



Policy Directive

VENUE BOOKING POLICY

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Summary of Changes¹ from Previous Versions

Version no/Date	Change	Comment	Section/ Page
1.0	New policy		

¹ Material changes only. Minor changes (such as to punctuation, grammar, etc.) will not be listed

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1.0 Introduction

The States of Guernsey is committed to providing venues that are safe, accessible, and foster an environment which supports equality, diversity, and tolerance. All bookings (whether paid or free) will be assessed to ensure compliance with applicable laws and regulations, including those relating to public safety, safeguarding, and prevention of discrimination. In addition, the policy aims to protect the rights of venue users while upholding the principles the States of Guernsey expects its services to reflect.

1.1 Policy Statement

Facilities and venues managed by the States of Guernsey and operated under the mandate of the Committee for Education, Sport & Culture (CfESC) are available to hire by promoters, individuals and for group activities. As publicly owned/operated assets, the venues should be made available for use by the general public, consistent with their purpose and enable income generation through hire to support their ongoing operation and sustainability.

The States of Guernsey reserves the right to refuse to grant, or cancel, permission with immediate effect:

1. If any or all parts of the event are likely to be illegal or unlawful, present a safeguarding risk, be dangerous, harmful or injurious with regards to human health or the environment, or may become a nuisance to the venue or any other occupiers in the areas where the event is held (or any neighbouring property);
2. If the organisers have been found to have falsely represented the event at the time of booking; and/or
3. If the venue manager is not satisfied that the safety of the buildings/sites, the public and the performers/production staff/participants is ensured.

1.2 Policy Objectives

This policy provides a structured approach for assessing venue bookings, focusing on the following objectives:

- Mitigating risks associated with illegal/unlawful activity including, for example, public safety, public order, safeguarding harms or illegal discrimination (the meaning of which is as set out in the Prevention of Discrimination (Guernsey) Ordinance 2022).
- Supporting the lawful exercise of the human rights of venue bookers and users, such as the rights to freedom of expression and assembly under the Human Rights (Bailiwick of Guernsey) Law, 2000.
- Ensuring venues are not hired for use as platforms for the promotion of beliefs which are not worthy of respect in a democratic society, being intended to incite hatred, violence or intolerance and by doing so seriously interfere with the rights and freedoms of others.
- Providing clear guidance for venue managers and staff on decision-making processes.

1.3 Policy Application

This policy provides practical assistance and support to venue managers in ensuring that the hire of premises/sites is appropriate and lawful, and that local service users are not put at risk of any safeguarding harm. The recommended steps for the booking process are outlined, and it is anticipated that the following people will be expected to refer to this document:

- Venue managers
- Headteachers/Principals
- Venue booking staff
- Premises staff
- Education Governance Boards
- Hirers and potential hirers of venues

Please note that this list is not exhaustive and any person concerned with the booking or hiring of States of Guernsey owned and Committee for Education, Sport & Culture operated property should consult this policy.

This policy is applicable to venue hire and use, whether paid or free.

Section 9 provides some practical examples of how the policy can be applied in a number of different scenarios.

For the avoidance of doubt, in this document, ‘discrimination’ has the same meaning as in the Prevention of Discrimination (Guernsey) Ordinance 2022.

1.4 Accountabilities/Responsibilities

- **Venue Managers:** Oversee booking procedures, ensure compliance, and address queries. This includes Headteachers/Principals, and members of the venue’s senior leadership team.
- **Venue Booking Staff:** Support booking administration, maintain records, and facilitate access.
- **Premises Staff:** Support events and activities.
- **External Hirers:** Comply with booking terms, provide necessary documentation, and respect venue rules.

Venue booking staff are responsible for ensuring venue bookings comply with both legal requirements and organisational values (where applicable). Operators of sites, reserve the right to refuse or cancel bookings in accordance with this policy.

1.5 Raising a concern

The policy is intended to promote transparency and good decision making, however there might be times when a person requesting a booking is unhappy with a decision not to accept a booking.

