

Policy

Freedom of Speech Policy and Procedures

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Forms:

- [External Speaker / Event Application](#)
- [External Speaker / Event Approval Form](#)
- [Guest Lecturer Approval Form](#)

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Background

- 1 Freedom of speech, aligned with academic freedom, is protected by the University as part of its commitment to teaching, learning and research. As required under the Education (No 2) Act 1986, section 43, the Council has approved and adopted this policy which binds all employees, students and visitors of the University to tolerate and safeguard all expression of opinions within the law, whether or not they agree with those opinions.
- 2 Breach of this policy is a disciplinary matter for employees and students and will be pursued by means of the [Employee disciplinary procedures](#) and the [Student disciplinary procedures](#).
- 3 The Vice-Chancellor is responsible for the fair and consistent operation of this policy and has delegated the management of the procedures to the Deputy Vice-Chancellor.
- 4 This policy should be read in conjunction with the [IT Regulations of Use](#), which governs issues of expression of views by email and other electronic means and the University's [Equality and Diversity Schemes and Policies](#) including the [Dignity at Work: Bullying and Harassment Policy](#) and [Student Bullying and Harassment Policy](#).
- 5 This policy should also be read and used in conjunction with the *Prevent Implementation Plan*, which provides a risk-aligned and updatable point of reference, guidance and direction for Buckinghamshire New University in relation to its statutory and legal duties in accordance with the Counter-terrorism and Security Act 2015, *Prevent* guidance, and other laws and regulations. The UK Government *Prevent* strategy is the element of the UK Counterterrorism Strategy (CONTEST) that covers prevention of extremism and radicalisation.
- 6 The Deputy Vice-Chancellor is responsible to the Vice-Chancellor for managing these procedures. He may delegate this responsibility to named nominees.

Policy

- 7 The University will take all practical and reasonable steps to ensure freedom of speech within the law and to encourage a balance between different opinions expressed.
- 8 The University will not normally deny the use of facilities to individuals or groups unless the proposed use is considered likely to be contrary to the law.
- 9 The University's learning, teaching, research and other operations will not be disrupted because of an event allowing the expression of lawfully held views.
- 10 Employees, students, visitors and external groups wishing to hold events in the University's facilities are required to use the procedures below. This includes one-off events and block booking of facilities.

Procedures

Approving and Managing Events on the University's Premises

- 11 The Deputy Vice-Chancellor is responsible to the Vice-Chancellor for implementing these procedures. He may delegate this responsibility to named nominees.
- 12 An 'event' is any meeting, gathering or similar activity involving a group of people. This definition does not cover the normal business operations of the University (teaching sessions and operational meetings) unless outside speakers are involved. The term 'outside speaker' does not include associate lecturers but does include guest lecturers.
- 13 Guest lecturers who are repeated contributors to University programmes will only be required to undergo an abbreviated approval process through the Head of Academic Department on the first occasion of attendance at the University. The Head of Academic Department is to ensure that guest lectures are attended by a member of the academic team and that lecturers are updated on Prevent requirements on an annual basis.
- 14 Employees, students, visitors and external groups may apply to hold events in the University's facilities by applying on-line to book a room and answering and signing a questionnaire about the nature of the event they intend to hold and the arrangements for its safe organisation (see [External Speaker / Event Application Form](#) for the events questionnaire to be sent to applicants by University Facilities and Operations).
 - An external group should normally seek a University employee or student as a sponsor, though it is recognised that this is not always possible.
 - For guest speakers on University academic programmes, the simplified [Guest Lecturer Approval Form](#) is to be used and completed by the Course or Module Leader.

In both cases, the University Prevent lead will scrutinise and approve / reject the application using the [External Speaker / Event Approval Form](#).
- 15 The Applicants' answers to the relevant questionnaire will allow the University to decide whether the event may proceed or if the speaker is permitted to use University premises
- 16 In the following circumstances the Deputy Vice-Chancellor, as advised by specialist colleagues, will not allow the event to proceed:
 - a there are reasonable grounds for believing that the speaker or other persons at the event will incite others to commit criminal acts such as acts of violence and/or the incitement of racial and religious hatred;
 - b there are reasonable grounds for believing that opinions may be expressed in a way that is contrary to English law; or which infringe the human rights of others;
 - c the event appears to be in direct support of an organisation that is unlawful;
 - d the event is likely to cause the University to be liable to civil action for damages, creating a nuisance or for prosecution under health and safety legislation;
 - e the event is likely to cause a breach of the peace;
 - f the event is likely to cause a public order offence, including threats of violence, threatening, abusive or insulting material causing fear or provocation of violence or

