



Freedom of Speech External Speakers Policy

Responsibility for Policy:	Registrar and Deputy Chief Executive
Relevant to:	All LJMU staff
Approved by:	SMT 11 th December 2018
Responsibility for Document Review:	Director, Student Advice and Wellbeing
Date introduced:	1 st February 2013
Date(s) modified:	March 2016, November 2018
Next Review Date:	November 2020

RELEVANT DOCUMENTS

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RELATED POLICIES & DOCUMENTS

Prayer Policy
Safeguarding Policy

Within the law the University welcomes and promotes freedom of speech and expression and encourages the right to question and test received wisdom; it is one of our core values to lead rather than follow and to defend independence of thought.

Freedom of Speech within the Law

This Policy on Freedom of Speech sets out the rights and obligations inherent within the principles of freedom of speech and expression and academic freedom.

The Policy shall apply to:

- the University, including members of the Board of Governors;
- all members of University staff and/or those operating in a formal capacity on behalf of the University;
- all duly enrolled students of the University (whether full or part-time);
- all students studying at the University (whether full or part-time) under an agreement with a partner organisation of the University (e.g. a school, college or employer) even if not enrolled as students at the University;
- the Students' Union its associated buildings, and any societies, clubs or associations which normally operate on University premises; and
- all persons invited to speak or otherwise take part in events to be held on University premises in accordance with the provisions of this Policy.
- all persons hiring space within the University campus.

The University has the responsibility to maintain good order on its premises. It has the right and the power to regulate and, if necessary, to impose conditions or restrictions upon events such as meetings and demonstrations held or proposed to be held on its premises. Any such events must comply with this Policy.

1 Definitions

- (a) References in the Policy to "University premises" include premises which are owned and/or controlled by the University, and premises occupied or used by the University's Students' Union whether or not the University owns or has control of such premises.
- (b) *A designated activity* is defined as any meeting, event or other activity due to take place on University premises where there is a reasonable expectation on the part of the Principal Organiser (see 1(c) below) or the Responsible Officer (see 1(b) below) that freedom of speech within the law may be compromised unless appropriate remedial action is taken. Whilst it is not possible to be prescriptive about such activities they may include visits by public figures especially where their views have aroused

controversy in the past or where the subject matter of the activity is likely to be regarded as controversial or objectionable by at least some of the participants. In cases of doubt the Responsible Officer should always be consulted.

- (c) *The Responsible Officer* is the Registrar, or nominee, who is responsible for ensuring compliance, as far as reasonably practicable, with this Policy by all students and employees of the University, visiting speakers, those hiring University premises and organisers of meetings held on University premises. In determining whether the holding of an event on University premises might reasonably be refused, consideration should be given to:
- the safety of persons attending the event and persons on University premises who might foreseeably be put at risk;
 - the security of University premises; and
 - the good name and reputation of the University.

The Registrar will have final decision making authority to ensure compliance following consultation with other senior staff as appropriate.

- (d) *The Principal Organiser* is defined as the person nominated, by the organisers of any activity and approved by the University, which in their view might reasonably be expected to be designated, to be responsible for informing the Responsible Officer of the existence of such an activity and for liaising with the Responsible Officer thereafter.
- (e) In relation to activities organised within University premises by the Students' Union by *bona fide* student societies, the President of the Students' Union shall be deemed to be the Principal Organiser.

2 Procedures

- 2.1 At the earliest possible stage the organisers of any activity which may reasonably be regarded as falling within the terms of this Policy shall appoint a Principal Organiser.

Under this policy an application is required in **all** circumstances where the event is likely to raise issues which may be considered inflammatory in some way. For Schools and Faculties, the Faculty Head of Operations will maintain a list, which will require submission to the Office of the Registrar, or nominee, on an annual basis. For the Students' Union or student societies, an application should be made for all events that involve external speakers (please see the accompanying Application Process).

2.2 The Principal Organiser shall make the application in writing to the Registrar, or nominee, The application should be submitted to the Registrar not less than 14 calendar days before the proposed date of the event and contain the following information:

- (i) the nature of the activity
- (ii) the names of any visiting speakers and the organisations which they represent
- (iii) the proposed venue for the activity
- (iv) the date of the proposed event
- (v) the estimated times of arrival and departure of any visiting speakers
- (vi) the proposed means of access to and egress from the venue for any visiting speakers
- (vii) any other relevant information

No such activity shall be advertised inside or outside the University without the prior written approval of the Registrar, or nominee.

