



LIVERPOOL
HOPE
UNIVERSITY
1844

Liverpool Hope University

Code of Practice on Freedom of Speech and Management of Events on Campus

Date	Revision/Amendment Details &	Author
7th July 2016	University Council: amendments to comply with Prevent Duty	G. Donelan

1. Purpose of the Code

The University has duties to secure freedom of speech within the law under Section 43 of the Education (No. 2) Act 1986, the relevant parts of which are given in full in the Appendix to the Code. The University also has a duty under Section 26(1) of the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism (the Prevent Duty).

The Code covers:-

- a. the procedures to be followed by members of staff, students or other persons for the organisation of any meeting or other activity, public or private, held within premises which are the responsibility of the University
- b. the conduct of such meeting or activity
- c. the steps which the University needs to take to ensure compliance with the Code

2. Conduct of staff, students and other users of the University

- a. All members of staff of the University, students, employees and other users of the University premises are requested to assist the University in securing freedom of speech within the law in the University and to ensure compliance with the Prevent Duty.
- b. Members of staff, students, employees and other users of the premises shall refrain from conduct which prevents, obstructs or disturbs the orderly conduct of any meeting or activity covered by this Code.
- c. Members of staff, students, employees and other users shall not deny or attempt to deny to any other person freedom of speech within the law at any authorised meeting or activity on the grounds of that person's views or beliefs.

3. Procedure for the organisation of meetings or other activities within the University

- 3.1 Meetings and other activities may be arranged within the University by members of staff of the University, officers of the Students' Union or University Societies of not less than five members with the consent of the Vice-Chancellor & Rector or other designated officer. Notification of meetings or other activities (apart from normal activities directly linked with the academic work of the University, Committee meetings, official Trade Union activities and sporting, social or cultural events) must be made in writing to the Vice-Chancellor & Rector (or the designated officer) 14 days before the event. Meetings at less notice may be arranged at the discretion of the Vice-Chancellor & Rector.
- 3.2 Notification must include the following information:-
 - a. date, time and location;
 - b. the purpose or subject of the meeting;
 - c. the names of any external speakers, the organisation they represent and office(s) held;
 - d. estimated attendance, and any proposed restrictions on attendance including in particular whether the meeting is open to persons other than staff and students of the University;
 - e. the name(s) and address(es) of the person(s) organising and/or running the meeting or activity;

- f. proposals for securing compliance with the requirements of Section 43 of the Act and the Prevent Duty.
- 3.3 In giving approval the Vice-Chancellor & Rector may impose conditions, including time and attendance limits which he/she deems to be in the interests of good order and safety.
- 3.4 The Vice-Chancellor & Rector, or designated officer, will consult with local Police or other relevant authorities, if necessary.
- 3.5 The responsibility for adhering to those conditions and securing compliance with Section 43 of the Act rests with the organisers.
- 3.6 a) Meetings or other activities may also be arranged within the University premises by external persons or organisations under terms and conditions laid down by the University.
- b) The requirements in paragraphs 3.2, 3.3, 3.4 and 3.5 will apply.
- c) It will be a condition of acceptance of such external bookings that the organisers have read and accept full responsibility for ensuring that the requirements of Section 43 of the Act are met.

4. Grounds for withholding permission for events

- 4.1 The Vice-Chancellor & Rector, or designated officer, will allow all meetings or activities to proceed unless there are grounds for believing that the event may:-
- a. incite those attending to commit a criminal act;
 - b. lead to an expression of views which are contrary to law;
 - c. be in support of an organisation whose aims and objectives are illegal;
 - d. give rise to a breach of the peace;
 - e. endanger the safety of persons attending or other persons entitled to be in the University at the time;
 - f. threaten the safety or security of University property;
 - g. give rise to a breach of University discipline;
 - h. be in contravention of the Trust Deeds of the University or incompatible with the Mission and Values of the institution.
 - i. breach the University's duty to have due regard to prevent people from being drawn into terrorism
- 4.2 The decision of the Vice-Chancellor & Rector to refuse permission for a meeting or other activity is final.

5. Disciplinary Measures

Any member of staff or student who:-

- a. organises or participates in the organisation of a meeting or activity without complying with this Code of Practice; or
- b. deliberately disrupts or seeks to disrupt any meeting or activity; or
- c. fails to comply with the requirements of the Code of Practice

shall be liable to disciplinary measures defined within the Instrument and Articles of Government of the University.

Publicity and Notification

- 6.1 A copy of the Code will be posted on the University's website and supplied to all staff and students, the Students' Union and all recognised Trade Unions within the University.
- 6.2 The Code will form part of the documentation supplied to external users of the premises.

7. Review

The Code will be reviewed every five years by the Governing Council.

APPENDIX: EDUCATION (NO. 2) ACT 1986

Section 43 (Freedom of Speech in Universities, Polytechnics and Universities)

1. Every individual and body of persons concerned in the government of any establishment to which this section applies shall 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.
2. The duty imposed by subsection 1. of the above includes (in particular) the duty to ensure, so far as is reasonably practicable, that the use of any premises of the establishment is not denied to any individual or body of persons on any ground connected with:-
 - a. the beliefs or views of that individual or any member of that body;
 - b. the policy or objectives of that body.
3. The Governing Body of every such establishment shall, with a view to facilitating the discharge of the duty imposed by subsection 1. above in relation to that establishment, issue and keep up to date a Code of Practice setting out:-
 - a. the procedures to be followed by members, students and employees of the establishment in connection with the organisation:
 - i. of meetings which are to be held on premises of the establishment and which fall within any class of meeting specified in the Code;
 - ii. of other activities which are to take place on those premises and which fall within any class of activity so specified;
 - b. the conduct required of such persons in connection with any such meeting or activity; and dealing with such other matters as the Governing Body considers appropriate.
4. Every individual and body of persons concerned in the government of any establishment to which this section applies shall take such steps as are reasonably practicable (including where appropriate the initiation of disciplinary measures) to secure that the requirements of the Code of Practice for that establishment, issued under subsection 3. above, are complied with.

5. The establishments to which this section applies are:-

- a. any University;
- b. any establishment which is maintained by a local education authority and for which section 1 of the 1968 (No. 2) Act (government and conduct of Universities of education and other institutions providing further education) requires there to be an instrument of government; and
- c. any establishment of further education designated by or under regulations made under section 27 of the 1980 Act as an establishment substantially dependent for its maintenance on assistance from local education authorities or on grants under section 100(1) (b) of the 1944 Act.

6. In this section:-

“governing body”, in relation to any University, means the executive governing body which has responsibility for the management and administration of its revenue and property and the conduct of its affairs (that is to say the body commonly called the Council of the University);

“University” includes a University College and any University, or institution in the nature of a University, in a University.

7. Where any establishment:-

- a. falls within subsection 5(b) above; or
- b. falls within subsection 5(c) above by virtue of being substantially dependent for its maintenance on assistance from local education authorities;

the local education authority or authorities maintaining or (as the case may be) assisting with the establishment shall, for the purpose of this section, be taken to be concerned in its government.

8. Where a Students' Union occupies premises which are not premises of the establishment in connection with which the Union is constituted, any reference in this section to the premises of the establishment shall be taken to include a reference to the premises occupied by the Students' Union.