

## University of Liverpool

### Policy and Code of Practice Regarding Freedom of Speech

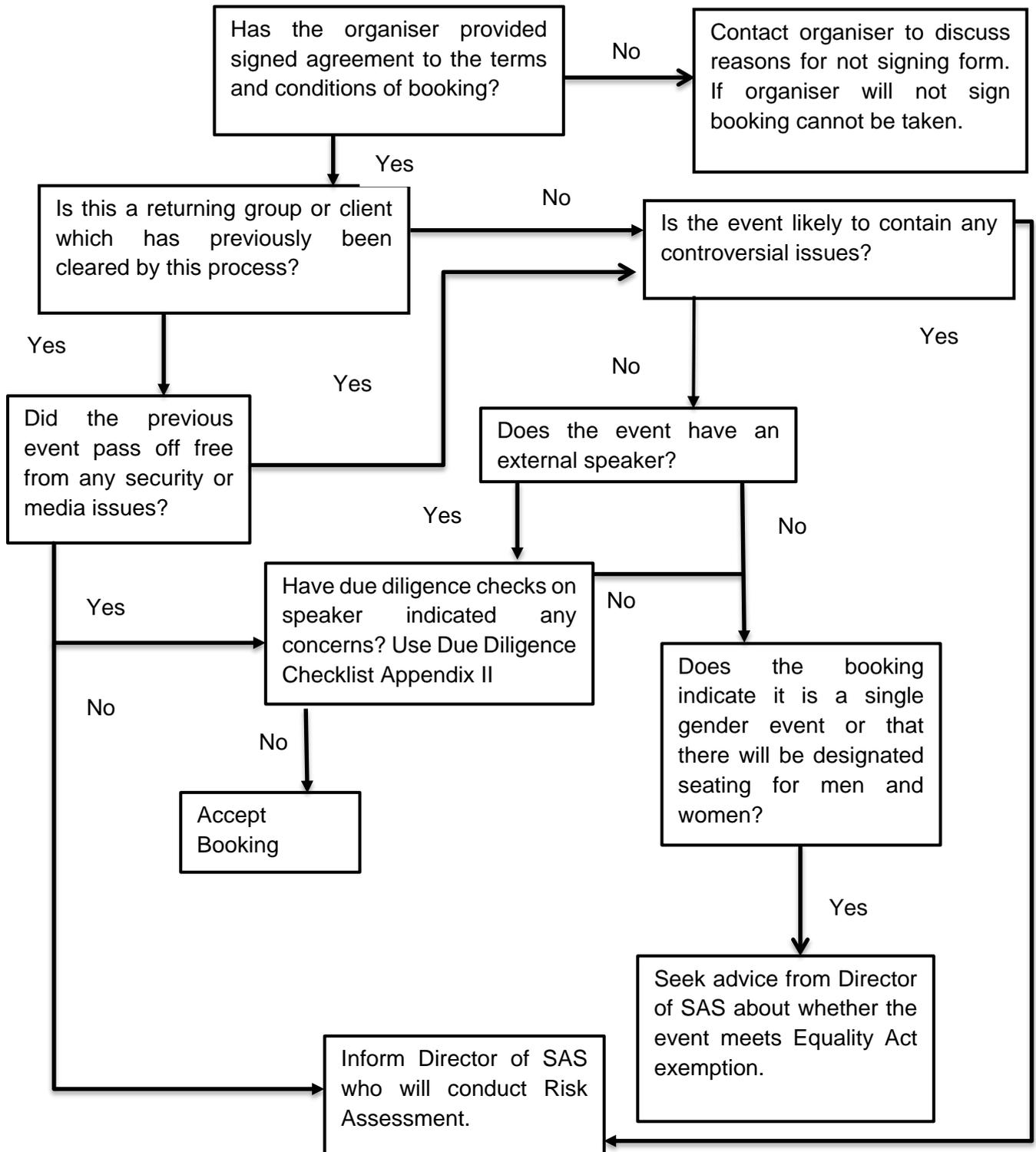
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<b>Does this replace any previous policies?</b>	This is an updated version of the previous policy.		
<b>Consultation</b>	This version contain cosmetic updates only therefore no consultation has taken place for this version.		
<b>Equality Impact Assessment</b>	The Policy ensures that all groups are able to exercise Freedom of Speech and that the impact on others including those with protected characteristics is addressed as part of the Risk Assessment Process.		
<b>Data Protection</b>	N/A		
<b>Communication</b>	Policy will be updated on website and those with responsibilities under the Policy informed.		