2.3 The Registrar, or nominee, shall, as soon as practicable and, if necessary, following further consultation with the Principal Organiser and any other interested parties, proceed as follows:

- (i) notify the Principal Organiser in writing that permission for the event to be held on University premises is granted and that it either will or will not be regarded as a designated activity, *or*
- (ii) notify the Principal Organiser in writing giving reasons for his/her decision that permission for holding the activity on University premises is withheld on the grounds that reasonably practicable steps to secure freedom of speech within the law cannot be implemented owing to the particular circumstances pertaining to that activity, *or*
- (iii) take such other course of action as may seem to him/her to be appropriate having regard to all the circumstances.

The Registrar, or nominee, shall have authority to withdraw permission for the holding of a designated activity if in his/her opinion such changes in circumstances have occurred since the original granting of permission as to make it likely that good order cannot be maintained. Such action shall only be taken in exceptional circumstances and wherever possible after consultation with the Principal Organiser.

- 2.4 The Registrar, or nominee, shall also have authority to take action as described in 2.3 above in relation to any activity that is brought to his/her attention other than through the procedures described in 2.2 above. The organisers of such an activity shall be regarded as being in breach of this Code and liable to possible disciplinary action.
- 2.5 Where an activity is designated the Principal Organiser shall consider what measures, if any, might need to be taken in order to safeguard freedom of speech and advise the Registrar, or nominee, as appropriate. The Registrar, or nominee, may, at his/her sole discretion, vary the measures proposed by the Principal Organiser or require additional measure to be taken. Such measures may include the following:
- (i) the determination of the date, time, approximate length and venue of the activity.
 - (ii) the determination of the method of access and egress of participants and any visiting speakers.
 - (iii) any stewarding arrangements that may be necessary.
 - (iv) In consultation with relevant staff agree the attendance as necessary of GAs and security staff.
 - (v) eligibility for admission to the activity.
 - (vi) arrangements for admission by ticket only.
 - (vii) the admission of representatives of the press, radio and television.
 - (viii) the completion of any necessary forms and the prompt provision of information as required.
 - (ix) any other conditions which appear to the Registrar to be reasonable in the circumstances.
- 2.6 The Principal Organiser shall ensure strict observance of the University's Fire, Health and Safety and any other relevant rules and regulations in relation to the organisation and conduct of the activity.
- 2.7 The Principal Organiser shall ensure that all external speakers have agreed to abide by the University's Equality, Diversity and Inclusion statement. A signed copy of the statement will be stored by the Principle Orgniser and produced as required by the Registrar, or nominee. Appendix 4 contains the relevant statement.

- 2.8 The Principal Organiser shall supply the Registrar, or nominee, with a list of the names of all stewards engaged for a designated activity. Where a proposed steward is not a member of staff or student of the University his/her address and occupation shall also be supplied. The Registrar, or nominee, may require the suggested number of stewards to be varied and may require any he/she considers unsuitable to be replaced. All stewards will be briefed by the University Security Service or his/her nominee before the activity takes place.
- 2.9 The University will normally supply and meet the cost of relaying the speeches to an additional hall via a public address system if the Registrar deems this to be necessary in relation to a designated activity.
- 2.10 The Principal Organiser and the other organisers have a duty to ensure that nothing in the preparations or conduct of a meeting or other activity, whether designated or otherwise, infringes the law, for example, by conduct likely to cause a breach of the peace or incitement to illegal acts.
- 2.11 The organisation of meetings, activities and events which are not designated shall be the sole responsibility of the organisers subject to legal requirements and observance of any relevant University rules and regulations currently in force. Evidence detailing such events should be maintained even when the event is not deemed to be designated.
- 2.12 The existence of this Code of Practice shall be brought to the attention of hirers of University premises who shall, where appropriate, consult with the Responsible Officer regarding its implementation.
- 2.13 Designated and other activities taking place in licensed University premises shall pay due regard to the legal obligations of the licensee.