Any such concern should be raised with the venue manager or booking staff directly, or a complaint made in accordance with the complaints policy: [Compliments, comments and complaints - States of Guernsey](#)

1.6 What is the purpose of this document?

This venue booking policy has been compiled to assist operators of sites with their venue hire procedures.

Visitors to States of Guernsey venues have the right to enjoy services and facilities in a safe environment without fear of intimidation, harassment, extremism² or threatening behaviour.

The Committee *for* Education, Sport & Culture has a responsibility to ensure that the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002 is complied with, particularly that venues operating under its mandate are not used by proscribed terrorist organisations under the Law, this is achieved by ensuring that rigorous booking systems are in place and that staff responsible for them are trained to know what to do if they have concerns.

The need to support freedom of expression amongst the community is core to this policy, however, events which risk undermining the reputation of the States of Guernsey cannot be supported.

This policy provides guidance on mitigating the risk, and the processes involved in ensuring that defensible and informed decisions are made when hiring out States of Guernsey venues. Where a booking has been requested which causes concern, or where concerns arise in respect of an accepted booking, it is expected that these concerns are referred to the relevant managers or agencies for further checks.

2.0 Areas for consideration

2.1 Safeguarding risk

Venues must consider if the booking or individuals making the booking will pose any form of safeguarding concern or harm to vulnerable adults or children, whether they are attending the specific event or accessing the venue for other purposes during (including immediately before and after) the event.

² Extremism is the promotion or advancement of an ideology based on violence, hatred or intolerance <https://www.gov.uk/government/publications/new-definition-of-extremism-2024/new-definition-of-extremism-2024>, that aims to:

1. negate or destroy the fundamental rights and freedoms of others; or
2. undermine, overturn or replace the system of liberal parliamentary democracy and democratic rights; or
3. intentionally create a permissive environment for others to achieve the results in (1) or (2).

2.2 Legislative compliance framework

A range of regulations are relevant to events (e.g. licensing, environmental health, noise pollution) and early discussion should take place to determine whether an event conforms with the relevant regulation.

2.3 Reputational risk

Consideration should be given to the reputational risk which could arise where there is a history of expressing views which are not worthy of respect in a democratic society.

The above should also be applied retrospectively if concerns come to light after a booking has been accepted.

Bookings are accepted on a neutral basis, should an event booker seek to use the fact of the booking to imply endorsement of the event or view expressed, it should be publicly made clear that the acceptance of a booking does not reflect any kind of endorsement (see section 8).

2.4 Illegal/unlawful activities

Venue booking staff must take appropriate steps to avoid the venue being hired to support illegal, unlawful or prohibited activities, including fundraising for unlawful purposes, criminal behaviour or discriminatory actions.

2.5 Operational impact

If and how any booking will affect the day-to-day activities and operation of the premises/site should be considered.

3.0 Legislative framework

Venue managers must observe the following legal provisions when assessing bookings:

- **Guernsey Legislation** (further details are provided in Appendix 2):
 - **The Terrorism and Crime (Bailiwick of Guernsey) Law, 2002:** Prohibits support for proscribed organisations such as assisting in arranging or managing a meeting.
 - **The Human Rights (Bailiwick of Guernsey) Law, 2000:** Guarantees rights and freedoms, including qualified rights to freedom of expression and assembly. Restrictions must have a legal basis, be necessary, and proportionate.
 - **Salle Publique (1914):** Grants Constables powers to suppress undesirable activities at licensed venues. Managers should consult Constables for events that might be “undesirable”. If the venue is governed by a Salle Publique Licence, the relevant Parish Constables should be informed if the booking is accepted, and any conditions attached to the Licence should be made clear to the hirer.
 - **Prevention of Discrimination (Guernsey) Ordinance 2022:** Prohibits discrimination (less favourable treatment) of people on the grounds of

race, disability, sexual orientation, religion or belief or carer status.

