

## Codes of Practice

### 1. Freedom of Speech

#### Preamble

1. In pursuance of the duties imposed upon it by Section 43 of the Education (No. 2) Act 1986 and in furtherance of the resolution of the Senate of the University, of 25 November 1968, concerning the freedom of members of the University to listen to speakers of their choice, the Council of the University hereby lays down in this Code of Practice those steps which are reasonably practicable to ensure that freedom of speech within the law is secured for members and employees of the University and for visiting speakers.

#### Principles

2. So far as is reasonably practicable, the use of University premises shall not 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.

It should, however, be understood that there is no absolute right under the laws of the United Kingdom to unfettered freedom of speech, and the university must take account of other legal obligations regarding what is said on its premises. A speaker, for example, who incites an audience to violence or to breach of the peace or to racial hatred transgressed the bounds of lawful speech. Equally, assemblies of persons, whether of not directed to lawful purposes, cease to be lawful if they cause serious public disorder or breaches of the peace.

3. The following are the types of conduct in respect of which disciplinary action could be taken against members of the University:
  - A) Conduct which disrupts the teaching, study, research or

administration of the University.

- B) Conduct which obstructs any member, officer, or servant of the University in the performance of his duties, or which obstructs a visitor to the University from going about his legitimate business in the University.
- C) Conduct which endangers the safety of, or injures the person of, any member, officer or servant of the University, or a visitor to the University on legitimate business in the University.

Other kinds of conduct which the University regards as unacceptable (including offences against this Code of Practice) and in respect of which disciplinary action could be taken against students, are set out in Ordinance 14.

#### Procedures

4. By the authority of the Council of the University the procedures set out in this document must be followed by members and employees of the University in respect of:
  - A) meetings and any other activities which are to be held on premises of the University and which fall within the class of meetings and activities specified in paragraph 8 below; and
  - B) the conduct required of all persons in connection with any such defined meetings or activities; and
  - C) any other such matters in this connection as the Council of the University deems it appropriate from time to time to specify.
5. Infringements of, or departures from, these procedures in whatever respect will render those responsible subject to disciplinary proceedings as laid down by the University authorities

and/or to their being denied the future use of University facilities.

6. Additionally, if any such actions involve breaches of the law the University authorities will be ready to give such assistance to the prosecuting authorities as may be required.

7. The Council of the University, in laying down the following, will appoint an officer or officers who shall act on its behalf to ensure as far as is reasonably practicable that all members and employees of the University, and visiting speakers, Code of Practice.

Meetings or other activities to which this Code applies.

8. Any meeting or other activity where there is a real likelihood that the speaker may not be able to enter or leave the building safely and or deliver his or her speech (hereinafter referred to as a Designated Event) will be deemed to fall within the requirements of this Code of Practice. In exceptional circumstances in which it seems unlikely that the conditions necessary to attain the objectives of this Code can be satisfied, the University reserves the right to withhold permission for the meeting or activity to be held on in its premises.

9. Paragraphs 10-28 below apply to any meetings or activities falling within the meaning of paragraph 8 above.

#### **Requirements prior to Designated Events**

10. No Designated Event shall be advertised without the University authorities' prior approval.

11. The organisers shall ensure that a single person (who must be a member or employee of the University) is designated as principal organiser of the event.

12. The principal organiser will act as the main channel of communication with the University authorities and be responsible for ensuring compliance with the requirements of this Code of Practice, the University's Charter,

Statutes, Ordinances and Regulations and any other instruments of government, and the law.

13. The principal organiser shall ensure that at least three weeks before the date proposed for the event, application is made through the Room Bookings Office to the appointed University officer by completing the appropriate proforma giving the following information

- A) the name or names of the speaker or speakers
- B) the purpose of the meeting and the title of any lecture or address
- C) whether the meeting will be restricted to members of a club or society, or open to all members and employees of the University only, or open to members of the public
- D) the times of arrival and departure of the speaker(s)
- E) the starting and finishing times of the meeting
- F) the numbers likely to attend

14. Details of the proposed event as recorded by the Room Bookings Office will be submitted to the appointed University officer who will, normally within three working days of receipt, either grant or withhold permission for the use of University premises as proposed for the conduct of the event (see also paragraph 31 below).

15. If permission is granted, the appointed University officer will, in consultation with the principal organiser, stipulate any particular conditions as are considered reasonably necessary to secure fulfilment of the University's statutory responsibilities if the event is to take place (see also paragraph 29 below). The appointed University officer has the right to decide which room shall be used for the event and to take any other decisions necessary to protect the safety of those present

and the property and premises of the University.

