

Freedom of Speech

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CODE OF PRACTICE

1. Preamble

Section 43 of the Education (No.2) Act 1986 lays upon the University the responsibility to "take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers".

The University Council and the Vice-Chancellor have a responsibility to maintain good order on their premises. They have both the right and power to regulate and, if necessary, to impose conditions or restrictions upon the conduct of meetings and other activities on their premises, being responsible to their students that their studies should not be interrupted by damage to property or damage to good order and proper academic discipline.

2. Conduct of Members of the University

Members of the University are required to ensure that they do not wilfully engage in conduct which prevents, obstructs or disrupts the holding, or orderly conduct, of any meeting or other lawful activity which takes place within the University. For this purpose the word "member" is deemed to include all students and employees of the University.

3. Meetings and Other Activities Addressed and Organised by Members of the University

The Vice-Chancellor or senior member of staff designated for such purposes will allow such meetings and activities to proceed unless he/she has reasonable grounds for believing that the event is likely to:

- (a) give rise to a breach of University discipline or of the peace, or
- (b) incite those attending to commit a criminal act, or
- (c) be in direct support of an organisation whose aims and objectives are illegal or of doubtful legality, or
- (d) lead to the expression of views which would break the law, or
- (e) be in contravention of the Prevent Duty and associated formal guidance.

4. Visiting Speakers

Members of the University, either as individuals or groups (including societies of the Students' Union and the Union itself), must notify the Vice-Chancellor or senior member of

staff designated for such purposes before an invitation is issued to any person or organisation for a visiting speaker to come to the University.

The Vice-Chancellor or senior member of staff designated for such purposes will decide, in the light of the factors set out above, whether there is any likelihood of a visiting speaker being in attendance at an event will lead to the event causing concerns (as outlined in [section 3](#)) and as such lead to confrontation or disturbance at the event concerned, and where the Vice-Chancellor or senior member of staff designated for such purposes decides there is a possibility of disturbance he/she will consult with the local Police and any other relevant authorities concerned with public order.

If the Vice-Chancellor or senior member of staff designated for such purposes decides that, even taking all reasonable precautions, the safety of staff, students, members of the public, or the speaker cannot be ensured to a reasonable level, the Vice-Chancellor or senior member of staff designated for such purposes will not permit the invitation to be issued at that time.

The Vice-Chancellor or senior member of staff designated for such purposes will consider whether allowing the visit to take place at other premises or another time would enable satisfactory precautions to be taken to ensure safety.

The Vice-Chancellor or senior member of staff designated for such purposes will decide, in some cases where and when the meeting or event can take place.

5. Associated Process

A member of the University (including a member of the University on behalf of a group) seeking to organise an event, which includes the intention to invite a guest external speaker must follow the '[Process for Booking an External Speaker](#)' (the process) detailed in [Appendix 1](#) of this Code of Practice before booking a guest speaker.

The majority of external speaker requests will be straightforward and can be handled at a local school or departmental level. In these cases, the organiser must follow the steps outlined within the '[Local Assessment of Proposed External Speaker\(s\)](#)' which forms part of the process.

There may be occasions when some requests may be complex and require further consideration. In such circumstances the process outlines the need for the organiser to submit an '[External Speaker Referral Submission Form](#)' to the University's Designated Officer to seek approval.

The formal External Speaker Request form utilised by the Students' Union is contained within [Appendix 2](#) of this document.

6. Hire of Premises by External Organisation

The Vice-Chancellor or senior member of staff designated for such purposes will decide on the letting of University premises to external organisations. He/she will take into account the factors set out in above and the domestic circumstances of the University.

The Vice-Chancellor or senior member of staff designated for such purposes may impose such restrictions on the number of persons from outside the University who shall be allowed into the University as he/she thinks the circumstances warrant.

The University Council will make clear on every occasion that the hirers are responsible for fulfilling their duties under Section 43 of the Education (No.2) Act 1986.

Appendix 1 – Process for booking an external speaker

1. Preamble

This process should be read in conjunction with the University's Freedom of Speech Code of Practice.

A member of the University (including a member of the University on behalf of a group) seeking to organise an event, which includes the intention to invite a guest external speaker must follow the process detailed below BEFORE booking a guest speaker.

The majority of external speaker requests will be straightforward and can be handled at a local school or departmental level. In these cases, the organiser must follow the steps outlined below in the 'Local Assessment of Proposed External Speaker(s)'.

There may be occasions when some requests may be complex and require further consideration. In such circumstances the organiser will need to submit an ['External Speaker Referral Submission Form'](#) to the University's Designated Officer to seek approval.

2. Process for Local Assessment of Proposed External Speaker(s)

Prior to the confirmation of any external speaker, the event organizer will be responsible for assessing the speaker against the following set of questions:

- **Question 1:**
Has the speaker previously been prevented from speaking at the University of Gloucestershire or its Students' Union, another University or similar establishment or previously been known to express views that may be in breach of the Freedom of Speech Code of Practice?
- **Question 2:**
Does the proposed title or theme of the event present a potential risk that views/opinions expressed by speaker(s) may be in breach of the Freedom of Speech Code of Practice?
- **Question 3:**
Is the proposed speaker/theme likely to attract attendance from individuals/groups that have previously been known to express views that may be in breach of the Freedom of Speech Code of Practice?

