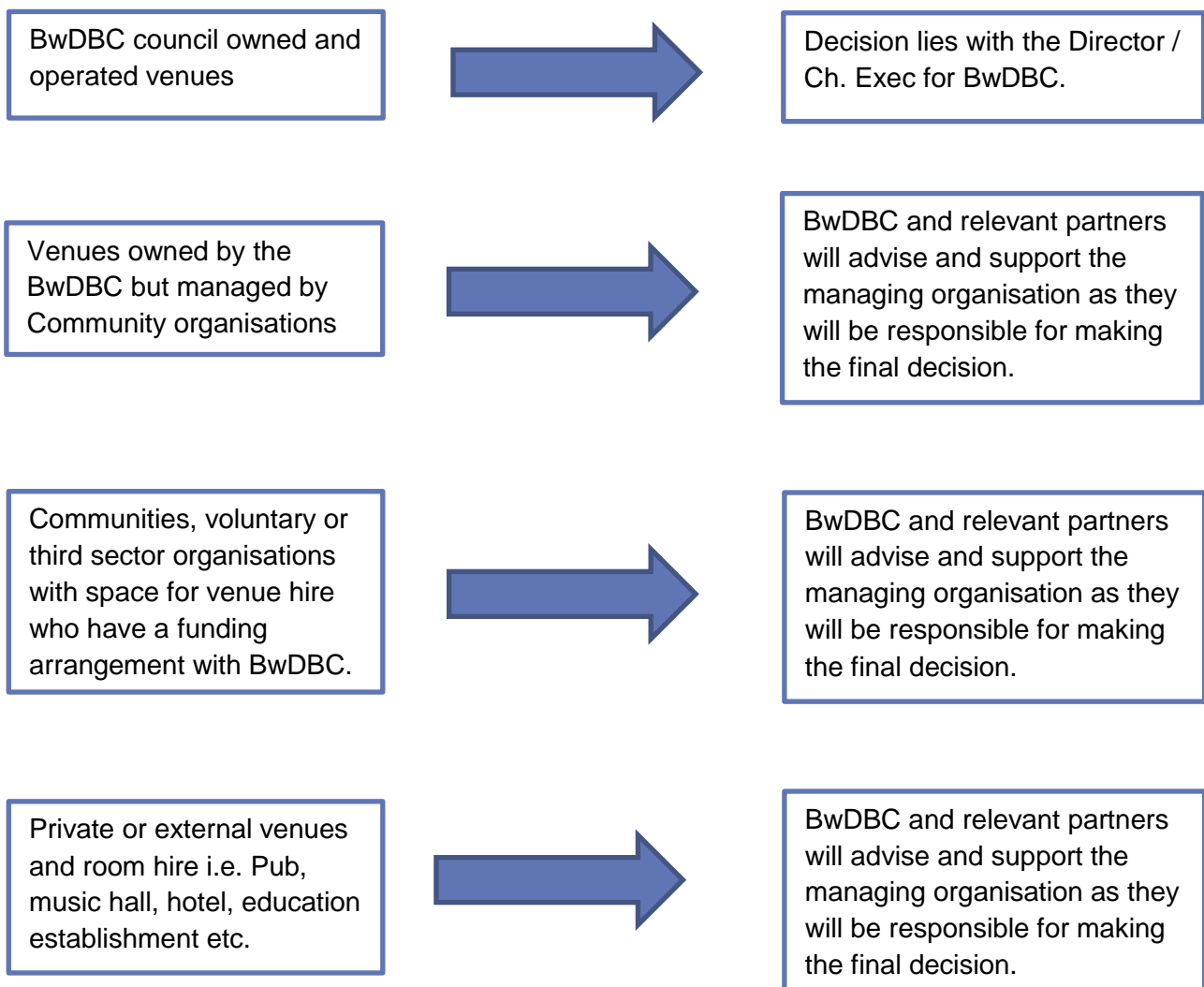
### *Premises managed by community organisations with a funding relationship with BwDBC*

- A number of local voluntary, community and social enterprises who are funded by BwDBC manage spaces that are available for hire, i.e. rooms within a local community center. It is recognized that venue hire is a source of revenue for these organisations.
- BwDBC and partner organisations will advise and support the managing organisation when they are responding to events of concern in their venue.