3 Conduct of Designated Activities

- 3.1 Where a designated activity takes the form of a meeting, debate, lecture or similar event the Registrar, or nominee, may require a Chair to be appointed, in consultation with him/her, in advance of the activity.
- 3.2 The Chair shall be under a duty as far as possible to secure that both the audience and the speakers act in accordance with the law during the meeting and shall be required to consult as necessary with the Registrar or his/her nominee and to familiarise himself/herself with this Code of Practice before the meeting takes place. The audience and the speakers shall be under a duty to comply with the Chair's rulings relating to the conduct of the meeting subject to his/her complying with any Standing Orders that might otherwise govern it.
- 3.3 Immediately before the commencement of the activity the Registrar or his/her nominee shall inform those present that the meeting is a

designated activity within the meaning of this Policy and that reasonable steps will be taken to ensure a fair hearing for the speaker. Whilst occasional interruptions and heckling may be consistent with the style and nature of the meeting, persistent interruption or concerted attempts to prevent the speaker being heard will, at the discretion of the Chair, render those responsible liable to be escorted from the meeting if they fail to abide by the rulings from the Chair to desist. The Chair may suspend or close the meeting if in his/her opinion it can no longer be conducted in an orderly manner or if behaviour is so disruptive that the safety of those present is in jeopardy. Before suspending or closing the meeting the Chair shall take advice from the Registrar or his/her nominee unless the situation is so serious that an immediate decision must be made in which case the responsibility shall lie with the Chair or, should he/she fail to act, with the Registrar or his/her nominee. Security staff shall be instructed to use the minimum force necessary when escorting persons from the meeting and to ensure that they are not re-admitted under any circumstances. Such removal shall take place only as a last resort and on the specific instructions of the Chair or the Registrar. In the event of severe or sustained disruption the Registrar or his/her nominee is authorised to request police assistance.

4 Sanctions and Penalties

- 4.1 Conduct in breach of any of the provisions of this Policy will render those responsible liable to disciplinary proceedings as laid down by the University authorities without prejudice to any action that may be taken in the Courts.
- 4.2 Where a breach of this Code takes place at an event, the University may take steps to assist the police in identifying any persons committing offences with a view to appropriate action being taken against them.

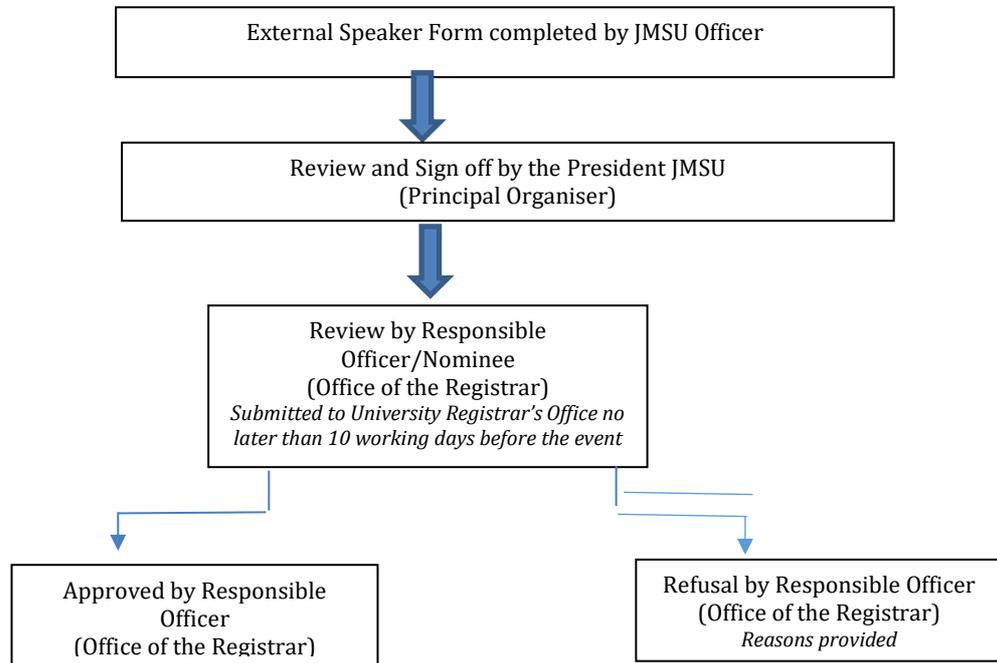
Appendix 1 - Housekeeping

- No food or drink, alcoholic or otherwise, or any receptacles, containers or other implements which could be used as missiles may be taken into a designated activity. These will be confiscated and any persons carrying them may be refused entry to the meeting. Similarly loudhailers, horns, hooters or any other implements that could be used to disrupt the meeting will not be permitted. Hand held banners and flags may only be displayed outside the meeting and if brought inside must be furled up and left in the care of an official whilst the meeting is in progress.