16. The principal organiser and every other person concerned with the organisation of an event for which permission has been granted shall be required to comply with each and every condition laid down by the appointed University officer under the provisions of this Code of Practice.

#### **Requirements governing attendance at Designated Events**

17. Approval will only exceptionally be granted for making a Designated Event open to the public. The audience may, however, include guests who are not members of the University, provided they have been individually invited by the organisers, or by members of the University who are members of the body organising the meeting. Anyone who invites such guests will be answerable to the University authorities for their behaviour whilst on University premises.
18. The organisers of meetings may be required to admit to their meetings only those whose identity they know. Such admissions may be controlled either by ticket, by identity card or by both, as required by the appointed University officer. This checking process may under certain circumstances also be required at the point of access to the building where the meeting is taking place as well as at the door of the meeting room itself. The access and departure route of the speaker shall be determined by the appointed University officer.
19. The principal organiser must supply the names and addresses of stewards (including a chief steward) by a date specified by the appointed University officer who may also stipulate the number of stewards required and who must be satisfied as to their suitability.
20. Additionally, the appointed University officer may determine that security staff should be present to assist in maintaining order.

Requirements governing conduct of Designated Events.

21. If the University authorities consider that certain senior members of the University should be present at any meeting or activity in order to help maintain order they must be admitted.
22. Organisers have a duty to see that nothing in the preparations for or conduct of a meeting or activity infringes the law, e.g. conduct likely to cause a breach of the peace or incitement to illegal acts.
23. The Chairman of the meeting has a duty so far as possible to secure that both the audience and the speaker act in accordance with the law during the meeting. In case of unlawful conduct the Chairman is required to give appropriate warnings and, in case of continuing unlawfulness to require the withdrawal of persons concerned or to request their removal. If speakers appear to infringe the way during the meeting, the Chairman of the meeting has a duty to warn them and, if they persist, to close the meeting.
24. Under normal circumstances the Chairman of the meeting shall decide whether conditions inside the meeting are such that the proceedings can continue or must be terminated. This decision may be over ruled however, by a representative of the University authorities who may be present, who is also empowered to summon police assistance should he/she consider this to be necessary.
25. No food or drink, alcoholic or otherwise, or any receptacles, containers or other items which could be used as missiles may be taken into a meeting. Stewards and security staff may require such items to be removed. Banners or flags attached to poles must not be taken inside a building where the meeting is taking place and must not be taken or used elsewhere on University premises in circumstances likely to lead to injury or damage.
26. The admissions of the press, radio or television to any meeting or activity

shall require the prior approval of the University authorities.

27. The Chairperson and organisers of the meeting are responsible for ensuring that while the audience is assembling, meeting and dispersing, the Fire Regulations are observed.
28. Premises used for meetings or activities must be left in a clean and tidy condition in default of which the organisers may be charged for any additional cleaning and repairs that are subsequently needed. Although the University will not ordinarily seek to recover the costs of a reasonable level of cleaning and security from the organisers it may do so, in whole or in part where the level is abnormally high or where a society proposed to hold more than two Designated events in an academic session. Payment in advance or evidence of ability to pay may be required.

#### **General**

29. In addition to the conditions set out in paragraphs 10-28 above, the appointed University officer has discretion to lay down further conditions, which may involve a police presence. Thus he or she may, for example, require the designated meeting or activity to be declared public; he or she may arrange for university staff to be responsible for all security arrangements connected with the meeting or activity and appoint a member of staff as controlling officer for the occasion. If not satisfied that adequate arrangements can be made to maintain good order he or she may refuse or withdraw permission for the meeting or activity.
30. Any variation in the arrangements for the meeting or activity must be notified to the appointed University officer in advance of the meeting. Any changes in the arrangements for the meeting or activity which have deemed to be a reason for withdrawal by the University of permission for the meeting or activity to take place.

#### **Appeals**

31. Appeals against the rulings of the appointed University officer may be made to the Vice-Chancellor whose decision shall be final and shall be reported to the next meeting of the Council of the University.

#### **Notes:**

1. The provisions of this Code of Practice will be reviewed within 12 months from its coming into operation, and at reasonable intervals thereafter.
2. Outside organisations making use of University premises are subject to compliance with the law governing freedom of speech as set out in the relevant sections of this Code of Practice and to other conditions and such arrangements as may be specified in the hiring agreement. The sole responsibility for ensuring compliance with the law rests with the organisation concerned and the University can accept no responsibility whatsoever for any breaches that may occur.