- threatening, abusive or insulting words or material in hearing or sight of a person likely to be caused harassment, alarm or distress;
- g the event may cause a breach of the Counter-Terrorism and Security Act 2015 including the encouragement or inducement to, or glorification of the commission, preparation or instigation of acts of extremism or terrorism; and disseminating extremist or terrorist publications;
 - h the scale or nature of the event makes the University's facilities unsuitable or is likely to disrupt other activities;
 - i the employees, students or other groups have misled the University about the nature of the event by falsifying or concealing information.
- 17 The Deputy Vice-Chancellor may impose special conditions (such as additional security, audio recording or access control) on the event if it is allowed to proceed taking account of the nature of the event and the impact on the University's public reputation.
- 18 The Deputy Vice-Chancellor will arrange for the decision on whether the event may proceed, and any conditions, to be notified to the applicant within ten days of receipt of the request.
- 19 At his discretion the Deputy Vice-Chancellor may permit an event to proceed at short notice, even though these procedures have not been completed, if he is satisfied that no infringement of the law under 16 above is likely to occur.
- 20 The Deputy Vice-Chancellor will appoint, through Director Facilities and Operations an event coordinator whose role is to:
- a liaise with the designated organiser and chair of the event and ensure that conditions are met before and at the event;
 - b attend the event if required by the Deputy Vice-Chancellor
 - c support the organiser and chair of the event in handling any infringements of the law under 16 above at the event itself and in peacefully terminating the event if necessary;
 - d notify the police if 20c is unachievable or for any other good reason
- 21 The University reserves the right to withdraw permission for an event if it receives further information that leads it to believe that the law will be infringed, as in paragraph 16 above, or if it believes conditions for the event will not be met.
- 22 If the press is invited to report on an event, notification must be given to the University's Head of Corporate Communications within 5 working days of the event date.
- 23 Any employee, student, visitor or member of an external group may appeal to the Vice-Chancellor if the event is not allowed to proceed. The Vice-Chancellor's decision is final.

Approving and Managing Events Held Under the Auspices of the Students' Union

- 24 Events held under the auspices of the Students' Union, but on University premises, are managed through this policy and procedures via the CEO of the Students' Union, after

following any mechanisms internal to the Students' Union but consistent with this policy.

- 25 All external speakers are to be notified to the University using this policy.

Protests and demonstrations

- 26 Lawful protests and demonstrations held by employees and students on University premises, inside or in the open air, are managed through this policy and procedures if notice is given in advance.
- 27 If notice is not given, and an ad hoc protest or demonstration takes place, the Deputy Vice-Chancellor is responsible to the Vice-Chancellor for managing the situation and ensuring that any breach of the law under 16 above leads to the early termination of the protest or demonstration.
- 28 This policy applies to protests and demonstrations of all kinds, including those against meetings and speakers approved under this policy and procedures.

