



Writtle  
University  
College

## **Code of Practice on Freedom of Speech (Including External Speakers and Events Procedure)**

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## 1. Purpose and Scope

- 1.1 Writtle University College (WUC) has been providing education in the land-based sector for 125 years to further and higher education students. The University College mission is 'transforming lives and the environment through inspiring education'. To achieve this, the University College has an established record of attracting external speakers and organisations aligned with its mission and values to enrich the experience of students, staff and the community.
- 1.2 The University College has a legal duty under Section 43 of the Education (No 2) Act 1986 to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for its members, students and employees and for visiting speakers. This includes the duty to ensure, so far as is reasonably practicable, that the use of WUC premises is not denied to any individual or body of persons on any ground connected with either "the beliefs or views of that individual or of any member of that body", or; "the policy or objectives of that body".
- 1.3 Article 10 of the Human Rights Act 1998 states that everyone has the right to freedom of expression. Protection under Article 10 extends to the expression of views that may shock, disturb or offend the deeply-held beliefs of others. This right is subject to "such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary".
- 1.4 The University College is also subject to the Counter Terrorism and Security Act 2015, which requires that WUC must "have due regard to the need to prevent people from being drawn into terrorism" (Section 26). The University College must also "have particular regard to the duty to ensure freedom of speech" and "to the importance of academic freedom" (Section 31). Under Section 29, the University College must "have regard to any such guidance in carrying out that duty".
- 1.5 This Code of Practice states how the University College will ensure statutory compliance with the duty to protect freedom of speech. WUC will fulfil this duty whilst also mitigating the risk of people being radicalised or drawn into terrorism, and whilst also meeting our responsibilities to safeguard the general safety and wellbeing of our students, staff and wider community. This Code incorporates the WUC External Speakers and Events Procedure, which sets out the responsibilities, expectations and actions to be followed by persons involved in the organisation of external speakers.
- 1.6 This Code of Practice shall apply in its entirety to all members of the University College. This includes WUC governors; all staff working for the University College (whether for payment or otherwise); all enrolled students (whether full or part-time); and to the WUC Students' Union and any societies, clubs or associations; and all persons invited to speak and/or express views and take part in activities which take place on or are planned or proposed or due to take place on the University College's premises or through its IT systems. The provisions of this Code will also be applied to any lettings of University College premises by outside organisations.

## 2. Policy Statement

- 2.1 Writtle University College is committed to upholding the free expression of opinions within the law, including the expressions of beliefs, opinions, policies and objectives which may cause offence to some or all of the staff and students at the University College. We recognise and commit to uphold the right

of individuals or groups to express views which may be contrary to WUC's core values, insofar as those expressions and actions shall be lawful.

- 2.2 The University College will take all reasonable steps to protect the academic freedom of its staff to question and test perceived wisdom, and to put forward new ideas and controversial or unpopular views, without placing themselves in jeopardy of losing their jobs or any privileges that they may have. We also recognise that the open debate of challenging ideas may also require the use of controversial or potentially offensive resources. These freedoms must be exercised within the law and are subject to this Code. The University College will endeavour to uphold these rights for staff who work outside the UK; however, staff also need to have regard to the laws of the country in which they are working.
- 2.3 Where free and lawful expression of opinion occurs on WUC premises which nonetheless undermines good relations between different individuals and communities, and is contrary to WUC principles of inclusion and diversity, the University College expects its staff and students to question and challenge these views and/or materials. Where the University College hosts a contentious or controversial speaker, steps will be taken to ensure that the event enables opposing views to be heard and for a fair and meaningful debate to occur.
- 2.4 The University College recognises legal obligations which may require that freedom of expression is limited in some circumstances. WUC will not permit, enable or protect hate speech, or any form of expression that unlawfully discriminates against or harasses, or incites violence or hatred against, other persons and groups, particularly by reference to their ethnicity, religious belief, gender or sexual orientation, language, national origin or immigration status. We uphold the principle that no one can rely on the human right to freedom of expression to limit or undermine the human rights of others.
- 2.5 The University College will comply with its specific obligations in relation to gender segregation pursuant to the Equality Act 2010. Gender segregation (i.e. the segregation of male and female attendees via seating or standing arrangements) is prohibited by law for all meetings and events save as for meetings and events held for the purposes of religious observance undertaken by the adherents of a particular faith. Segregation is permissible in these circumstances only. In all other meetings and events, WUC will take all reasonable steps to prevent gender segregation.
- 2.6 The purpose of this Code of Practice is to secure freedom of speech within the law. Therefore it is contrary to the provisions of this Code of Practice for any person to organise, assist or engage in behaviour that disrupts an event and prevents lawful freedom of expression. Such conduct may result in disciplinary and/or legal action.

### **3. External Speakers and Events**

- 3.1 The Prevent duties identified in the Counter Terrorism and Security Act 2015 require the University College to have arrangements in place for assessing the risks around events and speakers and managing those risks as appropriate.
- 3.2 An 'external speaker' is defined as any individual who is not a student or staff member of Writtle University College or the WUC Students' Union, invited as part of a WUC organised or co-organised conference or event on or off campus. This term does not refer to an Hourly Paid Lecturer (HPL) who is engaged through normal University College processes to deliver part of the curriculum.