If the answer to **all** three questions is **NO**:

The event organizer can confirm the external speaker and 'book' them to speak at their event or activity in the normal way, and book the appropriate space within the University for the event or activity. (It is required that the external speaker be sent a copy of the University's Freedom of Speech Code of Practice)

If the answer to **any** of the questions is **UNCLEAR:**

The event organizer must seek guidance from their Head of School or Department, whose responsibility it will be to further review the speaker(s) against the questions above.

In such cases, NO speaker(s) can be confirmed (booked) before the event organizer receives authorization from the Head of School or Department

If the answer to **any** of the questions is **YES:**

It is the responsibility of the event organizer to submit a referral to the University's Designated Officer for further consideration.

In such cases, NO speaker(s) can be confirmed (booked) before the event organizer receives authorization from the Designated Officer or nominee.

3. External Speaker Referral Process

In such cases when the Local Assessment process deems it appropriate, the event organiser must make a referral to the University's Designated Officer to seek approval before an external guest speaker is booked.

The referral must be made on the formal Referral Form (see [Appendix 1](#)).

The booking of the guest speaker(s) can only be made once the event organiser has received approval from the University's Designated Officer.

**External Speaker Referral Submission Form**

University Member (staff or student)	
Email Address	
Phone Number	
Name of Group hosting the event (if applicable)	
Date & time of proposed event	
Room to be used	
Title of Event	
Details of the event (e.g. how it will be marketed, numbers of attendees, aim and themes of the event, any links to other work within the University, who will be responsible at the time etc)	
Guest Speaker(s) to be invited Name / Organisation How has the speaker been connected with the event (e.g. recommendation, linked organisation etc)	
Contact details (inc address, e-mail, phone numbers)	
Link to Biography of Speaker(s)	
Outline of concerns raised through the Local Assessment Process	

Organiser's Signature:

Date:

Approved by:

Sign & Print (Head of School/Department)

Proposal Reviewed by Name:

Position:

Date:

University Approval Granted: Yes / No

External Speaker Referral Submission Form: Guidance

The External Speaker Referral Submission process forms part of the University's Freedom of Speech Code of Practice.

Copies are also available from the Students' Union.

1. The person organising the event and/or inviting the guest speaker must:
 - a. be a current student or member of staff within the University
 - b. submit this form at least 14 working days before the proposed event
 - c. receive written authorisation from the designated senior officer within the University before they finalise any event

2. The University's Designated Officer for making decisions on this proposal form will make a decision within 5 working days upon receipt of the form.

3. The University's Designated Officer will formally risk assess the event (chiefly in regards to the Topic/Theme/Speaker) and reserves the right to seek advice from external agencies, including:
 - Special Branch, Gloucestershire Constabulary
 - Regional HE Prevent Co-ordinator
 - NUS
 - Other organisations where the speaker has previously taken part in an event

4. The organiser must ensure that the management of the event and that any guest speaker must conform to the regulations, policies and procedures of the University and the Students' Union, including:
 - a. Health and Safety Policy:
 - b. The Equality and Diversity Policy and ethos of the University:
 - c. Freedom of Speech Code of Practice
 - d. The Policy related to the UK Prevent Strategy

5. The event must be open to all members of the University regardless of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

6. Should an external speaker not be approved through this process, the University's Designated Officer may seek guidance from internal and external colleagues, and as a consequence should consider sharing the information with other HE institutions in order that they can have prior knowledge should the same speaker be part of an event they may be hosting. If the decision taken was related to a concern linked to the Prevent Duty, the Designated Officer will advise the Regional Prevent Co-ordinator, who will then advise the HEI network accordingly.

Appendix 2 – UGSU External Speaker form



This form should be completed before inviting an outside speaker for an event. All outside speakers must be approved by the Students' Union before the event is booked. Any societies / other students inviting unapproved external speakers onsite may be subject to disciplinary action.

Once this form is completed, please return it to the Membership Services Manager a minimum of two weeks prior to the planned date of the event.

Linda Farrall
Park Campus

lfarrall@glos.ac.uk
T: 01242 715303

Your details:

Society	
Event Organiser	
Contact Email	
Contact telephone no.	

Event details:

Name of Event	
Date of Event	
Event Location	
Name of Guest Speaker	

Please give details of the speaker and their organisation, the proposed talk, and any other information the SU should be made aware of.

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Record of policy/procedure changes/update

Status: Non-contractual (consulted)

Policy Owner: Human Resources

Effective date	Change/update:	Policy agreed at JNCC:	Policy agreed at RHRC (or equivalent)
Nov 2016	Update – legalities and Prevent Strategy	June 2016	Nov 2016
Jun 2010	-	-	-
Jan 2003	-	-	-