### *Private or external venue hire*

- There are a number of private hire venues in BwDBC including music halls, pubs, hotels etc. that hire their space for a number of diverse events.
- If a concern of potential messages of hate and intolerance is brought to the attention of the Council, and the event is to take place in a venue managed by an external organisation, the latter must take responsibility for decisions on the event.
- The Council cannot direct the decision of an external organisation. However, BwDBC does have a duty to notify them of concerns if it views the event to be in some way detrimental to equalities, community cohesion and public order.

See the below chart for guidance:



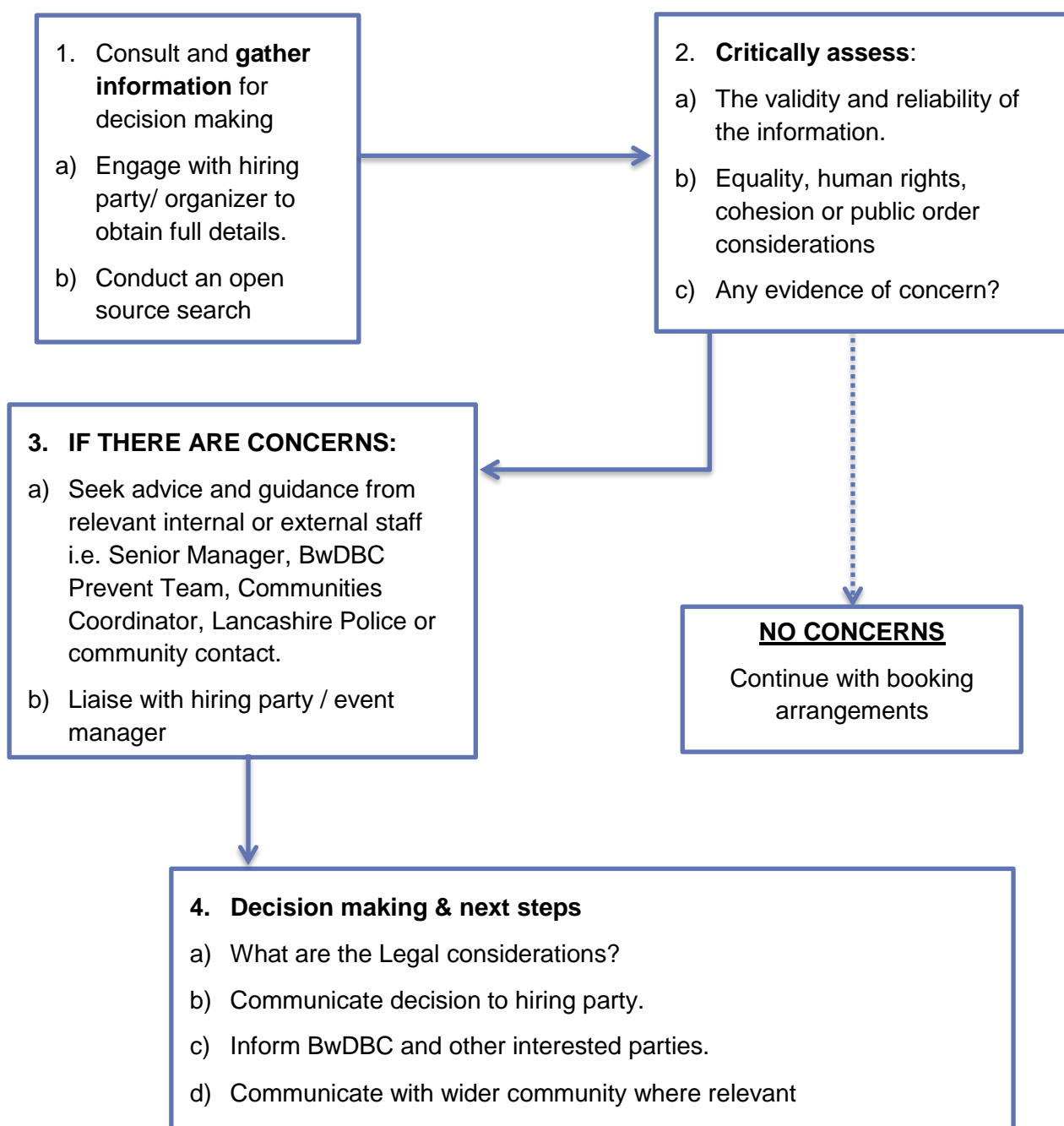
## The Decision Making Process

In view of the responsibilities the Local Authority operates under; an equalities and public safety approach is considered to be an appropriate framework for BwDBC to assess speakers promoting messages of hate and intolerance in venues in the borough.

