

UNIVERSITY OF LEICESTER

CODE OF PRACTICE CONCERNING FREEDOM OF SPEECH

Introduction

1. The University regards it as a fundamental principle of its existence as an independent academic institution that freedom of speech within the law should be respected on its premises and in all its activities. No individual or body of persons shall be prevented from studying, or participating in any academic activity, or being invited to deliver a lecture, or delivering a lecture, or complying with a contract of employment with the University, solely on account of their political, religious or other opinions and beliefs. Equally, the University does not expect that any speaker will make requests or seek to impose conditions requiring the observance of their opinions or beliefs by the audience.

Basis of Jurisdiction

2. This Code is approved by the Council, in accordance with its authority under the Charter and Statutes of the University. It also constitutes the Code of Practice required by Section 43 of the Education (No 2) Act 1986, which states, inter alia, that every individual and body of persons concerned in the government of the University 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 University and for visiting speakers; and that the Council shall issue and keep up to date a code of practice setting out the procedures to be followed in connection with the organisation of meetings and other activities, and the conduct required in connection with any such meeting or activity.

Scope of Authority

3. The provisions of this Code, and of any procedures duly instituted in accordance with it, shall apply in full to all employees, students, honorary and visiting staff and any other members of the University within the meaning of Section 2 of the Statutes; to the Students' Union, its clubs and societies; and to all persons and associations occupying property of the University.
4. All persons to whom the Code applies are under an obligation to take no action which would hinder freedom of speech within the law, or which would prevent the University, the President and Vice-Chancellor or any of its Officers from discharging their duty to ensure freedom of speech so far as is reasonably practicable.
5. Ordinance 23(2) and the Regulations Governing Student Discipline provide that persons authorised by Senate for the purpose shall have the authority, and it shall be their duty to check disorderly or improper conduct or any breach of regulations occurring in any of the University buildings or their precincts or in public buildings or places.
6. This Code applies to informal or social activities as well as to any more formal meeting or lecture as may be subject to the specific and detailed special arrangements set out below. Examples include visiting lecturers invited by academic staff, religious or political representatives speaking on campus, and events such as debates, speeches and conferences taking place in University facilities that have been organised by staff, students and external bodies.
7. In the exercise of its duties under this Code, the University and its Officers will also take account of other obligations under the law which may require it to have regard to what is said on its premises. In particular, the rights conferred by this Code do not extend to any speaker who acts unlawfully by, for example, using threatening, abusive or insulting words or behaviour so as to run the risk of inciting violence or racial hatred; who invites support for a proscribed terrorist organisation; or whose activities, even if directed to lawful purposes,

cease to be lawful when, for example, they break conditions imposed by the police, endanger the health and safety of others, or cause serious public disorder.

Procedures

8. The President and Vice-Chancellor shall be responsible to the Council for the operation and enforcement of this Code. His authority for its administration shall be delegated to the Registrar, who may further delegate authority in general or particular instances to other Officers of the University.
9. The Registrar shall be authorised to compile such additional Administrative Procedures as he or she thinks necessary for the effective implementation of this Code, and such procedures shall have effect as if they formed part of this Code, and shall be interpreted in such a manner as not to conflict with the Code.
10. Such administrative procedures may include, but are not restricted to:
 - a. details of the arrangements required for booking rooms or arranging other activities on University premises;
 - b. appointing of Officers responsible for the receipt and management of event bookings;
 - c. explanation and elaboration of the categories of visiting speaker, and of subject matter for a meeting, and of other characteristics of an activity which at any given time is likely to be "designated" under the terms of paragraph 21 below.
11. Such Administrative Procedures shall be published by the Registrar in an Appendix to this Code and, as far as is reasonably practicable, shall be circulated to all persons or organisations within the University concerned in the organisation of activities covered by this Code. Failure to receive such Administrative Procedures shall not exempt the organiser of any activity from liability to conform with the said procedures.