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## Quick Guide to the Process for Accepting a Booking

This Flowchart provides an overview of the process for accepting a booking for events which are not part of an academic programme. The checklist in Appendix I can be used to ensure that all stages of this process have been followed. Those responsible for making or accepting bookings should ensure that they have read the whole policy. This includes the booking of external campus spaces for events.



## 1. Introduction and Scope

The University has a duty to secure freedom of speech within the law under Section 43 of the Education Act (1986) and to ensure that it meets the requirements of 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. (A review of relevant legislation can be found in the Equality and Human Rights Commission [report](#).) The University is responsible for events which occur on campus and also for University branded events which take place off campus in the UK. Whilst legal obligations differ overseas, the same principles will apply to any University branded activity taking place overseas provided this does not conflict with the law of the host country. Events include, but are not limited to; performances, screenings, protests and discussion fora regardless of the size of the event.

All members of the University and invited speakers are required to assist the University in securing freedom of speech within the law.

## 2. Responsibilities

All references to responsible officers include their nominees.

**The Council** is responsible for ensuring that appropriate procedures are in place to comply with relevant legislative requirements.

**The Director of Student Experience and Enhancement (SEE)** is responsible for confirming that appropriate risk assessments have taken place and that appropriate mitigation is in place for events that are deemed high risk.

**The Director of Student Administration and Support** is responsible for ensuring that this policy is updated to meet the requirements of relevant legislation. They is responsible for ensuring risk assessments take place for events which are escalated following initial screening. They will also act as appointed officer for any activities which are not covered by an appointed officer below.

**The Student Experience Manager (Timetabling and Examinations)** is responsible for ensuring that the Timetabling Team, who are responsible for the allocation of centrally bookable lecture theatres and teaching rooms, comply with this policy.

**Heads of Academic Schools and Departments** are responsible for ensuring that all academic staff are aware of the contents of this policy and for informing staff that external speakers on academic programmes must comply with the principles set out in this policy. They are responsible for informing the Director of Student Administration and Support if there are any concerns about an external speaker who has been invited as part of an academic programme.

**Heads of Operations** are responsible for ensuring that all staff who accept bookings for rooms controlled by Schools and Departments comply with this policy.

**Appointed Officers** are responsible for ensuring that:

- Due diligence is undertaken in relation to events within their area of responsibility and, if a risk assessment is required, the event is escalated to the Director of Student Administration and Support.

- All staff within their area of responsibility understand and comply with this Code of Practice.
- Keeping a record of the number of event requests, risk assessments and outcomes. All relevant paperwork is completed.

In the absence of the relevant appointed officer, another appointed officer should fulfil the role.

<b>Area of Activity</b>	<b>Appointed Officer</b>
Events organised by registered student societies and events taking place in the Guild	The Chief Executive of the Guild
Commercial Bookings	Director of Facilities, Residential and Commercial Services
University Events taking place off Campus	Director of Communications
Cultural events other than those organised by students which do not include an external speaker	Chair of the Heritage, Arts and Culture Committee
Events taking place in the Library, Galleries or Museums	University Librarian
Events organised by clinical student societies	Chair of the Association of Clinical Students' Societies Board of Governance.

### **3. Procedures for the Organisation of Meetings and Activities Involving the Use of University Premises**

a) Bookings which involve an external speaker should be made at least three weeks in advance. If a booking is received with less than three weeks' notice, the University reserves the right to reject the booking on the grounds that there is insufficient time to follow the appropriate processes.

a) All bookings and/or hire of University premises must be applied for by completion and submission of the relevant web room booking form.