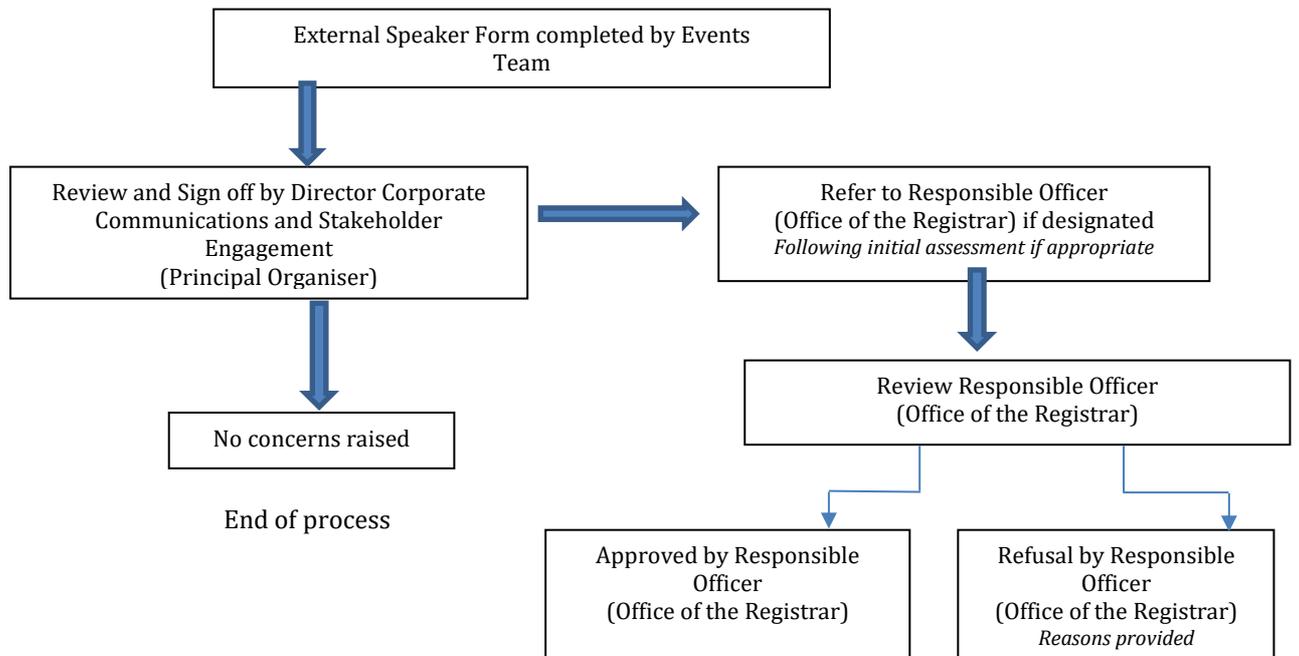
- Smoking is not permitted in or immediately outside any University buildings on the University campuses. Separate arrangements may apply in halls of residence in respect of individual study bedrooms designated as smoking rooms, or in any external smoking areas provided by the Students' Union
- All rooms used for activities, whether designated or otherwise shall be left in a clean and tidy condition. Organisers will be charged for any additional clearing up that is necessary as well as for any damage or breakages.