All decision making relating to potential messages of hate and intolerance must ensure that information gathered is assessed appropriately and the final decision balances equalities, cohesion, public order and human rights considerations.

The decision making process will be instigated following a thorough information gathering exercise.

### The Decision Making Flowchart





### *Potential outcomes for venues that are owned and operated by BwDBC*

#### **Equalities, cohesion, CTSA 15, human rights and public order are not impacted:**

- Event is acceptable to go ahead.
- Necessary steps should be taken with partners to ensure plans are in place to manage events effectively and safely.

#### **A speaker / group within the event has been identified as not conducive to promoting cohesion and equality or is a risk to Public Order:**

- Speak with the organizer / hiring party and request that the speaker or group is removed from the event.
- Upon agreement, the event can go forward.
- If there is no agreement, consultation should take place with a Director / Ch. Exec to approve/ disapprove the decision to hire which should then be communicated to the hirer.

#### **The event has been identified as not conducive to promoting cohesion and equality or is a risk to Public Order:**

- Discuss the assessment with Director / Ch. Exec and come to an agreement.
- Notify the hirer/ inform the host and explain the reasons for the decision.
- Inform relevant internal and external stakeholders – consider impact or likelihood of the event being held elsewhere in the borough.

### *Potential outcomes for external venues and community managed premises*

#### **An event at an external venue or community managed premises is identified as posing Equalities, Cohesion, Extremism or Public Order concerns:**

- The Council cannot direct the organisation on the action to take. The Local Authority's role is to be supportive and provide advice and guidance.
- Discuss the assessment with Director / Ch. Exec and come to an agreement re next steps.
- Notify the host of the concerns and if appropriate signpost suitable support
- Consider the impact of the event going ahead and ensure necessary steps are taken with partners to manage the risk and threat.

## Frequently Asked Questions

### *Does this apply to a venue hired for a private function i.e. wedding, party etc.?*

Any venue, which is booked for the purposes of functions such as a wedding or a party, must comply with existing Private Hire policy and procedures for the venue concerned.

### *Who can I contact to discuss any concerns?*

The Council's Community Assets Manager will support volunteers running BwDBC community venues to assess the risk of bookings and give advice to reach an informed decision.

If you have any concerns about the speaker or the organisation enquiring about the booking, you should raise them as soon as possible with the Community Assets Manager by calling 01254 585590 or emailing [rizwana.zaahid@blackburn.gov.uk](mailto:rizwana.zaahid@blackburn.gov.uk).

Staff within Community Safety can provide advice and guidance if you have any concerns or queries in relation to a speaker / group, event or venue booking. The Prevent Team, Communities Coordinator or Cohesion Advisor can be contacted via 01254 585263 / 01254 585268 or [Prevent.Team@blackburn.gov.uk](mailto:Prevent.Team@blackburn.gov.uk)

### *How long should the Decision Making Process take?*

The process aims to be as efficient as possible, although liaison with other organisations and information analysis can take some time. Ideally, the decision making process from the point it is referred to BwDBC should not take longer than 10 working days; however, this could be extended in extenuating circumstances.

Community or external venue decision making will be subject to their own timescales as set out in their processes.

### *Is there an appeal option available on the decision?*

All decisions relating to BwDBC venues will be made after a robust and in depth enquiry including collation of information, critical evaluation of the data and consultation with key local partners. The hirer or event organizer will have an opportunity to respond to concerns prior to the Director of Adult Services & Prevention making a final decision. In the absence of the Director, it will be the Ch. Exec who will make a decision. There will be no scope for appeal.

Community venues will have undertaken a similar approach and therefore there will be no recourse to appeal.

### *How should findings be reported/ logged?*

The *Event / Speaker of Concern Reporting Form* in Appendix 2 should be used to report concerns about an event or speaker. BwDBC will utilise the *Investigation Recording Form* (Appendix 3) to document the information gathering and decision making process. These documents should be stored in accordance with GDPR and the Data Protection Act 2018.