General Requirements

12. Any meeting or activity taking place on the premises of the University, shall, whether it has been "designated" or not, comply with paragraphs 1 and 4 above, and with paragraphs 13 to 20 below.
13. The organisers of any meeting or activity held on University premises shall ensure that a single person is appointed as the principal organiser of the event. The principal organiser has a duty to see that nothing in the preparations for or conduct of that meeting or activity infringes the law, for example, by conduct likely to cause a breach of the peace or incitement to illegal acts.
14. The principal organiser or chair of the meeting has a duty so far as is possible to ensure that both the audience and the speaker act in accordance with the law during the meeting. In the case of conduct which is or appears to be unlawful or in breach of this Code, the chair is required to give appropriate warning and, if necessary, to require the withdrawal or removal of persons concerned.
15. No article or objects capable of causing damage or injury may be taken inside a building where a meeting is taking place, or taken or used elsewhere on University premises, in circumstances likely to lead to damage or injury.
16. 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 required.
17. The University's expectation is that any request to make a booking for an event to be held on University premises will normally be received at least two weeks before the event is due to take place. This notice period is required so that the University has sufficient time to undertake any review that it considers necessary of the details of the planned event. The University's expectation is that any such review will normally be completed within three

working days of the receipt of the request. Any specific variations to these normal expectations are detailed in the Appendix.

Gender Segregation at Events and Meetings

18. The University has a legal duty to ensure that all students, employees and members of the public can enjoy access to events and meetings held on its premises without unlawful discrimination. Segregation of audiences according to gender is therefore not permitted at any conference, meeting, speech, lecture or other event organised for and attended by students, employees of the University or the Students' Union, or members of the public. This includes any such event held on University premises that takes place under the auspices of the Students' Union, its clubs, societies and associations, or any external organisation.
19. The University will decline any request received from an organising body or a visiting speaker, or from an individual attending or wishing to attend an event at the University, for the audience to be segregated according to gender.
20. Segregation according to gender is permissible during acts of collective religious worship as this is not subject to equality legislation. However, no segregation is permitted at any meeting or event at the University which precedes or follows on from an act of collective religious worship.

Designated Events

21. Any meeting or other activity where the Registrar judges that the identity of the speaker and/or the subject matter of his or her speech will be regarded as controversial, such that there is a real likelihood that the speaker or participants may not be able to enter or leave the building safely and/or deliver his or her speech, will be classified by the Registrar or (in each of clauses 22-29) his Appointed Officer as a Designated Event.
22. The fact that a meeting or activity has for any reason not been defined as a Designated Event shall in no way exempt the organisers or participants from their general responsibilities under this Code.
23. The principal organiser of a Designated Event will be required to provide to the Registrar or his Appointed Officer, by a deadline which shall be specified by the University for that event, a written statement of the name of the speaker, the title and subject of the address and the precise times of the arrival and departure of the speaker. The University reserves the right to cancel the booking for any event where the principal organiser does not provide the written statement by the due deadline.
24. Having given proper consideration to this written statement and all other information as he or she deems appropriate, in accordance with the general principles set out in paragraphs 1 and 2, the Registrar shall issue to the principal organiser a written statement which shall either grant or withhold permission for the use of University premises for the event. This shall normally be issued within three working days of the receipt of the written statement from the principal organiser, and it shall indicate that the principal organiser has the right to appeal against the decision of the Registrar.
25. Permission for the use of University premises may be granted subject to such conditions as the Registrar considers reasonably necessary to secure fulfilment of the University's responsibilities concerning the protection of free speech within the law.
26. The principal organiser must provide written confirmation that they and all other persons concerned with the organisation of, or speaking at, an event for which permission has been granted shall be required to comply with any and every condition laid down by the Registrar. Such conditions may include a requirement that tickets must be issued for public meetings and that an adequate number of named stewards should be available, as to whose suitability the Registrar must be satisfied, in addition to any security staff that the Registrar may feel should be present to maintain order.

27. The conditions prescribed by the Registrar may include conditions concerning admission or exclusion of press, television or broadcasting personnel.
28. In addition to any conditions referred to above the Registrar has discretion to lay down further conditions, if appropriate, after consultation with the police; and if not satisfied that adequate arrangements can be made to maintain good order and the health and safety of all individuals involved in the event he or she may refuse or withdraw permission for the meeting or activity. This shall include the discretion to withdraw permission at short notice, even after an event has commenced, if it becomes apparent that the University has not been notified of details or material changes, such as a change of named speaker, which might otherwise have resulted in permission to hold the event not being granted.
29. Appeals against the rulings of the Registrar may be made to the President and Vice-Chancellor whose decision shall be final but must be reported to the next meeting of the Council.