Appendix 2 - Sign offs for external speakers

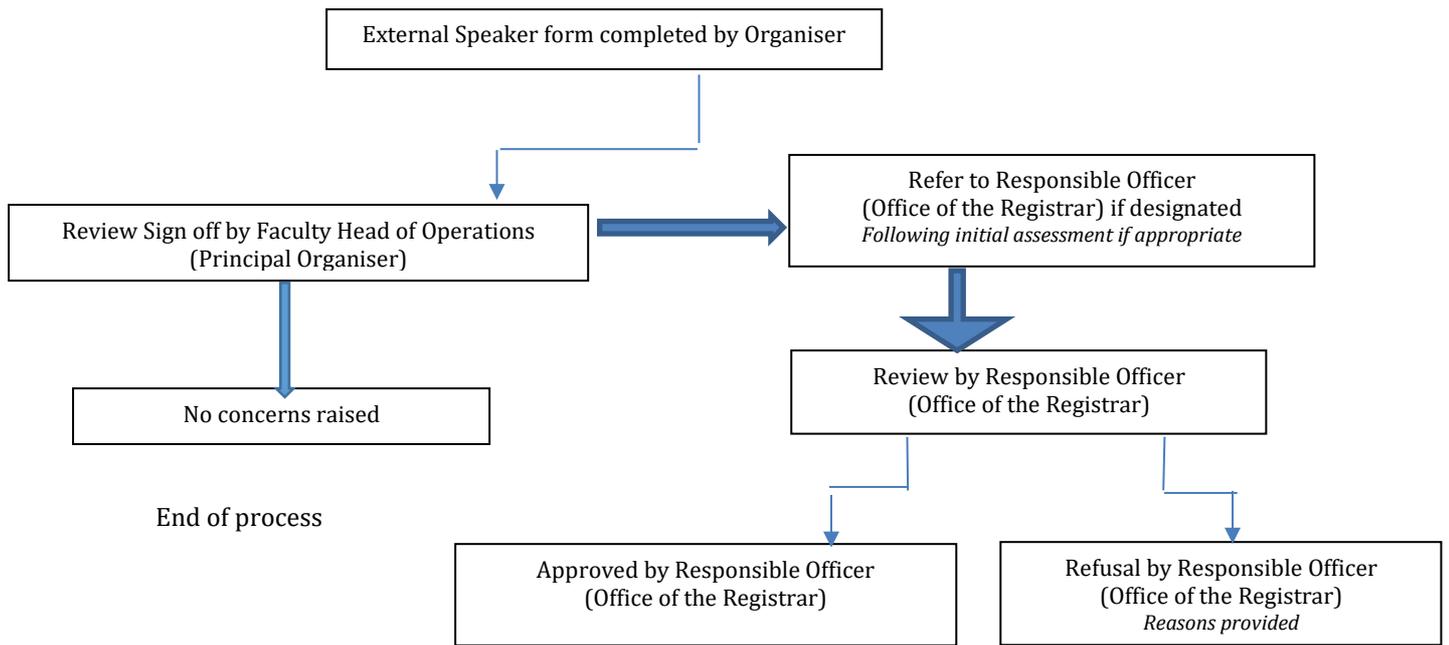
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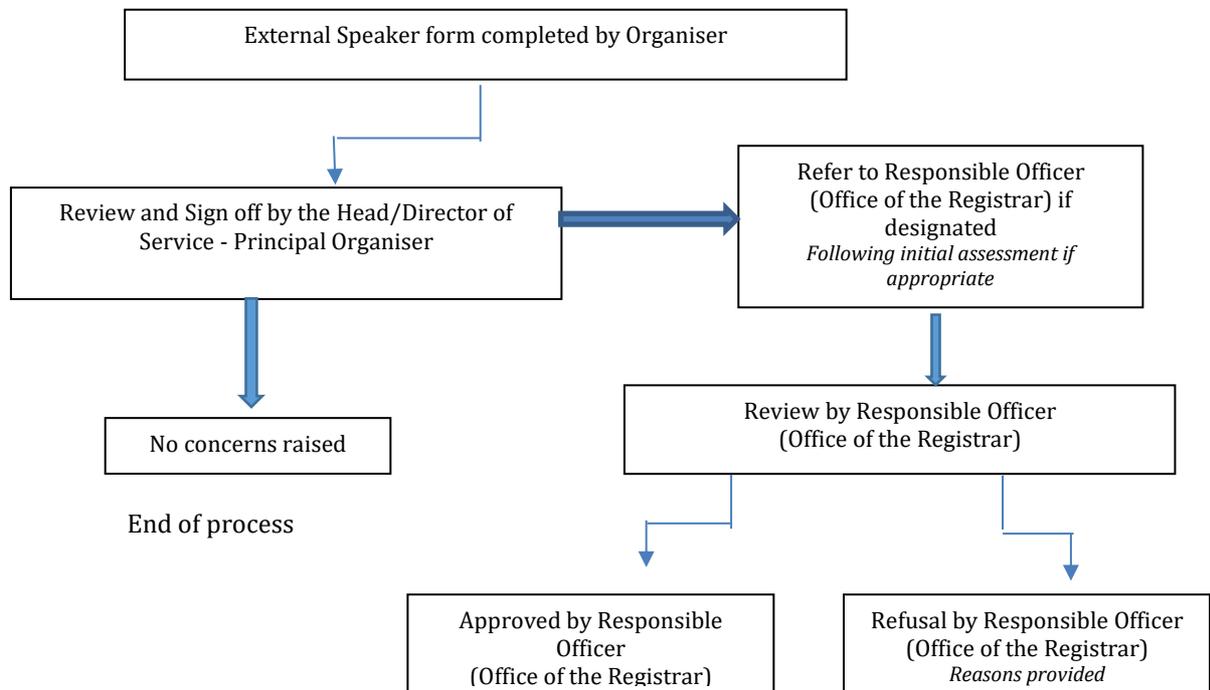
Corporate Communications & Stakeholder Relations