## Appendix 1:

### Venues Booking Checklist

#### STEP 1: EVENT DETAILS

Obtain information on the event from the hiring party.

- Details of the hiring party including name of organiser / group, address, company or charity registration.
- Event information i.e. agenda, format, name of speakers, who will be invited, seating arrangements etc.
- Copies of promotional literature / social media marketing (confirm booking only once received).

#### STEP 2: RESEARCH

Conduct checks on individuals / groups hosting an event in BwDBC owned and operated premises.

- Check Online- using a variety of sources to find information on event/speaker or organisation.
- Consider Primary & Secondary source data – is it valid, reliable?
- Local knowledge from council staff / Councillors/ Local police etc.

#### STEP 3: ASSESSMENT

Public buildings must ensure all activity is inclusive and equal for all members of the community. Any information found should be critically analysed with this in mind.

- Speak to the hiring party and obtain further details, if you do not have sufficient information to assess.
- Is there evidence of the speaker / organiser previously promoting messages of hate or intolerance?
- Ensure the speakers / organiser have not been banned or prohibited from speaking elsewhere.
- If you have any concerns or queries in relation to a speaker / group, event or venue booking, contact:
  - The Prevent Team or Communities Coordinator on 01254 585263 / 01254 585268 or [Prevent.Team@Blackburn.gov.uk](mailto:Prevent.Team@Blackburn.gov.uk)
  - Community Assets Manager on 01254 585590 or [rizwana.zaahid@blackburn.gov.uk](mailto:rizwana.zaahid@blackburn.gov.uk)

## Appendix 2:

### Event / Speaker of Concern – Reporting Form

The purpose of this form is to record details of any planned events happening in Blackburn with Darwen where concerns are raised about the content, speakers, group etc.

*Please note:* Where the venue in question is not BwDBC owned, the role of BwDBC is to assist and advise the managing organisation. BwDBC will not make the final decision in this situation.

PERSON REPORTING	
Name / Organisation	
Job Title	
Address	
Contact Details: Telephone / Email	

EVENT / SPEAKER / GROUP OF CONCERN	
Venue to be hired / Location of event including address	
Event Details	Brief synopsis of event including date and time
Speaker Details	Name
	Address
	Contact details
Group Details	Include name, address, contact details etc.

CONCERN SUMMARY

## Appendix 3:

### Investigation Recording Form

If concerns relating to an event or speaker are highlighted to Blackburn with Darwen Borough Council, this form should be utilised to record actions undertaken in the information gathering and decision making process.

- If the venue is owned and operated by BwDBC, the final decision will be made by the Director / Ch. Exec.
- In all other circumstances, BwDBC will provide advice and guidance. The final decision as to if the event can continue or not will remain with the venue management.

*Please ensure all questions are completed fully.*

EVENT / SPEAKER / GROUP OF CONCERN	
Venue to be hired / Location of event including address	
Event Details	Brief synopsis of event including date and time
Speaker Details	Name
	Address
	Contact details
Group Details	Include name, address, contact details etc.

TYPE OF VENUE	
BwDBC owned and operated	<input type="checkbox"/>
Community Asset (Venue owned by BwDBC but managed by Community Organisations)	<input type="checkbox"/>
Business Centre	<input type="checkbox"/>
Library	<input type="checkbox"/>
Leisure Centre	<input type="checkbox"/>
Children's Centre	<input type="checkbox"/>
Community, voluntary or third sector venue	<input type="checkbox"/>
Private or external venue	<input type="checkbox"/>

Activity	Response
1. Have details of the event being requested from the hiring party? This should include any material, agenda, promotion or social media marketing, seating plans etc.	
2. Has the Information Gathering Process i.e. open source search, being completed as outlined in the Responsible Event Booking & Venue Hire Policy?	
3. Have partner organisations or relevant community contacts from protected groups been consulted for advice? If so please document who was spoken to, dates and times and summary of main points.	
4. Has the information gathered been critically assessed in terms of: a. Validity and reliability b. Evidence of previously promoting hate or intolerant speech c. Evidence of being banned from speaking elsewhere	
5. Are there any concerns in relation to potential public order issues?	
6. What are the legal considerations?	
7. What decisions have been made from the data? a. Is further research necessary? b. Is further liaison with partner organisations required? c. Do we need to further engage in dialogue with the hiring party / speaker	