[Teaching spaces](#)

[Conferences and Events](#)

b) All bookings and/or hire of Guild premises must be applied for as outlined on the [Guild website](#).

c) Each booking must identify a principal organiser(s) who will be responsible for making the booking and ensuring that any conditions are adhered to.

d) The appointed officer will ensure an initial review is conducted, including an internet search if there is an external speaker to identify whether there are any initial concerns about the speaker. Details of the search should be recorded; a template for doing this is provided in [Appendix II](#). If concerns are identified then a full risk assessment should take place. If the booking is for an exhibition, performance or other cultural activity which does not involve an external speaker but may involve material that may incite violence or draw

people into terrorism, the relevant appointed officer must be informed. They will undertake an initial review of the material/concept and will confirm whether a full risk assessment should take place.

e) In most cases this review will not highlight any concerns which require a further risk assessment. In such cases, the specified individual or post holder will *either*:

(1) accept the application and grant permission for the meeting or activity to take place, according to the requirements specified by the principal organiser on the form; or

(2) if suitable premises are unavailable, decline the application.

f) If a risk assessment is required, the appointed officer will inform the Director of Student Administration and Support who will convene a risk assessment either in a meeting or by circulation.

g) . If the assessment is undertaken by circulation, all members of the panel will be required to confirm agreement with the risk assessment and proposed measures in writing (email from an official University email account is acceptable).

h) The Director of SAS will determine membership of the panel based on the specific circumstances of the case. The panel should usually include the Head of Security, a member of External Relations; and, where a student group is involved, a member of the Guild of Students.

i) If the initial assessment identifies that there may be a possibility of people being drawn into terrorism, or of a potential instance of hate speech or serious public disorder, or any other factor which may cause concern, a panel meeting will be required to discuss the risk assessment.

j) The aim of the risk assessment panel is to undertake a discussion that focuses on the need to facilitate free speech within the law, alongside other legal requirements. The risk assessment should be recorded using the proforma in [Appendix III](#).

k) Wherever possible, the principal organiser should contribute to the risk assessment. When possible, representatives of groups that object to an event should also have an opportunity to contribute to the risk assessment. Encouraging dialogue at this stage may resolve concerns about the event.

l) If the event is deemed to be low risk following the implementation of measures agreed in the risk assessment, the Director of SAS will grant permission for the event.

m) For all other events, the completed risk assessment and associated recommendations will be forwarded to the Director of SEE, who will grant permission provided that they are satisfied that:

(1) all reasonable steps can or will be taken to prevent any infringement of the law; and

(2) such conditions as are reasonably required within the risk assessment will be complied with.

n) If the Director of SEE withholds permission, they will explain in writing to the applicant the reasons for their decision

o) The Director of SEE has discretion to lay down further conditions, if appropriate, after consultation with the police and the organising body and will make any reasonable assistance available to enable the event to go ahead.

p) If the Director of SEE is not satisfied that adequate arrangements can be made to maintain good order, they may refuse or withdraw permission for the meeting or activity. Such a step will normally only be taken after the police have been consulted.

q) Any appeal against conditions required by the Director of SEE or Director of SAS or against withholding, withdrawing or declining of permission should be addressed to the PVC Education, who will determine the matter in consultation with an appropriate member of the Senior Management Team. Appeals will usually be considered within 21 days of the date of receipt of the appeal. However, where decisions involve complex factors the outcome of the appeal may take substantially longer than this. Any such decision will be reported to the following meeting of the Council of the University. If the complaint is made by a student, a completion of procedures letter can be issued on request following this decision and the student advised they can contact the Office of the Independent Adjudicator if they remain dissatisfied.

r) If an individual objects to a publicised event they should write to the Director of SEE who will decide whether the objections affect any risk assessment which has taken place and where appropriate will ensure the risk assessment and related decisions are reviewed and amended as appropriate. The outcome of this review will be notified to all relevant parties in writing.