Block Bookings of Facilities

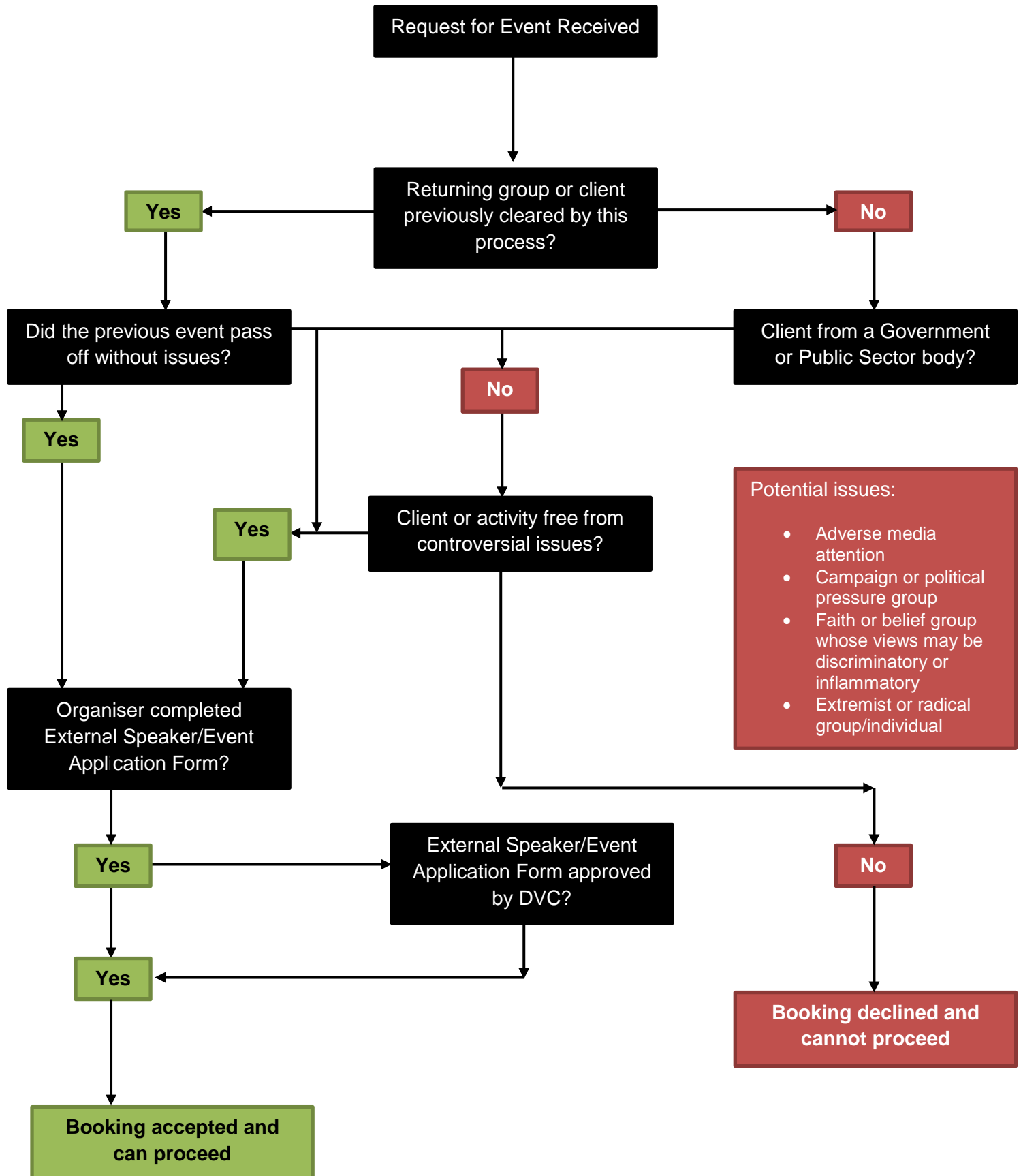
- 29 Block bookings of facilities are only subject to these procedures where it is intended that external speakers will be invited.
- 30 It is required that those organising in advance a series of meetings, lectures, seminars or other events provide regular updates of information about invitations to any external speakers in advance to the Resilience Advisor and Deputy Vice-Chancellor and complete the questionnaire when advised by him or his nominee.
- 31 The above applies to the normal business operations of the University only if outside speakers are involved (see 12 above) and the Deputy Vice-Chancellor will implement this part of the policy in a proportionate and reasonable manner.

Off Campus

- 32 In general and under normal and routine circumstances, events off-campus which are University branded, funded and the principal participants are University staff, students or third parties linked to the University will be clearly bound by this Policy.
- 33 However, University affiliated, funded or branded is not interpreted to apply when the degree of association, through affiliation and attendance or participation of staff or students, funding or branding does not constitute a core part of the event, or those individuals would be reasonably interpreted as acting in a *personal capacity*.
- 34 The key principle is that where staff or students from, or linked to, the University have any questions about whether an event off-campus could reasonably be seen to be affiliated with, funded by or branded by the University and there are potential concerns about the event or speakers or participants at it, they should seek advice ahead of the event from the Resilience Advisor in the first instance.
- 35 The University will work with venue providers and external organisers in these circumstances to ensure that they understand the requirements of this Policy and the University's statutory obligations under it, even where those parties are not bound by such procedures.

- 36 In such cases – the principles applied in the [External Speaker / Event Application Form](#) will be applied by the Resilience Advisor in assessing the suitability or otherwise for the event to proceed; or for the University to participate in the event.

Appendix 1: Due Diligence Process for Event Bookings



Appendix 2: Guest Lecturer Approval Process