**Please state the final decision and rationale:**

**If BwDBC owned and operated venue, confirm how the decision will be communicated to the event organiser.**

---

**Please record any comments / feedback from the event organiser.**

---

**If other type of venue, specify details of the advice given and to whom it was communicated and when.**

---

**Please record any comments / feedback from the venue management.**

---

## Appendix 4

# Responsible Event Booking & Venue Hire Policy and procedures: Local Authority and Community Premises Protocol

## Guide for volunteers managing BwDBC community facilities

**This guidance is intended to support volunteers who manage BwDBC community facilities to understand their responsibility under the Council's Responsible Event Booking & Venue Hire Policy.**

**This relates to the hiring of facilities to groups/speakers that do not support fundamental British values and for events that do not promote community cohesion and tolerance, values that are very important in Blackburn with Darwen.**

Councils like Blackburn with Darwen must be sure that their venues aren't used by anyone who may try to draw people into terrorism or to encourage hatred and intolerance.

The policy is there to help volunteers who run community venues to know what to do to gather necessary information about groups/individuals who want to hire venues, to be able to make an informed decision about accepting or refusing bookings.

It's been written in line with government legislation, such as the Counter Terrorism & Security Act 2015, the Human Rights Act 1998, and the Equality Act 2010. (More information on this is available on pages 12-15 of the Responsible Event Booking & Venue Hire Policy.)

### How to manage booking enquiries?

There are a number of steps to take when dealing with an enquiry about a booking for a community venue:

#### *1. Gather information*

Ask the individual / organisation that has enquired about the booking to provide details of the event: an agenda, names of speakers, materials the speakers will use, seating arrangements, promotional material etc.

Carry out an internet search for additional information about the event, the speaker, and/or the individual / organisation enquiring about the booking – take care to use a variety of sources to avoid bias.

#### *2. Analyse information*

Consider all the information you have discovered to reach a decision about allowing the booking to go ahead or not – on pages 16 and 18 of the Public Buildings Policy you will find some useful questions to ask yourself to help with this.

#### *3. Ask for advice / guidance*

The Council's Community Assets Manager will support volunteers running BwDBC community venues to assess the risk of bookings and give advice to reach an informed decision.



If you have any concerns about the speaker or the organisation enquiring about the booking, you should raise them as soon as possible with the Community Assets Manager by calling 01254 585590 or emailing [rizwana.zaahid@blackburn.gov.uk](mailto:rizwana.zaahid@blackburn.gov.uk).

You can also contact the Council's Community Safety Team by calling 01254 585263 / 585268 or emailing [Prevent.Team@blackburn.gov.uk](mailto:Prevent.Team@blackburn.gov.uk).

#### *4. Making a decision*

To help you make a decision on a booking, use the flowchart on page 18 of the Public Buildings Policy. This guides you through the decision making process and makes sure full consideration is given to all the information and advice you have gathered.

#### *5. Respond to applicant*

If a decision is made to refuse a booking on the grounds that it poses a threat to community cohesion, equality or public order, the individual / organisation enquiring must be informed as soon as possible.

- There's a useful checklist on page 20 of the Responsible Event Booking & Venue Hire Policy (Appendix 1) which guides you through each step of the process to assess whether a booking is appropriate or not.
  - You will find a form to report your concerns about a booking enquiry on page 21 (Appendix 2).
  - BwDBC will record their investigation and decision on the form on page 22 (Appendix 3).
-

## Glossary

**Extremism:** The UK Government defines extremism as vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. Extremism also includes calls for death of members of the armed forces. (Revised Prevent Duty Guidance for England and Wales (originally issued on 12th March 2015 and revised on 16th July 2015, paragraph 7)

**Radicalisation:** Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups. (Revised Prevent Duty Guidance for England and Wales, issued on 12th March 2015 and revised on 16th July 2015, definition)

**Terrorism:** Terrorism is defined as an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes with or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing political, religious or ideological cause (Section 1 of the Terrorism Act 2000)

**Fundamental / British Values:** Democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs (Revised Prevent Duty Guidance for England and Wales, issued on 12th March 2015 and revised on 16th July 2015, definition)