Service providers – those who provide goods, services or facilities to the public or a section of the public for payment or not – must not discriminate. This means that there is the possibility that refusing to hire a venue to a speaker or hire, or varying the terms on which it is hired, could constitute discrimination under the Ordinance on the part of the States of Guernsey. There is also the possibility that hiring a venue to a speaker or hirer when the event creates an intimidating, hostile, degrading, humiliating or offensive environment for other States of Guernsey service users, could constitute harassment under the Ordinance on the part of the States of Guernsey.

- **The Children (Guernsey and Alderney) Law, 2008:** Places a duty on States employees and other persons working with any child reasonably believed to be in need or at risk to take such action as required, including sharing information.
- **Health & Safety Regulations:** Mandates risk assessment for events, particularly those with a large attendance or potential for disorder.
- **Other Regulations:** Includes licensing, environmental health, and noise pollution requirements as relevant to events.
- **UK Guidance (Prevent Duty):** The Prevent duty under s.26 Counter-Terrorism and Security Act 2015 applies only to England and Wales, requiring local authorities to prevent extremism in publicly owned venues. While not directly applicable in Guernsey, its principles inform best practice in venue management and due diligence.

Venue managers must ensure compliance with Guernsey legislation and seek guidance from relevant authorities including if necessary, the Law Officers' Chambers if in doubt about the legislation's applicability in respect of a specific booking.

4.0 Managing booking requests

This section sets out the steps to be followed when managing a booking request.

4.1 Gather information for decision-making

Information about the event should be gathered considering the following points:

1. What venue is being requested, and any specific impact that this might have. For example, a burlesque night might be considered appropriate to take place in Beau Sejour, but not appropriate to take place in a school.
2. Where the hiring party is unknown to the booking staff, or where there are concerns about the request, the hiring party might be asked to provide additional details about the event/activity, such as an overview of any presentations, the agenda, speakers or seating arrangements.

3. A search of publicly available information should be conducted for any information regarding the event/key speakers/organisation.

4.2 Critically assess the information

The information should be reviewed in terms of:

1. Its validity, reliability and how current it is (this can be informed via the source of this information and the author or publisher details)
2. Whether there is any evidence or information to suggest that the organisation or the speaker presents a safeguarding concern or has promoted messages of hate or intolerance to any group.
3. Whether there is any evidence or information which suggests that the speaker has been banned or prohibited from speaking elsewhere.
4. Whether there is any indication to suggest potential public order issues as a result of this event.

4.3 Engage in dialogue

Seek clarification on any queries or concerns from the information found with the hiring party or event manager.

Raise specific concerns with other agencies such as the Police and with Senior Leaders, Director of Operations, Communications Professionals.

4.4 Decision-making

Once research has been conducted and, if required, feedback received, the booking officer will be able to make an informed decision. The financial implications of accepting or declining a booking will also be considered at this point, for example will accepting one booking impact availability of the venue for other users who would pay to use it.

It is recommended that the venue retains the ability to prohibit a speaker from attending if any of the following is satisfied:

Guest / external speaker history:

The speaker has been, or is currently, associated with:

- a. Any proscribed organisation under the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002
- b. Any organisation which advocates acts of terrorism
- c. Any organisation whose beliefs or actions contradict the policies or terms and conditions of hire/use, or
- d. Is known to be subject to any barring notice.

The speaker has expressed an opinion/interpretation in public, which:

- a. Contradict the venue's policies or terms and conditions of hire/use,

- b. Advocates involvement in violence, or
- c. Promotes views or actions not worthy of respect in a democratic society, being intended to incite hatred, violence or intolerance and by doing so seriously interfere with the rights and freedoms of others.