Enforcement

30. Any infringement of this Code by a student or a member of staff of the University shall be subject to the established disciplinary procedures of the University appropriate to the person or persons concerned. In respect of students, infringement may be classified as an offence within the terms of the Regulations Governing Student Discipline; and in respect of employees of the University, infringement may be regarded as a breach of contract of employment.
31. If any actions involve breaches of the law, the University will assist the prosecuting authorities to implement the process of law, and may suspend any internal disciplinary proceedings pending the outcome of any such processes.

Code of Practice Concerning Freedom of Speech: Appendix

32. This appendix describes the Administrative Procedures governing the booking of rooms on University premises for the purpose of holding any form of non-teaching event. All such events are subject to the requirements set out in sections 12-20 of this Code. Designated Events are further subject to the specific requirements set out in sections 21-29.

Booking of non-teaching events held in centrally timetabled rooms

33. Bookings of non-teaching events held in centrally timetabled rooms may be made only by a member of University staff or a designated representative of a Society of the Students' Union. In both cases the individual in whose name the booking is made will be regarded as the principal organiser of the event.
34. Bookings of events made by staff must be made using the on-line booking form available at www2.le.ac.uk/offices/sas2/roombookings/form/.
35. Bookings of events made on behalf of a Society of the Students' Union must first follow the same procedures as apply to events held within the Percy Gee Building, as set out in 43-47 below. Bookings will not be confirmed to students before those procedures have been completed.
36. Staff bookings of centrally timetabled rooms for non-teaching events will first be reviewed by staff in the Room Bookings Office. Requests relating to new events which have not been held at the University previously, or which feature external speakers who have not delivered speeches at the University before, will be referred to the University's Head of Security, who is the Registrar's appointed officer in such matters. The Head of Security will review the information on the planned event and will determine, with due regard to the requirements of this Code and the University's legal obligations, whether there are any features of the event that warrant a recommendation for the booking to be declined. Further external information or advice will be obtained if required. In all cases the Head of Security will make his or her recommendation to the Registrar, who will then make the final decision to accept or decline the booking. Before making a final decision the Registrar may discuss the matter further with other senior officer(s).
37. The Registrar, through the Head of Security, will advise the Room Bookings Office in all cases where either the booking is to be declined or the booking is to be accepted and classified as a Designated Event. All such decisions will be communicated in writing to the principal organiser. The Registrar will stipulate whether any special conditions or arrangements are to be attached to the acceptance of any booking. The principal organiser must provide written acceptance of any such conditions or arrangements before the booking can be confirmed.

Booking of events held in the University's conference facilities

38. Bookings for events to be held in the University's conference facilities may be made by University staff, designated representatives of the Students' Union, and external groups or organisations.
39. The principal organiser of any event to be held in the University's conference facilities is required to undertake that the principles embodied in the University's Code of Practice Concerning Freedom of Speech will be upheld. The principal organiser is therefore required to declare to the University any event where the topics or speakers may produce a reaction that could threaten tolerance or freedom of speech. S/he must also ensure that nothing in the preparations for, or conduct of, that meeting infringes the law as, for example, in the case of conduct that is likely to cause a breach of the peace or incitement to illegal acts.
40. Details of all conference bookings will first be reviewed by staff in Residential and Commercial Services (RACS) or at College Court, as appropriate. Requests relating to new events which have not been held at the University previously, or which feature external speakers who have not delivered speeches at the University before, will be referred to the University's Head of Security, who is the Registrar's appointed officer in such matters. The

Head of Security will review the information on the planned event and will determine, with due regard to the requirements of this Code and the University's legal obligations, whether there are any features of the event that warrant a recommendation for the booking to be declined. Further external information or advice will be obtained if required. In all cases the recommendation of the Head of Security will be notified to the Assistant Director of RACS or the Director of College Court, as appropriate, and to the Registrar, who will then make the final decision to accept or decline the booking. Before making a final decision the Registrar may discuss the matter further with other senior officer(s).