- 3.3 The organiser of an external speaker must be a member of staff, or a student of the University College, who will be responsible for ensuring compliance with the obligations placed upon them under this Code of Practice. In the case of an event organised by the WUC Students' Union, the President of the Students' Union shall be deemed to be the organiser for the purposes of this Code.
- 3.4 All other bookings of rooms or use of spaces on University College premises, by both internal and external persons, are subject to compliance with this Code.
- 3.5 The University College will not unreasonably refuse permission to hold any event on its premises for the communication of any views or beliefs that are lawfully expressed. Save for the provision in paragraph 3.6 of this Code of Practice, it shall not be considered reasonable to refuse permission or use of facilities for any event on the grounds that the views likely to be expressed may be controversial or offensive, provided that the expression of such views is lawful. Expression of opinions which are ill-mannered, in bad taste, or are contrary to the policies of the University College or the WUC Students' Union, is not automatically unlawful and should not be the sole ground for refusal unless this would result in the University College failing in its wider legal duties. The risk of disorder occurring at an event is not itself a ground for refusal of permission or facilities, unless such disorder is the deliberate intention of the organisers of, or speakers at, the event, or if public safety might be endangered.
- 3.6 The University College will refuse permission or withhold facilities for any event where the University College reasonably believes that:
- 3.6.1 the views, ideas, policies or objectives to be put forward are contrary to the law; and/or
  - 3.6.2 the views, ideas, policies or objectives to be put forward will discriminate against or infringe the rights of others; and/or
  - 3.6.3 it is likely that activity which constitutes a criminal offence will occur; and/or
  - 3.6.4 it is likely that activity which threatens public safety or order will occur; and/or
  - 3.6.5 it is likely that activity which incites others to commit criminal acts will occur; and/or
  - 3.6.6 the speaker is intolerant of the free speech of others, both generally and where this involves the denial of the right to hold or express an opposing opinion; and/or
  - 3.6.7 anyone involved in the event is a member of, associated with, or is likely to promote or support an illegal organisation, including those listed on the [government's list of proscribed terrorist groups or organisations](#).
- 3.7 The University College may impose such conditions and requirements upon the organisers of an event as are reasonably necessary to safeguard the safety and wellbeing of those involved, and/or to protect the property of the University College. Such requirements may include, but are not limited to, provision of security measures, variation of location and time, ticketing procedures and whether or not the event shall be open to the public at large.

## **4. Procedure for booking external speakers**

- 4.1 All organisers of an event involving an external speaker must assess the risks associated with the speaker(s) and all associated individuals and organisations. In the vast majority of cases, the University College recognises that there will be no material risks posed. In these situations, the organiser is not required to seek any further approval under this Code of Practice.
- 4.2 In cases where there is a risk that one or more of the provisions listed under 3.6 may apply, or if there is any doubt about the lawfulness of the event or the ability to protect the safety of participants, the

organiser must first seek approval from the Registrar & University College Secretary. A request for approval must be sent to the Registrar & University College Secretary no later than 10 working days before the event is scheduled to take place and should include the following information:

- 4.2.1 due diligence on the speaker(s), including the organisation(s) they work for, represent or publicly support;
  - 4.2.2 where reasonably practicable the content of presentations, prepared speeches and related material;
  - 4.2.3 the likely audience for the event.
- 4.3 The Registrar & University College Secretary will determine, in consultation with the Single Point of Contact (SPOC) for Prevent, whether the event should proceed under the terms of this Code. Where appropriate, information and advice will be sought from the police.
- 4.4 Late requests may result in the event being refused if the University College cannot reasonably complete the necessary due diligence and risk assessment to exercise its duties under this Code of Practice, or where there is insufficient time to put in place any additional conditions or requirements are reasonably necessary to safeguard the safety and wellbeing of those involved.
- 4.5 In the event that the Registrar & University College Secretary determines that an external speaker shall be refused permission to speak at the University College, the organiser may appeal this decision by writing to the Vice-Chancellor. An appeal must be sent to the Vice-Chancellor no later than 3 working days before the event is scheduled to take place and should include all of the information listed in point 4.2 above. The Vice-Chancellor will determine whether the decision of the Registrar & University College Secretary was correct and reasonable as per the terms of this Code.
- 4.6 In all cases where an external speaker or organisation addresses students, the event organiser must ensure that there is a named person allocated to attend the event as part of appropriate control measures. This person must be a member of staff or a current student and the organiser should be confident that this individual understands and is adequately equipped to deal with any issues that may arise during the event (for example, if the event is attended by significantly more people than planned, or there is disruption caused by the audience).

This policy supersedes any other policy and procedural guidelines, which may be in other existing University College documents. Writtle University College may amend this policy from time to time and any such amendments will be notified via the website, through Writtle Weekly or by email.

If this information is difficult to access, read or understand, it can be provided in another format, for example in Braille, in large print, on audiotape, in another language or by someone talking it through with you.

## 5. Version Control

Version Number	Purpose/Amendment	Date
1.0	Introduction of New Policy	June 2018
2.0	Update and retitling	October 2018
3.0	Addition of section 4.5 (appeal)	August 2019
Policy Owner		Department
Registrar & University College Secretary		Senior Management Team
Version Number	Date drafted/Date of review	
3.0	August 2019	
Date Equality Impact Assessed	Has Prevent been considered (see Policies Guidance if unsure)	
Yes	Yes	
Reviewed and Approved by (see Policies Guidance for approval process)	Date	
SLT Academic Board Board of Governors	tbc tbc tbc	
Access (tick as appropriate)		
Public access (website) <input checked="" type="checkbox"/> And/Or Internal access (MyWi) <input type="checkbox"/>	Staff and Student access <input checked="" type="checkbox"/> Or Staff access only <input type="checkbox"/>	