5.0 Arising concerns

Although venues take many steps to ensure events take place within the framework of the law, occasionally things do not go to plan and action is required during the course of an event or booking period. Examples include (but are not limited to) attempts to disrupt the event; unexpected attendees, who might present a risk; inappropriate material being made available at the event, or views/behaviours expressed by a speaker, facilitator or audience member falling outside of the law or being inappropriate. In such circumstances, there are a number of options to be considered such as:

- Delaying the start of the event until any tensions or incidents have been resolved and risks mitigated
- Moving the event to a different location
- Issuing clear verbal warnings to individuals attempting to disrupt the event (usually by the event Chair)
- Requesting that individuals leave the event or instructing security personnel (or the police if necessary) to remove them from the event
- Advising individuals that rights involving freedom of speech are being exercised
- Postponing the event and rearranging it under different circumstances and conditions
- Stopping the event part-way through
- Cancelling the event

Depending on the concern, appropriate referrals should be made to the Police, MASH or other agencies.

6.0 Cancelling events

The States of Guernsey reserves the right to refuse to grant, or to cancel, a booking with immediate effect:

- 1 If any or all parts of the event are considered by the operator of the venue, in its reasonable opinion, to be dangerous, harmful or injurious with regards to human health or the environment, illegal/unlawful or which might become a nuisance to the venue or any other occupiers in the areas where the event is held (or any neighbouring property)
- 2 If the organisers are found to have falsely represented the event at the time of booking, and are subsequently found to breach the principles set out in this policy

- 3 If the venue manager is not satisfied that the safety of the building and the public can be ensured

7.0 Review of Regular and Repeat Bookings

Venue managers must regularly review all recurring and long-term bookings. Regular bookings should not be automatically renewed on the same days, times, or quantities year on year without consideration of overall demand and fairness of access. When reviewing repeat bookings, venue managers should take account of public benefit, historical usage, and opportunities for wider community access. This approach ensures that publicly funded venues remain accessible to a broad range of users over time and are not disproportionately allocated to the same hirers. Regular hirers should be made aware of the review policy and discussions should be scheduled to understand their ongoing requirements.

Venue managers are expected to have an awareness of the status or importance of some events and recognise that this could require one event to take precedence over another. For example, a national level fixture might be prioritised over regular training (where an alternate location is likely to be able to be offered).

8.0 Use of States of Guernsey estate by external hirers

Venue managers should seek assurance that hirers maintain adequate insurance cover, have effective safeguarding and child protection policies and procedures in place, and that all individuals delivering or supervising activities are suitably vetted (for example through DBS checks) and hold relevant coaching, teaching or professional qualifications appropriate to the activity.

Specific requirements should be included in any transfer of control agreement (i.e. lease or hire agreement), as a condition of use and occupation of the premises; and that failure to comply with this would lead to termination of the agreement

Operators of venues take no responsibility for ensuring the quality or compliance of vetting requirements for the event or activity and therefore requires its disclaimer to be published by the community hirer:- **The use of States of Guernsey estate should not be taken as a recommendation or endorsement by the school/venue or States of Guernsey of any event. You should carry out your own enquiries to ensure that you are satisfied with the quality, suitability and safety of the event or service advertised and the identity and character of those providing it.**