41. The Registrar, through the Head of Security, will advise RACS or College Court in all cases where either the booking is to be declined or the booking is to be accepted and classified as a Designated Event. All such decisions will be communicated in writing to the principal organiser of the event. The Registrar will stipulate whether any special conditions or arrangements are to be attached to the acceptance of any booking. The principal organiser must provide written acceptance of any such conditions or arrangements before the booking can be confirmed.
42. All conference bookings are subject to written acceptance of the University's terms and condition for the use of its conference facilities, which include provisions on the University's commitment to freedom of speech within the law.

Booking of events held in the Students' Union (Percy Gee Building)

43. Bookings made by students for all events held in the Percy Gee Building or in the University's centrally timetabled rooms require the completion of an Events Form, available from the Activities Resource Centre in the Students' Union. The name of any speaker at the event and the subject of his or her talk must be declared at the time of booking.
44. In the case of event bookings requested on behalf of a student society the Events Form must be completed and signed by the society's registered officer and submitted to the Activities Resource Centre, which holds and maintains a list of all such registered officers. Society bookings requested by any person other than the registered officer will be declined.
45. In the case of event bookings requested by individual students or on behalf of external groups or organisations the Events Form must be completed and signed by the individual student or the external body's principal organiser, as appropriate, and submitted to the Activities Resource Centre.
46. Details of all event bookings requested by individual students or on behalf of external bodies will first be reviewed by staff in the Activities Resource Centre, and will then be referred to the University's Head of Security, who is the Registrar's appointed officer in such matters. The Head of Security will review the information on the planned event and will determine, with due regard to the requirements of this Code and the University's legal obligations, whether there are any features of the event that warrant a recommendation for the booking to be declined. Further external information or advice will be obtained if required. In all cases the Head of Security will make his or her recommendation to the Director of Central Services of the Students' Union. Before making a final decision to accept or decline the booking the Director will discuss the matter with the Registrar, who may discuss the matter further with other senior officer(s).
47. Having discussed the matter with the Registrar the Director of Central Services will advise the Activities Resource Centre (or the Room Bookings Office in respect of centrally timetabled rooms) in all cases where either the booking is to be declined or the booking is to be accepted and classified as a Designated Event. All such decisions will be communicated in writing to the principal organiser of the event. The Director will stipulate whether any special conditions or arrangements are to be attached to the acceptance of any booking. The principal organiser of the event must provide written acceptance of any such conditions or arrangements before the booking can be confirmed.

Students' Union - booking of events in the University's 'open' areas

48. Special arrangements apply to requests from the Students' Union, its clubs and societies, or any partner organisations wishing to stage an event on any part of the University's estate that is not available to be booked under the procedures set out in paragraphs 30-44 above. Such areas include foyers or other communal areas inside buildings, courtyards, lawns and car parks.
49. Requests for events to be held in or on any of the University's open areas must be submitted by an officer of the Students' Union, using the online booking form available at <http://www2.le.ac.uk/offices/estates/miscellaneous-documents/SUEventsSpaceRequestForm.docx/view>. Such events are often unusual in nature and may require extensive internal consultations to resolve. Therefore, all sections of the booking form must be completed and the form submitted to the Division of Estates and Facilities Management at least four weeks in advance of the proposed event date. The name of any speaker(s) at the event and the subject of his or her talk must be declared at the time of booking.
50. All requests will be subject to detailed review by staff in the Division of Estates and Facilities Management. This will include referral to the University's Head of Security, who is the Registrar's appointed officer in such matters. The Head of Security will review the information on the planned event and will determine, with due regard to the requirements of this Code and the University's legal obligations, whether there are any features of the event that warrant a recommendation for the booking to be declined. Further external information or advice will be obtained if required. In all cases the Head of Security will make his or her recommendation to the Registrar, who will then make the final decision to accept or decline the booking. This decision will normally be made within fourteen days of the receipt of the booking request. Before making a final decision the Registrar may discuss the matter further with other senior officer(s).
51. The Registrar, through the Head of Security, will advise the Director of Estates and Facilities Management in all cases where either the booking is to be declined or the booking is to be accepted and classified as a Designated Event. All such decisions will be communicated in writing to the principal organiser of the event. The Registrar will stipulate whether any special conditions or arrangements are to be attached to the acceptance of any booking. The principal organiser of the event must provide written acceptance of any such conditions or arrangements before the booking can be confirmed.

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