

Section 5

Code of Practice on Freedom of Speech

(Students at UK Campuses only)

5.1 Introduction

- 5.1.1 The purpose of this Code of Practice is to ensure, as far as reasonably practicable, that freedom of speech within the law is secured for members, students and employees of the University and for visiting speakers. It sets out the principles and procedure to be observed in respect of meetings and activities generally and the conduct expected of all individuals involved in organising or attending such events.
- 5.1.2 The Code provides for particular meetings or activities to be officially designated as “special” and subject to further conditions and control if there is a reasonable likelihood that the principles laid down in the Code may not otherwise be met. It specifies the procedure to be followed in respect of such “special” events and some particular responsibilities of Organisers. It also provides for permission to hold a meeting or activity to be refused or withdrawn in certain circumstances.
- 5.1.3 This Code of Practice is established in compliance with the provision of section 43 of the Education (No 2) Act 1986. It is issued by authority of the Vice-Chancellor and Governors of the University.

5.2 Scope

- 5.2.1 The Code has general application to all members, students and employees, to visiting speakers and to organisers of and persons attending meetings or activities taking place on University premises (including events held in the open air or on premises occupied by the Students’ Union) or on premises hired on behalf of the Vice-Chancellor by the University. It is the duty of all such persons to act in conformity with this Code.
- 5.2.2 For the purpose of this Code, “meetings and activities” include events arranged as part of the teaching programme where those involve the participation of visiting speakers and/or other persons who are not members, students or employees of the University.

5.3 Principles

- 5.3.1 So far as reasonably practicable, no premises of the University shall be denied to any individual or body of persons on any grounds connected with:
- (a) the beliefs or views of that individual or of that body, or
 - (b) the policy or objectives of that body
- save where there is reason to believe that such individual or body of persons will commit an offence against the law, for example by expression of views in a manner contrary to criminal law, by incitement to racial hatred, sexual harassment, violence,

breach of the peace or to unlawful activities generally or by direct support of an organisation whose aims and objectives are illegal.

- 5.3.2 All duly-authorized meetings and activities are entitled to proceed without disruption, without access or exit for speakers or audience being improperly impeded, without the safety of those attending or in the vicinity being endangered, without intimidation and without breach of the peace.

5.4 Authorisation for Meetings and Activities

- 5.4.1 Prior authorisation is required for any meeting or activity referred to in paragraphs 5.2.1 and 5.2.2 above. It is the responsibility of the Organiser (as defined in paragraphs 5.10.1 to 5.10.4 below) to apply in writing for such authorisation as follows:

(a) to the Dean of School or Director of University Service as appropriate in the case of meetings or activities arranged by a member of staff in the course of duty, including such events arranged in connection with the normal teaching programme;

(b) to the Students' Union Business Manager (as the officer responsible for the booking of accommodation) in the case of meetings or activities arranged by the Students' Union or a recognised society thereof;

(c) to the officer nominated for the purpose by the Deputy Vice-Chancellor and Finance Director in the case of all other circumstances including applications from outside bodies.

- 5.4.2 The application shall contain a statement of the intended purpose and nature of the proceedings and the name and subject of address of any invited speaker.
- 5.4.3 In the case of meetings and activities arranged in connection with the normal teaching programme such application may if appropriate be combined with any relevant request for prior approval of visitors' fees, expenses or hospitality.

5.5 Conduct of Meetings and Activities

- 5.5.1 At all meetings and activities, whether "special" and otherwise:

(a) The Organiser has a duty to secure as far as reasonably practicable that nothing in the preparation for or conduct of the event infringes the law.

(b) It is the duty of the Organiser and/or Chair to secure as far as reasonably practicable that audience and speaker(s) act in accordance with the law during the meeting. In the event of unlawful conduct the Organiser and/or Chair should give appropriate warnings and, if unlawful conduct continues, require the withdrawal of persons concerned or their removal.

5.6 Designation of "Special" Events

- 5.6.1 It is the responsibility of the Organiser of any meeting or activity to consider whether there is a reasonable likelihood that the requirements of paragraph 5.3.2 above may

not be met for reasons beyond the Organiser's ordinary control. If such reasonable likelihood exists the Organiser is required to request designation of the event as "special" and to append to the application for authorisation of the event a written explanation of the circumstances together with a statement of the times of arrival and the departure of any invited speaker.