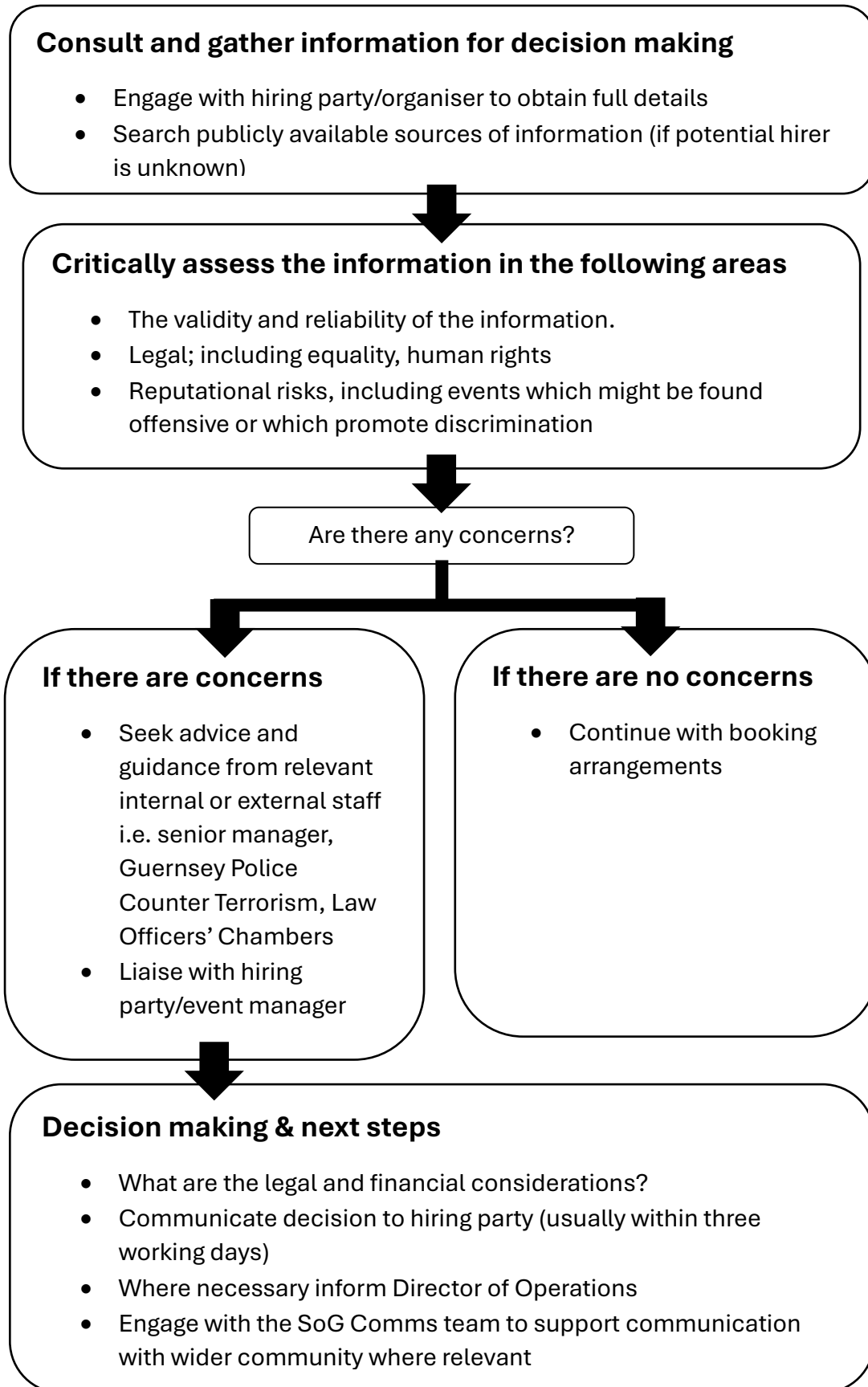
9.0 Practical Examples

The following scenarios further illustrate the application of the policy across a variety of event types:

- **Scenario 1 – School Function:** A local school requests use of a venue for a prizegiving ceremony. The venue manager reviews the event details, confirms compliance with health and safety and safeguarding requirements, and approves the booking.
- **Scenario 2 – Community Meeting:** An unknown community group plans a meeting to discuss local environmental issues. Following brief online research, the venue manager is not aware of any concerns with the prospective booking and proceeds with the booking.
- **Scenario 3 – Controversial Speaker:** A speaker known for controversial views wants to hold a public lecture. The venue manager undertakes research and discovers prior bans elsewhere. They consult with the Police and the booking is refused on public order grounds following further research.
- **Scenario 4 – Fundraising Event:** An organiser requests a venue for a charity event. The risk assessment reveals links to a proscribed organisation. The venue manager immediately refuses the booking in accordance with the Terrorism and Crime Law.
- **Scenario 5 – Cultural Festival:** A cultural group requests a venue for a festival with multiple performances, some of which includes nudity. The venue manager reviews the Salle Publique Licence requirements, consults with the Constables and approves the booking with additional safety measures, such as age-checks, in place.
- **Scenario 6 – Private Party:** An individual requests a venue for a private party. The venue manager reviews compliance with licensing, noise pollution, and health and safety regulations, and approves the booking.
- **Scenario 7 – Local Distiller Showcase:** A local distiller asks to hire a school hall to showcase new products. The venue manager evaluates the proposal and determines that the promotion of alcohol is inconsistent with the safeguarding and welfare standards expected in a venue primarily used by children and young people. The request is therefore refused for the school hall. However, the venue manager offers the distiller an alternative community venue, which is considered more suitable for the intended audience and purpose. This ensures both the integrity of the school environment and access to appropriate facilities for local enterprise.