#### **4. Sharing Concerns about Speakers**

- a) If, during preparations for the event or during the event, the appointed officer or others have cause to believe that the speaker has incited violence against others and/or made statements which may draw people into terrorism they must contact the Director of SAS who will in turn contact the Regional Prevent Coordinator for HE/FE and/or the Local Authority Prevent Coordinator with this information and seek advice on sharing the information further.
- b) If the appointed officer is aware that the speaker is due to speak at another University, they should inform the Director of SAS who will contact the Regional Prevent Coordinator for HE/FE and discuss appropriate approaches to sharing this information.

#### **5. Conduct of Meetings and Activities Involving the Use of University Premises**

- a) It is the responsibility of the principal organiser to ensure that all preparations for a meeting or other activity have been adequately made. This shall include:
  - i) the provision of a clear indication in any advertisement for a meeting or other activity as to whether it is 'public' or 'private';
  - ii) ensuring that no advertisement for a meeting or activity contains material likely to incite breaches of the Code;
  - iii) the regulation, where necessary, of drinks, flags or any other article; the admission of press, radio and television reporters; and arrangements for calling the police in the event of a breach of the peace;
  - iv) ensuring that any seating plans which are in place do not require segregated seating other than during an act of religious observance (single gender events may be permissible if it is agreed that there is a need for positive action to address inequality);
  - v) ensuring that persons who would otherwise be entitled to attend the meeting or activity may only be excluded if there are reasonable grounds for believing that their admission is likely to lead to a breach of the Code;

- vi) no article or object likely to lead to injury, damage or disruption may be taken inside the room (and/or building if appropriate) where the meeting or activity is taking place;
- vii) the person chairing a meeting has a duty, so far as possible, to ensure that both the audience and the speakers act in accordance with the law and the accepted canons of good behaviour during the meeting. They shall start the meeting by stating this and explaining how the meeting should be conducted;
- viii) if unlawful or unacceptable conduct occurs, the person chairing the meeting will give appropriate warnings. If such conduct persists, the chairperson will require the withdrawal or removal of the person(s) concerned by stewards, security staff or police. The appointed officer must be informed of this as soon after the event as possible. If there is no appointed officer, the Director of SAS should be informed;
- ix) if hate speech or speech which is likely to draw people into terrorism occurs, the chairperson (or, as appropriate, the principal organiser or controlling officer) will endeavour to close the meeting. They will need to take into account the potential impact of this action and whether this may result in a breach of the peace or increased risk of disturbance or distress to those present. In this case they may choose to postpone closing the meeting until appropriate police or other assistance can be obtained and/or decide not to close the meeting to ensure the safety of those present. The appointed officer must be informed of the concern and the action taken in writing as soon after the event as possible. The appointed officer must inform the Director of SAS. If there is no appointed officer the Director of SAS should be informed directly;
- x) where a breach of the peace occurs, the chair (or, as appropriate, the principal organiser or controlling officer) may close a meeting or activity and ask for police assistance to be called. The appointed officer must be informed of this as soon after the event as possible. The appointed officer must inform the Director of SAS. If there is no appointed officer the Director of SAS should be informed directly;
- xi) premises used for meetings or activities must be left undamaged and in a clean and tidy condition, in default of which the expense of additional cleaning and repairs shall be met by whomsoever the Director of SEE or their appointed officer deems appropriate. Such person or body may appeal against such order to the Director of People and Services, who shall determine the matter in consultation with another member of SMT;
- xii) where unlawful or unacceptable conduct, hate speech or speech which is likely to draw people into terrorism or a breach of the peace occurs, the Director of SAS will inform the Director of SEE, the PVC Education, the Regional Prevent Coordinator of HE/FE and/or the Local Authority Coordinator for HE/FE and any other relevant parties;
- xiii) The PVC Education will nominate a senior member of staff to investigate the circumstances surrounding the event to identify any improvements to practice for future events.

## **6. Procedures for the Organisation of University Branded Meetings and Activities Off Campus**

- a) Events organised by student societies which take place off campus will be considered in line with section 5 above. The Chief Executive of the Guild is the appointed officer for these events.