- 5.6.2 The recipient of the application (as per paragraph 5.4.1(a) – (c) above) is to forward it to the Deputy Vice-Chancellor and Finance Director, together with such advice as thought appropriate, for consideration and decision unless the application is to be refused for administrative reasons such as those referred to in paragraph 5.9.2.
- 5.6.3 Any application in accordance with paragraph 5.6.2 is to be received by the Deputy Vice-Chancellor and Finance Director not less than fifteen working days prior to the proposed date of the event.
- 5.6.4 If in his or her view there is a reasonable likelihood that the requirements of Paragraph 5.3.2 above may not be met, the Deputy Vice-Chancellor and Finance Director, may designate the meeting or activity as "special" and subject to the further conditions and controls set out at paragraphs 5.7.1 to 5.7.5.
- 5.6.5 Without in any way reducing the responsibility of the Organisation to apply for designation of any event as "special", the Deputy Vice-Chancellor and Finance Director, acting on behalf of the Vice-Chancellor, may:
- (a) from time to time issue directions that specify categories or meeting or activity are to be treated as "special" under these rules and that Organisers are to apply for permission on that basis.
 - (b) designate a particular meeting or activity as "special" even if such designation has not been sought by the Organiser.

5.7 Conditions and Controls Relating to "Special" Meetings and Activities

- 5.7.1 Permission for a "special" meeting or activity may be granted subject to such conditions as the Deputy Vice-Chancellor and Finance Director considers reasonably necessary to secure fulfilment of the University's statutory responsibilities concerning freedom of speech within the law.
- 5.7.2 The Organiser and every other person concerned with the organisation of an event for which permission is granted is required to comply with such conditions as may be laid down by the Deputy Vice-Chancellor and Finance Director in addition to complying with such conditions as apply to the generality of ordinary meetings and activities which take place on University premises.
- 5.7.3 By way of illustration, the special conditions might relate to such matters as restrictions on attendance, control of entry, number and suitability of stewards, planning of entry/exit routes, timing, duration and location of events, restriction of alcohol availability in the vicinity, display of banners, flags, placards, etc., liaison and co-operation with police and University security staff and control of press, radio and TV reporting facilities. In the case of the Students' Union and its societies, conditions might also relate to the employment of adequate security by the Union and/or societies at their own expense.

5.7.4 The Organiser is required to satisfy the Deputy Vice-Chancellor and Finance Director that all such conditions will be complied with. Permission to hold the meeting or activity may be refused or cancelled where the Deputy Vice-Chancellor and Finance Director is not so satisfied.

5.7.5 The Deputy Vice-Chancellor and Finance Director may nominate a Controlling Officer who shall have the right to be present on behalf of the University at such “special” events and who may issue directions to the Organiser, Chair and stewards as the Controlling Officer deems necessary.

5.8. Recovery of Costs in Relation to “Special” Events

5.8.1 The University may make charges to outside bodies in respect of costs arising from additional staff attendance and security arrangements of “special” events.

5.8.2 The Students’ Union and its recognised student societies will not normally be charged for the cost of additional University staff attendance and security arrangements, provided that the University’s reasonable requirements have been complied with. However, the University reserves the right to place a limitation on the number of “special” events which the Union or its societies may hold in the course of a year without costs being charged.

5.9 Refusal to Authorise an Event

5.9.1 Any decision to refuse facilities on the grounds referred to in the proviso to paragraph 5.3.1 above (incitement to violence, etc) or paragraph 5.7.4 (failure to meet conditions) shall be taken by the Deputy Vice-Chancellor and Finance Director acting on behalf of the Vice-Chancellor.

5.9.2 Nothing in this Code shall preclude refusal to accept a booking on administrative grounds, such as unavailability or suitable accommodation, inability to agree arrangements, past payment record, past behaviour record, inadequate notice, undue distraction to the work of those not directly involved in the event, etc.

5.10 Definition of “The Organiser”

5.10.1 In the case of all meetings and activities an individual person must take responsibility as Organiser and must in that capacity settle all final arrangements with the officer(s) nominated for the purpose by the Deputy Vice-Chancellor and Finance Director.

5.10.2 In the case of events arranged as part of the teaching programme, the Organiser is deemed to be the academic member of staff responsible for that element of the programme or as determined by the Dean of School.

5.10.3 In the case of outside bodies, the Organiser is deemed to be the individual person whom the accommodation application form is signed. He or she is personally responsible for the observance and performance both of the general conditions of hire and of the particular provisions set out in this Code relating to events designated as “special”.

5.10.4 Where events are arranged jointly by two or more bodies a single Organiser is to be nominated who will accept responsibility on behalf of all organising bodies.

5.11 Sanctions

5.11.1 Offences against this Code may give rise to disciplinary action under the relevant staff or student disciplinary procedures; outside bodies may be refused any further bookings. In addition, information may be supplied to the police where there are grounds for believing that a breach of the law may have taken place.

5.12 Complaints and Appeals

5.12.1 Any complaint alleging breach of this Code in relation to the conduct of meetings and activities is to be addressed in writing to the Deputy Vice-Chancellor and Finance Director.

5.12.2 Any appeal against a decision of the Deputy Vice-Chancellor and Finance Director under paragraph 5.9.1 is to be addressed in writing to the Vice-Chancellor for determination by the Chair of the Board of Governors of the University, whose decision shall be final.