In each scenario, venue managers should use the flowchart in appendix 1 to guide their assessment and decision-making, ensuring that all outcomes are documented and communicated clearly to organisers or hirers.

Appendix 1: Booking review process



Appendix 2: Legislation in more detail

A. Venues governed by a Salle Publique Licence

A 1914 law gives the Constables powers to suppress any “undesirable” activity and bring holders of Salle Publique Licences before the Court. This includes film screenings and live performances.

Advice should be sought from the Constables of the Parish for any event that might be considered to be “undesirable”. Contact can be made by phone or email to the relevant Constables.

B. The Terrorism and Crime (Bailiwick of Guernsey) Law, 2002

The legislation provides for criminal offences connected with terrorism, including offences relating to proscribed organisations. Public authorities must ensure that their premises and facilities are not used in circumstances that would facilitate or constitute an offence under this Law, including membership of or support for a proscribed organisation or other terrorism-related activity.

C. 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 nearby residents. Venue managers and employers need to assess the duties under the Health and Safety at Work (General) (Guernsey) Ordinance, 1987, and the risks, and ensure appropriate measures are put in place, this might include engagement with other agencies such as the Police, organising private security or providing additional first aid cover.

D. The Human Rights (Bailiwick of Guernsey) Law, 2000

The Human Rights (Bailiwick of Guernsey) Law, 2000 sets out the fundamental rights and freedoms that everyone in the Bailiwick is entitled to.

In practice, the Law incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic legislation.

Some rights under the Law are **qualified rights**. This means that, in certain limited circumstances, public authorities are permitted to restrict or interfere with these rights.

Any interference is only lawful where the public authority can demonstrate that its actions:

- Have a clear legal basis
- Are necessary
- Are proportionate to the aim being pursued

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

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 encourage racial or religious hatred.

However, the States of Guernsey 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

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:

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

A ‘proportionate’ response to a problem is one that is necessary, appropriate and not excessive in the circumstances.

Article 14: Prohibition of Discrimination⁷

The Human Rights Law prohibits discrimination (when people are enjoying other convention rights) 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’.

E. Prevention of Discrimination (Guernsey) Ordinance 2022

Those providing venues for hire will be service providers under the Ordinance (that is, a person who provides goods, services or facilities to the public or a section of the public, for payment or not). This means that they may not themselves discriminate (treat less favourably) anyone using the service – including venue hirers - on the basis of race, disability, religion or belief, carer status or sexual orientation. When a venue is hired out, the States of Guernsey will not generally be the “service provider” of the event – that will be the hirer/performer themselves. However, the States of Guernsey will have a duty to ensure that booking certain acts does not result in the harassment of other service users (where there are any). This could arise where a booking could be said to create a intimidating, hostile, degrading, humiliating or offensive environment.

F. The Children (Guernsey and Alderney) Law 2008

Section 27 of the Children (Guernsey and Alderney) Law 2008 places a duty on employees of the States and all persons when they are working with children to take appropriate action, including sharing information, where they reasonably believe a child is in need or at risk. Venue managers or operators should require hirers to have in place the necessary safeguarding policies and procedures to meet this duty.