- b) University branded meetings and activities which take place off campus **must** be organised through the Communications and Public Affairs s Teams in the External Relations.
- c) The Communications and Public Affairs Team will liaise with external venues and ensure that the event complies with the venue's terms and conditions.
- d) External Relations will review the purpose and content of the event and conduct appropriate checks on external speakers.
- e) External Relations will establish an event plan which will include appropriate measures to manage any risks associated with the event.
- f) If External Relations representatives decide not to support an event initiated by another part of the University, the Director of External Relations will explain the reasons for this in writing to the relevant staff.
- g) It is expected that all off-campus University branded events will be conducted in line with section 5 of this Policy.

## **7. Discipline**

- a) Any student or member of staff who:
  - i) organises or participates in the organisation of a meeting or other activity without complying with the provisions of this Code of Practice; or
  - ii) deliberately disrupts or seeks to disrupt any meeting or other activity (save only for reasonable heckling); or
  - iii) fails unreasonably to comply with any obligation placed on him/her by the Code of Practice; or
  - iv) makes vexatious objections to events held by particular groups or individuals on campus and/or University branded events off campus

may be considered to have committed a breach of this Code of Practice, constituting a disciplinary offence to be investigated under the relevant disciplinary procedure i.e. the University's Policy on Student Conduct and Discipline or the Staff Disciplinary Procedure.

## Appendix I Checklist for Accepting a Booking

	Yes	No	Risk assessment required	Comments
Is this a returning group or organisation that has been previously been cleared by this process?				
(If answering Yes to the above) Was the previous event free from any security or public order issues?			If answer is no	
Has the organiser provided signed agreement to the terms and conditions of booking?			If answer is no	
Has the organiser indicated that seating arrangements may require men and women to sit in designated area?			Maybe if the answer is yes	Seek additional information about the purpose of the meeting; segregated seating is only permissible for acts of religious observance.
Has the organiser indicated that the event will be a single gender event?			Maybe if the answer is yes	Seek additional information about the purpose of the event and advice from the Equality and Diversity Officer about whether the event meets the definition of positive action.
Is the speaker linked with a controversial or proscribed organisation? Examples of controversial groups may include: <ul style="list-style-type: none"> <li>• A group whose views may be deemed as being discriminatory or inflammatory to others</li> <li>• A group which advocates violence</li> </ul>				For a list of proscribed organisations see <a href="https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2">https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2</a> If the speaker is currently linked to a proscribed organisation the event cannot go ahead.
Is the event likely to include or address any controversial issues? Examples of controversial issues may be:			Is answer is yes	

<ul style="list-style-type: none"><li>• Subject to adverse media attention</li><li>• Associated with a campaign or political pressure group</li><li>• Associated with animal rights issues</li></ul>				
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**Appendix II**  
**External Speaker Due Diligence Checklist**

Title of Event	
Date booking received	
Date of event	
Is this activity recurring?	
Film? If yes, state its title:	
Notes	
External Speaker? If yes, who?	
Initial research completed? Date and by whom	
Research Link 1	
Research Link 2	
Research Link 3	
Are there any associations with a group that advocates violence?	
Are there any associations with animal rights issues?	
General Risk Assessment required?	
Appointed officer notified	
Enhanced Risk Assessment required?	
Enhanced Risk Assessment completed? Date and by whom?	
<p>Notes</p> <p>If there are concerns about the speaker following an initial web-based search, the Communications and Public Affairs team within External Relations may be asked to provide support to establish further information about the individual. This includes identifying any groups with which the speaker is known to have an affiliation and checking this against the list of proscribed organisations. If there are concerns that the speaker has links to a proscribed organisation or has previously made public statements which incite violence against others and or may draw people into terrorism, the Director of Student Administration and Support should be contacted who will seek further information and advice from the Regional Prevent Coordinator for HE/FE and or the Local Authority Prevent Coordinator.</p>	

## Appendix III Speaker Risk Assessment

This Appendix provides a pro forma risk assessment for speaker events where there may be controversy. This template is based on a template prepared by the Liverpool Guild of Students for events. The template should be completed following discussion by a Risk Assessment Panel. The template is intended as a guide only and it is anticipated that additional measures will be required to address the specific concerns relating to each event.

Additional measures may include but not be limited to:

- i) issuing of admission ticket;
- ii) there be provision for checking the numbers and/or identity of all those attending the meeting;
- iii) individuals be named as chairs for the meeting or activity who will ensure that all viewpoints are heard;
- iv) challenging high risk speakers with speakers with opposing views;
- v) speakers may be asked to provide written undertakings about the conduct of the event and the content of their speech;
- vi) speakers may be asked to provide an outline of their speech for approval prior to the event taking place;
- vii) copies of promotional material to be provided for approval prior to being used for the event;
- viii) a specified number of stewards be available, at the expense of whomsoever the Director of SEE or their appointed officer deems appropriate;
- ix) the local police be informed of the meeting or activity, and, if appropriate, be invited to attend;
- x) a written explanation be given concerning the proposed conduct of the meeting or activity;
- xi) arranging for filming of the event to provide transparency about events and deter unlawful speech;
- xii) particular arrangements be made to comply with fire or other safety arrangements;
- xiii) payment in advance be required to cover hire charges and other reasonable contingencies;
- xiv) full details of the planned movements of speakers (time of arrival and departure, names of those accompanying the speaker) be made available as soon as known and any changes of arrangements be notified promptly.

## Speaker Event Risk Assessment

<b>EVENT TITLE:</b>		<b>VENUE:</b>		<b>DATE AND TIME OF EVENT:</b>	
<b>PRINCIPAL ORGANISER'S NAME AND CONTACT DETAILS:</b>					
<b>HOW HAS THE ORGANISING GROUP BEEN INVOLVED IN THIS RISK ASSESSMENT?</b>					
<b>HOW HAS ANY INDIVIDUAL OR GROUP OBJECTING TO THIS EVENT BEEN INVOLVED IN THIS RISK ASSESSMENT?</b>					
<b>DATE BOOKING RECEIVED:</b>		<b>DATE OF RISK ASSESSMENT MEETING:</b>			
<b>HAZARDS</b>	<b>WHO CAN BE HARMED?</b>	<b>CURRENT CONTROLS</b>	<b>RISK SCORE</b>	<b>ADDITIONAL CONTROLS REQUIRED (To include responsibilities and timescales)</b>	<b>RESIDUAL RISK SCORE</b>
Slips, Trips and Falls	Attendees, Committee & University Staff	Ensuring that chairs are laid out in a suitable manner and that any wires not obstructing walkways  Committee members will ensure that hazards or spillages are reported to staff			
Violence and Protesting	Attendees, Committee & University Staff	Speaker / company to be confirmed at time of room booking  Any safety concerns to be reported to University staff			

Overcrowding	Attendees, Committee & University Staff	Capacity will be confirmed with the principal organiser  A maximum number of tickets be sold depending on capacity  Doorways and fire exits are not obstructed			
Electrical	Attendees, Committee & University Staff	Only equipment which has been PAT tested by the University will be used			
Fire Safety	Attendees, Committee & University Staff	At the beginning of the event all attendees will be informed of the fire exit and assembly point in case of emergency  Only equipment that has been PAT tested by the University will be used  Rooms will only be filled to maximum capacity			

Members of Risk Assessment Panel:

Chair of Risk Assessment Panel (signature).....Date.....

Agreed by the Director of Student Experience and Enhancement (signature).....Date.....

## Completing the Risk Assessment Form

- School/Department – note down the School and/or Department where the task is being carried out.
- Building – note the specific building(s) where the task is being carried out.
- Task – specify clearly the task being carried out.
- Hazards – make a list of all the relevant hazards associated with the task/activity (i.e. anything that has the potential to cause harm).
- Who can be harmed – make a list of ALL categories of people who could be harmed by the hazard.
- Current controls – list what is currently in place to protect people from the hazards. This will include physical controls, e.g. guarding, ventilation, procedural controls, e.g. permits, safe systems of work, and behavioural controls, supervision.
- Risk score – using the tables below and taking into account your current control measures, rate each hazard based on the likelihood of injury occurring and the likely consequence.

Likelihood	
1	Very unlikely
2	Unlikely
3	Fairly likely
4	Likely
5	Very likely

Consequence	
1	Insignificant – no injury
2	Minor – minor injuries needing first aid
3	Moderate – up to seven days absence
4	Major – more than seven days absence; major injury
5	Catastrophic – death; multiple serious injury

	5	5	10	15	20	25
	4	4	8	12	16	20
	3	3	6	9	12	15
	2	2	4	6	8	10
	1	1	2	3	4	5
Consequences		1	2	3	4	5
		1	2	3	4	5
		1	2	3	4	5
		1	2	3	4	5
		1	2	3	4	5
		Likelihood				

- Additional control required – list any additional control required that will reduce the risk rating score. Ensure responsibilities for tasks and timescales are added.
- Residual risk score – re-calculate the risk score after the introduction of the additional controls. Compare residual risk score with table below. Take further action if necessary.

ACTION TO BE TAKEN	
1-4 Acceptable	No further action but ensure controls are maintained
5-9 Adequate	Look to improve at next review
10-16 Tolerable	Look to improve within specified timescale
17-25 Unacceptable	Stop activity and make immediate improvements

## Appendix IV Definitions

For the purpose of this Code of Practice the following definitions apply:

- a) 'The members of the University' means those persons defined, as follows, in Ordinance 2.1 (Membership of the University):
- (i) The members of the University Council
  - (ii) The staff employed by the University
  - (iii) The registered students of the University
  - (iv) The Emeritus Professors of the University
  - (v) The Alumni of the University
- b) 'The Students of the University' means those persons registered full-time or part-time for any qualification or course of the University, or otherwise participating in any form of instruction provided by the University.
- c) 'The Employees of the University' means those persons or bodies currently employed or engaged, either for remuneration or otherwise, by the University itself or any other legal or charitable body associated or affiliated with the University.
- d) 'University Premises' means any building, land or other space occupied either wholly or in part by the University, including any premises for the time being occupied by the Liverpool Guild of Students.
- e) 'Public Meeting or Activity' means a meeting or activity open to all members of the general public.
- f) 'Private Meeting or Activity' means a meeting or activity where admission is restricted to a specified group or groups of persons.
- g) 'Use of University Premises' means the holding of a public or private meeting or activity on University premises. A list of examples of such activities covered by the Code of Practice is given in Section 1 of the Policy.
- h) 'Principal Organiser' means the person responsible for booking and/or hiring University premises for any meeting or other activity.
- i) 'Organising Body' means the society, group or organisation responsible for booking University premises and under whose auspices a meeting or other activity is organised.
- j) 'Controlling Officer' means the member of the University staff appointed by the Director of SEE or their appointed officer to be responsible for security arrangements connected with a particular meeting or other activity, and for ensuring that such meeting or activity is observed.

## **Appendix V Principles**

Academic freedom is enshrined in the Statutes of the University. Statute 13.6.1 sets out the following principle:

“To ensure that academic staff have the freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their job or privileges.”

The University is also mindful of its obligations regarding Freedom of Speech and the Senate and Council have agreed that, so far as is reasonably practicable, the following principles shall apply within the University and to University branded events which take place off campus:

That any individual or body of persons shall be free, within the law, to hold meetings or engage in such other activities of the type set out in Section 1 of the Policy on the premises of the University (including premises occupied by the Liverpool Guild of Students), regardless of the beliefs, views, policies or objectives of that individual or body.

That where there are concerns about an event, the University will seek to facilitate an open and transparent dialogue with the event organisers to establish whether the event can take place whilst ensuring the University meets its legal obligations. Event organisers will be expected to take part in this dialogue in an open and transparent manner.

That University branded events which take place off campus will reflect the values of the University and will comply with the spirit of the principles above.

## **Appendix VI List of Web Links**

Equality and Human Rights Commission, Freedom of expression: a guide for higher education providers and students' unions in England and Wales

<https://www.equalityhumanrights.com/en/publication-download/freedom-expression-guide-higher-education-providers-and-students-unions-england>

### **Room bookings**

Teaching spaces [Room Bookings - Shared Teaching Spaces - Timetabling - University of Liverpool](#)

Conference and Events <https://www.liverpool.ac.uk/conferences-and-events/contact-us/>