Faculty/Schools



Professional Services



Appendix 3 – External Speaker Approval Form



External Speaker Approval Form

Principal Organiser (Name, Contact Email & Telephone Number)	
Nature of Event	
Names of Visiting speaker/s	
Name of Organisation	
Any known affiliations (particularly religious or political)	
Expected Number of Attendees	
Proposed Venue of Event	
Proposed date of event	
Estimated times of arrival/departure of visiting speaker/s	
Type of Event <ul style="list-style-type: none">• Lecture• Debate• Training• Other – please specify	
Audience Access: <ul style="list-style-type: none">• Invitation only• Ticket only• University only• Unrestricted/public	
Any known previous controversy relating to the speaker/s	

Web link fur further details on the speaker/s	
Is this event and speaker/s likely to attract media interest? If so, why?	
Sign off by Head/Director Professional Services (Name & Date)	
(or) Sign off by President LiverpoolSU* (Name & Date)	
(or) Sign off by Faculty Head of Operations (Name & Date)	
Date sent to the Office of the Registrar	
Approval/Refusal by Office of the Registrar (response from the Registrar) (date)	

* ***LiverpoolSU Forms to be submitted to Head of Student Advice and Wellbeing and University Registrar***

Appendix 4

LJMU Equality, Diversity and Inclusion Statement

The University is committed to promoting ethos that safeguards the dignity and well being of everyone and encourages practices that take into account the rights of individuals to be treated with dignity and respect. It recognises that discrimination, harassment and victimisation may be experienced by all in a number of ways, including day-to-day interaction with colleagues, peers, visitors and staff.

The University does not tolerate any form of discrimination which it recognises as unacceptable, discriminatory and unlawful, and is proactive in ensuring that people are treated fairly. This commitment is consistent with the significant progress that the University has already made in this area.

The University recognises the valuable contribution that can be made by staff and students in terms of qualities of experiences brought to learning, teaching, support services, research, consultancy, enterprise, widening participation,

administration and management.

Zero Tolerance:

At LJMU, we promote an environment where everyone is treated equally and with dignity and respect. We operate a policy of zero tolerance towards any form of discrimination and work towards equality, human rights and social justice. We have built staff support networks which serve as social networks, contribute to policy development and raise awareness of equality activities. In addition we have Student Sabbatical Officers, which assist with embedding equality and diversity across the University. Our Student Welfare and Wellbeing department also work to ensure all students are treated with dignity and respect.

Whilst the University recognises the valuable contribution that can be made by staff and students in terms of quality of experience brought to learning, teaching, support services, research, consultancy, enterprise, widening participation, administration and management. The University expects these contributions to be made with due regard to equitable treatment regardless of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity or other relevant distinction. The Equality Act 2010 which details protected characteristics, takes effect from October 2010 and we will operate a zero-tolerance stance towards incidents involving equality and diversity issues.

Bullying and Harassment:

The University is committed to promoting an ethos that safeguards the dignity and well-being of everyone and encourages practices that take into account the rights of individuals to be treated with dignity and respect. It recognises that discrimination, bullying and harassment may be experienced by all in a number of ways, including day to day interaction with colleagues, peers, visitors and students.

The University seeks to eliminate all forms of bullying and harassment as it recognises that such behaviour is unacceptable, discriminatory and, in certain circumstances, also unlawful.

Individuals may be unaware of the effect of their behaviour on others and, therefore, everyone should take care to avoid giving unwanted offence. The University expects all staff, students, visitors and contractors to support the establishment of a pleasant working and learning environment that is free from bullying, harassment and discrimination. If, however, bullying and harassment does occur, there are a number of actions that individuals, or anyone who is aware that bullying and harassment may be occurring, can take.

Any incidents of bullying or harassment that do occur will be taken seriously and could provide grounds for disciplinary action that may lead to dismissal or expulsion from the University. Furthermore, individuals who harass or bully may be subject to criminal and/or civil prosecution.

All line managers, as part of their managerial responsibilities, have a professional as well as legal obligation to eliminate bullying or harassment of which they are, or should be, aware. All individuals will be personally accountable for their behaviour, actions and/or lack of actions, in cases of complaint of harassment or bullying.

For the duration of my speaking commitment, I agree to abide by the LJMU Equality, Diversity and Inclusion statement.

Signature:

Print name:

Date: