

# Freedom of Expression and Events Policy

Aston University has a proud record of being a multicultural and diverse community in which staff and students learn from and work with each other in a spirit of mutual respect and collaboration. The University promotes the search for knowledge and the questioning of ideas through open debate and investigation.

The freedom to challenge conventional wisdom is an essential part of being a University, even if that process is uncomfortable for those who are being challenged. The University welcomes those who wish to share these values and believes that such an approach provides an important counter to those who try to promote prejudice, hatred or incite violence.

The University is committed to protecting freedom of expression within the law and upholding academic freedom in teaching and research.

This Policy aims to assist the University in discharging its duties under the Equality Act (2010) to promote good relations within the University and under 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').

September 2016

Version control:

Reference Number	Version Letter	Executive Lead	Author	Consideration by	Date	Notes
SEN/1/16	(A)	COE	Director of Governance	Executive Operations Group	4.2.16	Replaces former COP on Freedom of Speech and Meetings
	(B)			Consultation with Senate members, Academic Assembly, TUs, SU	2.16	
	(C)			Approval by Executive	7.3.16	Approved for implementation from 1st April 2016
	(D)			Approval by Executive	13.7.16	Amendment approved from implementation from 1 August 2016
	(E)			Approval by COE	30.9.16	Minor Amendment approved with immediate effect

# Freedom of Expression and Events Policy

## 1. SCOPE OF THE POLICY

### 1.1 Purpose of the Policy

1.1.1 The purpose of this Policy is to:

- i) describe the University's framework regarding the right to freedom of expression;
- ii) manage events on the University's campus, off-campus and online; and
- iii) manage the use of all [University Premises](#).

### 1.2 What is covered by the Policy

1.2.1 The University acknowledges its duty to promote and safeguard freedom of expression for members of the University, visitors to the campus and for [Visiting Speakers](#). This Policy sets out the requirement to register and, where necessary, obtain authorisation to hold an [Event involving a Visiting Speaker\(s\)](#). A detailed definition of an Event is set out at Appendix B.

### 1.3 Who is Covered by the Policy

- i) all employees and those working on behalf of the University (including agency workers and contractors)
- ii) all students of the University (whether full/part-time, including students enrolled on a distance learning programme) and including any students studying at the University under an agreement with a partner organisation
- iii) all other members of the University and including independent members of Council and its Committees
- iv) the Students' Union and its affiliated clubs and societies and
- v) any person, organisation or group not falling within any of the above categories who wishes to hold an Event on University Premises, at a venue off-campus or on-line.

## 2. THE POLICY

### 2.1 Freedom of Expression

2.1.1 The University is committed to maintaining the rights of freedom of expression and academic freedom within the law.

2.1.2 The University has a duty to maintain safety and good order on its premises and to ensure that the statement of beliefs, points of view and opinion do not lead to the commission of criminal offences or to incitement to breaches of the peace, violence, terrorism, and/or racial/religious hatred.

2.1.3 The University will ensure that the use of University premises is not denied on grounds connected with the beliefs, views, policies or objectives of an individual or body of individuals, as long as such use is within the law at all times.

2.1.4 Everyone to whom this Policy applies is expected to observe the principles of freedom of expression while on University premises or when engaged in off-campus University Events, and to show respect and tolerance towards the expression of views, opinions and beliefs of others, even if they happen to be contrary to their own.

2.1.5 The University has a legal duty to ensure that all students, staff and members of the public can access Events held on its premises without unlawful discrimination. For this reason, the

Sponsor and the Co-ordinator must ensure that discrimination is avoided on the basis of gender, marital or civil partnership status, pregnancy and maternity, race, colour, nationality, ethnic or national origin, age, disability, religion or belief, sexual orientation, gender reassignment or other inappropriate categorisation. This requirement applies to all aspects of an Event, including advertising, admission, seating arrangements/segregation, and the conduct of the Event. The Equality Act makes provision for a number of limited exceptions where discriminatory practice is “a proportionate means of achieving a legitimate aim”. Such exemptions apply mainly to sexual segregation involving competitive sport, communal facilities or separate services. Segregation by gender is permissible during acts of collective religious worship as this is not subject to equality legislation. Advice should be sought from the Equality and Diversity Team if a segregated or single sex Event is planned.

- 2.1.6 All Events involving an External Speaker must be registered and authorised via the [University Events Registration and Authorisation Procedure](#). This Procedure will include a risk assessment which will determine the registration proves and level of authorisation required by the University.

## 2.2 **Right to Appeal against Decisions of the Responsible Officer**

- 2.2.1 Where authorisation of an event is not granted or is withdrawn, or where restrictions or conditions are imposed, the Responsible Officer will provide reasons to the Sponsor. The Sponsor has the right to submit an appeal against the decision within five working days of the date of the decision by making representations in writing to the Provost or their nominee. If there is insufficient time to consider the appeal before the scheduled date for the Event, the Event may have to be postponed pending the outcome of the appeal.
- 2.2.2 There is no right of appeal in situations where the Sponsor and Co-ordinator has breached this policy.
- 2.2.3 Within five Working Days of receipt of the appeal and after having consulted the Responsible Officer, the Provost or their nominee will review the original decision and will notify the Sponsor of the outcome of their appeal. Where appropriate, the Provost may also consult *inter alia* the University’s advisors from local communities and/or independent members of the University Council.

## 2.3 **Right to Object to an Event**

- 2.3.1 Anyone may raise an objection to the University in respect of the holding of an Event. This does not, however, constitute a right to expect the University to take action. The Responsible Officer will take such steps as they consider necessary (including, where appropriate, requiring the Sponsor to postpone, relocate or cancel the Event). In considering what action, if any, may be necessary the Responsible Officer will give particular regard to the University’s duty and commitment towards academic freedom and freedom of expression. The Responsible Officer will inform the person raising the objection of the outcome of their review of the Event.

## 2.4 **Approval of Advertisements, Promotional Materials, Notices, Banners and Literature**

- 2.4.1 The University has the right to take such steps as it considers necessary, including confiscation, in relation to any notices, banners or other literature, that in the opinion of the EDMSC or their nominee go beyond the mere expression of points of view and opinion upheld by this Policy, or are otherwise unlawful.

## 2.5 Conduct of Events

- 2.5.1 In upholding the right of freedom of expression and academic freedom at all Events, whether these entail External Speakers or not, the University recognises and promotes the need for open debate. Accordingly, all speakers, whether internal or external, are expected to offer to take questions from those attending the Event, so that the opinions and theories expressed can be tested and challenged openly and within the boundaries of the law.
- 2.5.2 Any action by the audience which denies the Visiting Speaker or any other member of the audience freedom of expression is forbidden; such prohibited actions include verbal or physical intimidation, violence, and concerted attempts to render a Speaker's words inaudible or to compel them to curtail the proceedings.
- 2.5.3 In the case of potentially unlawful conduct the Co-ordinator is required to warn the Visiting Speaker(s) or members of the audience that their conduct is unacceptable and potentially unlawful and if they persist in this manner they will be escorted from the building or, if appropriate, the proceedings will be terminated. The University reserves the right to remove any person attending an Event whose behaviour becomes disruptive, abusive or otherwise unlawful and may, if appropriate report that person's behaviour to the Police.
- 2.5.4 Should there be any risk to the safety of those present, or should the legal obligations, or the reputation of the University be jeopardised, the Co-ordinator, in consultation with the Chief of Operations and Estates (COE) or their nominee, will decide whether conditions are such that the Event should be terminated. The COE or their nominee may insist that the proceedings be terminated and may also call for assistance from University Security and/or the Police.
- 2.5.5 The Co-ordinator is responsible for ensuring that while the audience is assembling, meeting and dispersing, the University's Health and Safety and Fire Regulations are observed. This information is available from the Health and Safety Unit.
- 2.5.6 The COE reserves the right to forbid flags, banners, posters, signs and any other item to be taken into the building where the Event is to be held.
- 2.5.7 Premises used for Events must be left in a clean and tidy condition in default of which the Co-ordinators may be charged for any additional cleaning and repairs that are subsequently required.
- 2.5.8 The Sponsor and Co-ordinator are required to make a full report to the Responsible Officer should any incidents occur during the Event that are unlawful or otherwise contrary to this Policy.

## 2.6 Information Sharing

- 2.6.1 In meeting the requirements of this Policy, there will need to be liaison and exchange of information between University Schools/departments and external bodies so that colleagues and partners are able to take appropriately informed action. These may include for example:
- Conference Aston
  - Aston University Students' Union
  - Aston University Council (and its committees)
  - The Police
  - Other universities
  - Other relevant stakeholders, including the Prevent Co-ordinator.

The University has specific duties to protect the confidentiality of personal information and will ensure that all necessary legal and statutory requirements have been satisfied before any information is disclosed to a third party. The University may consider sharing personal information with other organisations on a case-by-case basis assessment, taking into account whether the informed consent of the individual can be obtained and whether the proposed sharing is necessary, proportionate and lawful. The advice of the University's [Data Protection Officer](#) should be sought before any personal information is shared.

## **2.7 Record Keeping and Reporting**

- 2.7.1 In order to ensure that fair and lawful decisions, consistent with this policy, are made, comprehensive records of applications to hold Events, consideration of those Events and any other relevant documents shall be maintained by the University and retained for not less than six years.
- 2.7.2 An annual report will be made to the Senate on the operation of the Freedom of Expression and Events Policy including statistical information on: Events held, high and medium risk Events, Events authorised to proceed with conditions, Events which are not authorised to proceed, and reasons for withholding authorisation/imposing conditions.

## **2.8 What happens when the Policy is not followed?**

- 2.8.1 A certain level of judgement, both by the Sponsor and the Responsible Officer, is inherent in this Policy and it is recognised that judgements may not always be accurate. In such circumstances the University would not take disciplinary action against a member of the University who has, in good faith, attempted to comply with the provisions of this Policy. Wilful failure to comply with this Policy, however, may result in disciplinary action in accordance with the applicable discipline policy and/or the withdrawal of authorisation for the Event.
- 2.8.2 Where the acts of individuals involve alleged breaches of criminal law, the University will help the prosecuting authorities in implementing the process of law and any internal disciplinary proceedings may be deferred or suspended pending the outcome of criminal proceedings.
- 2.8.3 Any deliberate attempt to conceal the nature of an Event or the identity of a Speaker will be regarded as a breach of this Policy and will lead to the cessation of the Event, including after its commencement.

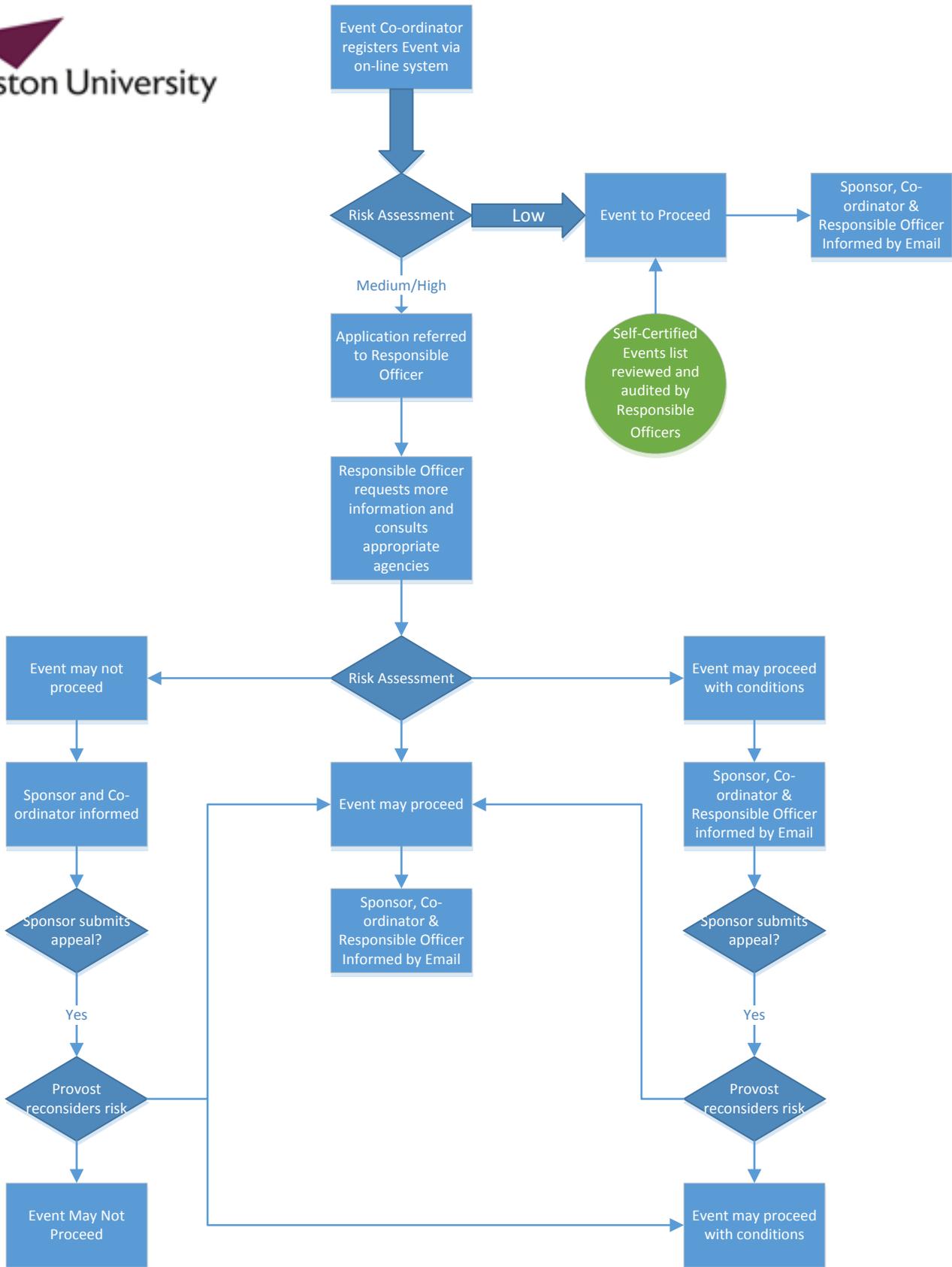
### 3 EVENT REGISTRATION AND AUTHORISATION PROCEDURE (see Flow Chart below)

- 3.1 The [Event Planning System](#) should normally be completed no fewer than 15 Working Days before the date scheduled for the Event. If the Form is not submitted on time or if it is not properly completed it may be necessary to withhold authorisation.
- 3.2 The [Sponsor](#) and the [Co-ordinator](#) should ensure that nothing is done to advertise, publicise or promote the Event through any channel (including for example by the display or distribution of any notices, posters or banners and seeking media interest) unless and until the Event is authorised. Failure to comply with this requirement may result in authorisation being withheld.

#### ***Registration Process for Low Risk Events***

- 3.3 The Co-ordinator (or their nominee) will register the proposed Event via the [Event Planning System](#), to include for example:
- Name and contact details
  - Sponsor's name and contact details
  - Time, date and proposed location of the Event
  - Name and contact details of organisation(s) involved in arranging the event
  - Name(s) and contact details of any invited speaker(s)
  - Overview of the Event and the topics that will be covered
  - Whether the event will be open to members of the public
  - Risk assessment for the Event ([see Appendix A](#)).
- 3.4 Where the risk assessment suggests a [low risk](#) the Sponsor, Co-ordinator and the Responsible Officer will be informed immediately that the Event has been approved and may proceed. The risk assessment may be subject to an audit by the Responsible Officer. **It is expected that the majority of regular academic events will proceed on this basis.**
- 3.5 For Events considered to be low risk, the Sponsor and Co-ordinator must ensure that any advertisements, promotional materials and literature for the Event, whether in printed or digital form, are compliant with University policies and branding guidelines.
- 3.6 The Executive Director of Marketing Strategy and Communications should be informed if representatives of the press, radio and television have been invited to attend any low risk Event.

# REGISTRATION FLOW CHART FOR EVENTS INVOLVING EXTERNAL SPEAKER(S)



### ***Registration Process for Medium and High Risk Events***

- 3.7 In the minority of cases where the risk assessment indicates that the Event is likely to be [high](#) or [medium](#) risk, the Sponsor and Co-ordinator will be asked by the Responsible Officer for additional information to enable them to assess what risk mitigations may be necessary. This may include consideration of whether the Event should be authorised to proceed. The Sponsor and Co-ordinator must promptly provide the Responsible Officer with all additional information or clarification about the Event that may be requested.
- 3.8 The Responsible Officer will consider carefully the information submitted to them. In so doing, they will balance the University's duty to uphold freedom of expression with the impact of the proposed Event on the University's duty to eliminate unlawful discrimination and to promote equality of opportunity and good relations between different groups. The Responsible Officer will take reasonable steps necessary to determine that events are directed to lawful purposes and do not cause a significant risk to the health and safety of those attending. In determining whether authorisation should be granted the Responsible Officer shall take into account a range of issues including for example:
- a. the risk that the Event may:
    - i. contravene, or by being held cause the University to contravene, any civil or criminal law and in particular any laws relating to drawing people into or inciting any or all of the following (a) terrorism and radicalisation (b) public disorder (c) violent, threatening or abusive conduct; (d) conduct inciting hatred on the basis of race or religion or sexual orientation; (e) discrimination; (f) defamation; (g) harassment; (h) trespass and/or
    - ii. be in direct support of, or closely associated with, an organisation whose aims and objectives are illegal; and/or
    - iii. cause damage to property or harm or injury to others; and/or
    - iv. negatively impact on the lives of students who are studying at the University
  - b. the safety of persons attending the Event as well as the general safety and well-being of other users of University Premises who may foreseeably be put at risk as a result of the Event. Consideration of this may include liaison with the Head of Security (who may consult the West Midlands Regional Prevent Lead (HE & FE) and/or the Police)
  - c. the risk of harm to any person including any Visiting Speaker(s), staff, students and visitors to the University
  - d. the security of University Premises and the University's duty to uphold good order on its premises
  - e. the University's commitment to respect the equality and diversity of members of the University community and third parties with whom it has dealings
  - f. the need to protect the good name, reputation and business of the University and its charitable status.

### ***Registration Process for Medium and High Risk Events (continued)***

- 3.9 Authorisation to hold the Event may be subject to conditions or restrictions which the Responsible Officer considers necessary to ensure the discharge of the University's statutory responsibilities. The Responsible Officer has the discretion to decide:
- whether the public should be admitted to an Event.
  - the venue for an Event and the access and departure route(s) to be used by those speaking at and attending it.
  - Whether the Responsible Officer or their nominee should be present at the Event.
  - In consultation with the Head of Security, the number of stewards necessary (if any) and their duties, how many of these must be members of the staff of the University and whether any external security agency will be allowed or required.
  - In consultation with the Head of Security, whether the Sponsor must consult the Police as to the security arrangements for the Event.
  - Whether to release a public statement setting out their reasons for authorising the Event.
- 3.10 The Responsible Officer will notify the Sponsor and Co-ordinator of their decision and any mitigating actions to be taken within five working days from the date of completion of the [Event Planning System](#) or, if later, the date on which the Responsible Officer receives any additional information or clarification they have requested.
- 3.11 For Events considered to be medium or high risk, the wording of any advertisements, promotional materials, and literature for the Event, whether in printed or digital form, must be approved in advance by the Executive Director of Marketing Strategy and Communications (EDMSC) or their nominee, and must comply with the law and with the University's regulations. If the wording of any such material is not in English, a translation must be provided within that material.
- 3.12 The Sponsor and Co-ordinator must ensure compliance with such conditions or restrictions, including any instructions on the location, format and scheduling of the Event, prior approval of, and/or limitations on, any publicity material, and requirements for the security measures to be taken at the Event. This includes notifying the Responsible Officer of the names and addresses of all stewards deemed to be necessary (eg for large scale or controversial Events). The Sponsor's School/department is responsible for ensuring that the costs and expenses of providing stewards and security for the Event are fully met.
- 3.13 Invitations to attend a medium or high risk Event must not be made to representatives of the press, radio and television without the prior authorisation of the Executive Director of Marketing Strategy and Communications.
- 3.14 Where authorisation has been granted for an Event, the Sponsor and Co-ordinator must inform the University immediately if there is any material change to that Event and/or to any of the information contained in the [Event Planning System](#) (eg a change of Visiting Speaker or a significant increase in the number of people expected to attend). Such a change may result in a re-assessment of the risk by the Sponsor and Co-ordinator and, hence, of the decision to authorise the Event. The Sponsor and Co-ordinator may be required to submit a further registration via the [Event Planning System](#) with appropriate amendments for consideration by the Responsible Officer.
- 3.15 If the Sponsor and the Co-ordinator fail to ensure compliance with all conditions and restrictions which apply to the authorisation, the Responsible Officer may withdraw that authorisation and take such other action as is deemed appropriate in the circumstances, including cancellation of the Event.

- 3.16 The Responsible Officer retains the right to reassess the application for authorisation at any time prior to the Event and the Event may have to be postponed until such reassessment has been made. The Responsible Officer may choose to exercise this right on the basis of new information or where an objection is raised (See Right to Object below) or where they consider that any material change to the Event has been made. In reassessing the application the Responsible Officer will re-consider the points stated above in paragraph 2.2.8 above.
- 3.17 If authorisation has been granted but is subsequently withdrawn, the Sponsor and the Co-ordinator must immediately stop advertising, publicising and promoting the Event and must remove all advertising and promotional materials from all channels, including taking down any materials displayed on University Premises.
- 3.18 **Events Organised at the University by External Organisations**
- 3.18.1 It is common practice to make the University's facilities available to External Organisations for commercial and non-commercial Events. These Events may involve invited External Speakers.
- 3.18.2 All Events organised by External Organisations must be registered on the [Event Planning System](#) via a Sponsor, who is a member of Aston University Staff.
- 3.18.3 The Sponsor must ensure that the External Organisation signs an appropriate contract with terms requiring a commitment to abide by this Policy and Aston University's values and setting out the University's rights in the event that such terms are breached. Sponsors should contact Legal Services for advice and assistance in the drafting of contracts.

## Appendix A: Risk Assessment

A1. In assessing the risks of their Event the Sponsor and Co-ordinator must consider whether any of the following Factors will apply:

- Is there a risk that the Visiting Speaker and/or those at the Event may break the law or cause breaches of the peace, or breach the University's statutory duties (including the duty to prevent people being drawn into terrorism and/or crime, and to protect freedom of expression) and/or pose a risk to the safety and/or well-being of students, staff or visitors?
- Is there a possibility that the Event may conflict with the University's commitment to respect the equality and diversity of members of the University community and third parties with whom it has dealings and/or its duties under the Equality Act 2010 and/or cause fear or alarm to any members of the University?
- Have any concerns about the Visiting Speaker or any external organisation(s) involved in organising the Event been raised by the media or by the relevant authorities (eg as shown by an internet search of the Speaker's name via a search engine)?
- Has the Visiting Speaker been refused permission to speak at Aston or at any other educational establishment(s) or other organisation before, or previously been known to express views that were unlawful?
- Is the Event likely to generate negative media interest or impact on the good name, reputation and business of the University?
- Is there likely to be controversy, protest and/or threat of disruption at the Event?
- Is there any intention to segregate the audience?
- Have any issues been raised following liaison with Head of Security, Police, West Midlands Regional Prevent Lead (HE & FE) student groups, Chaplaincy, External bodies (e.g. NUS, AUCSO contacts etc)?

A2. On the basis of the answers to the above questions about the risk factors the Co-ordinator will assess the risk level of the Event:

<b>Risk Level</b>	<b>Risk Description</b>	<b>Action</b>
Low	Where none of the above risk factors are relevant to the Event	The Event may proceed and the Co-ordinator may confirm the Visiting Speaker.
Medium	Where there is any doubt or uncertainty about any of the above risk factors.	The Co-ordinator must seek guidance from the Responsible Officer or their nominee, whose responsibility it will be to further review the Event/Speaker against the risk factors. This will include the provision and consideration of more detailed information about the relevant risk factors.
High	Where any of the risk factors apply to the Event	The Co-ordinator must refer the Event to the Head of Security for authorisation. This will include the provision and consideration of more detailed information about the relevant risk factors.

A3. The University Responsible Officer will take into account the risk assessment and any further information deemed necessary in deciding whether or not the Event should be authorised to proceed and, if so, whether any conditions should apply.

A4. The University Responsible Officers will regularly audit a sample of the risk assessments and authorisation decisions to ensure that the process is robust and effective.

## Appendix B: Approval Process and Definitions

### B1 Approval Process

This Policy has been approved and issued by the University Executive and Senate, with a view to ensuring that freedom of expression within the law is secured for students, staff and other members of the University and for Visiting Speakers (as required under Section 43(1) of the Education (No 2) Act 1986). The Policy has been subject to consultation with the campus Trade Unions, Academic Assembly and the Students' Union.

### B2 Definitions Used in the Policy

B2.1 **'University Premises'** include all premises and property owned, leased or controlled by the University (whether buildings, parts of buildings or external spaces), including where these are occupied by the Students' Union, Conference Aston and other similar organisations.

B2.3 **'Event'** means any event, meeting, seminar, conference or other related activity involving a group of people (for commercial purposes or otherwise) held on University Premises or events or activities which are affiliated to, funded by or are otherwise University branded that take place away from University Premises or on-line (such as webinars) **that involves a Visiting Speaker(s)**. Examples of 'Events' which must be registered via the On-line Registration Form include all Students' Union events, meetings and activities which involve a Visiting Speaker(s) and/or attendees who are not Members of the University. No Event organised by a student which involves a Visiting Speaker(s) and/or attendees who are not Members of the University will be authorised on University Premises unless the student is acting as a representative of the Students' Union or one of its affiliated clubs or societies or other organisations recognised by the University or the Students' Union.

Therefore the following events, meetings, and activities do not need to be registered via the On-line Registration Form:

- (i) timetabled teaching activity delivered by contracted staff, including Honorary staff, such as seminars or lectures (teaching activity is subject to separate University Regulations and is organised by School timetabling and University Teaching Operations teams); or
- (ii) core operational academic and administrative activities, events or meetings of the University which do not include Visiting Speakers. Examples of core operational and administrative events include University Committee meetings, routine staff meetings, research meetings, student study groups, Trade Union meetings, routine internal meetings and activities of the Student Union and its societies, University examinations, placement student meetings/activities, Accreditation/Audit Visits, programme planning/review, Charter Dinner and University sporting events.

The above-mentioned events, meetings, and activities do, however, remain subject to the requirements of the Freedom of Expression Policy and more broadly the University's Charter, Statutes, Ordinances, Regulations, other policies and procedures in addition to all legal requirements.

In the case of doubt, the Chief of Operations and Estates (COE) (or their nominee) will determine whether an event, meeting, seminar, conference or other related activity needs to be registered via the On-line Registration Form.

B2.4 **'Sponsor'** refers to the member of University staff who is above Grade 7 who has responsibility for the event and its risk assessment. The Chief of Operations and Estates may

authorise specific University role-holders at lower grades to act as Sponsor provided that they have appropriate guidance and training. External organisations will only be able to seek authorisation for an Event via a University Sponsor such as a School or one of the University's wholly owned subsidiaries.

B2.5 **'Co-ordinator'** refers to the member of University staff who is the primary point of contact for all practical and logistical arrangements pertaining to the event, for example, booking the room and outlining the guest speaker details, as well as the associated risk assessment. This person is also expected to be present throughout the event. The Co-ordinator and the Sponsor can be, but do not have to be, the same person.

B2.6 **'Responsible Officer'** refers to the person who is responsible for the approval of the proposed Event. This will normally be the COE or their nominee, unless the Event is sponsored by one of the University's academic Schools, in which case, the Responsible Officer is the Executive Dean or their nominee. Where the risk assessment returns a 'low' score, the approval of the Responsible Officer will be automatic and does not have to be sought separately. For Events to be held in the Students' Union or that are organised by the Students' Union to be held in other University premises or in venues outside of University Premises, the Sponsor is required to seek authorisation from the President of the Students' Union or their nominee and the COE or their nominee.

B2.7 **'Visiting Speaker'** includes any person who is invited to speak at an Event and who is not a Member of the University which may include panel members for a debate.

B3 **Some Worked Examples** In the following cases the Sponsor and Co-ordinator would be required to make a full report to the Responsible Officer:

B3.1 ***An Academic Conference***

Professor Gloria Plum, Executive Dean (**responsible officer**) authorises Professor Alan Green (**sponsor**) to proceed with holding the BSA Regional Conference on campus. Jane Reeves (**co-ordinator**) works with the BSA to ensure the event runs smoothly. Jane would be present throughout and her contact details would be available to security should it be found that the BSA disco had got out of hand and some delegates were singing rather too loudly outside the Vice-Chancellor's flat etc. Jane might liaise with Alan in sorting out the problem. It would be prudent to have a BSA Co-ordinator counterpart to assist in dealing with such matters.

B3.2 ***Conference Aston Event***

Jill Brown, CFO, (**responsible officer**) authorises Kate Smith, Head of CA, (**sponsor**) to run the GM Crop Company's regional away day at in Conference Aston. Jim Jones, Events Co-ordinator for CA, (**co-ordinator**) works with GM Crops to ensure that the event runs smoothly and is present throughout the event. Security would contact Jim should there an anti-GM crops demonstration. Jim might liaise with Kate in sorting out the problem. It would be prudent to have a GM Crops Co-ordinator counterpart to assist in dealing with such matters.

B3.3 ***Students' Union Event***

Alan Sutton, Head of Security, (**responsible officer**) authorises Mark Charters, SU President, (**sponsor**) to run a meeting on Gender Segregation in Islam. The Simon Levey, SU VP Education, (**co-ordinator**) works with the Imam from the local mosque to ensure that the event runs smoothly and is present throughout the event. Security would contact the Simon should there be a demonstration about the fact that the meeting has no gender segregation. Simon would liaise with Mark in sorting out the problem. It would be prudent to identify a Co-ordinator counterpart from the mosque to could assist in dealing with such matters.

## Appendix C: Legislation and Context for the Policy

The Policy takes into account the following legislation and guidance impacting of freedom of expression:

- C.1 Section 43(1) of the Education (No 2) Act 1986 as amended requires that '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 expression within the law is secured for members, students and employees of the establishment and for Visiting Speakers'.
- C.2 Equality legislation is complemented by criminal law in the Public Order Act 1986 as amended, which makes it a criminal offence to incite racial and religious hatred and the Criminal Justice and Immigration Act 2008 as amended which makes it an offence to incite hatred on the grounds of sexual orientation. This includes the use of threatening, abusive or insulting words or behaviour, and may often be a factor in determining whether or not to allow a Visiting Speaker to attend a University Event.
- C.3 The University also has regard for the Human Rights Act 1998 as amended when making decisions on matters pertaining to freedom of expression, including in relation to Visiting Speakers.
- C.4 In 2007, the Government produced a guide, 'Promoting good campus relations, fostering shared values and preventing violent extremism in Universities and Higher Education Colleges'. The University endorses this document and supports its aim of wanting ...'our universities and colleges to be integrated communities where all staff and students are safe and secure, and free and open debate can take place.'
- C.5 The Counter-Terrorism and Security Act 2015 as amended requires the University to have due regard to the need to prevent people from being drawn into terrorism when exercising its functions (the 'Prevent duty'). The University is required to have policies and procedures in place for the management of Events held on campus or in the University's name, and for the use of its premises.
- C.6 The University Charter states that the University promotes equal opportunities and shall show no discrimination on the grounds of gender, marital or civil partnership status, pregnancy and maternity, race, colour, nationality, ethnic or national origin, age, disability, religion or belief, sexual orientation or gender reassignment against any person in determining whether he or she is to be admitted as a member of the Staff, or as a Student, or to graduate from, or to hold any advantage or privilege, of the University.
- C.7 The University Statutes commit the University to ensuring that Academic Staff have 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 jobs or privileges.

JGW/30.9.16