FREEDOM OF SPEECH AND EXTERNAL SPEAKERS POLICY



ST. PATRICK’S INTERNATIONAL COLLEGE

PUBLICATION DATE: OCTOBER 2018

REVIEW DATE: SEPTEMBER 2019

**Policy Statement**

1. The College values diversity and is committed to the principles of academic freedom and freedom of speech and expression. It believes that an atmosphere of tolerance is essential to enable open discussion and to debate a wide variety of ideas, some of which may be controversial.

**Definitions and Abbreviations**

|  |  |
| --- | --- |
| College | St. Patrick’s International College |
| Chair | Presiding officer at a meeting |
| Premises | Any premises owned or managed by St. Patrick’s International College |
| Event | Any meetings, events, demonstrations, protests, or activities held on College premises, with the exception of: Timetabled academic activities; Administrative activities related to the business of the College; Careers and Employability activities Visiting Professors’ lectures |
| Student Council | The College Student Council (including its societies, clubs, associations and any other organisation over which it exercises control), its employees, agents and representatives |
| Employees | Employee, agent, officer or otherwise on behalf of any person, firm or corporation directly or indirectly engaged by the College |
| External Speaker | Any speaker from outside the College who is not a member of the College |
| Member | Academic Board Members, employees and students of the College |
| Principal Organiser | Member leading the organisation of the event |
| Proscribed Organisations | Organisations proscribed by the Home Secretary under the Terrorism Acts 2000 and 2006 for involvement with terrorist activity |
| Responsible Officer | The person responsible to the Executive Board for compliance with this Policy |
| Student | Anyone who has accepted a place at the College, is currently studying at the College, including studying online courses, or who has completed their period of study but has outstanding assessments. |

1. This Policy is issued in accordance with section 43 of the Education [No 2] Act 1986 for the following purposes:
	1. To identify the reasonably practicable steps that must be taken to ensure that freedom of speech within the law is secured for all Members, students and employees and for External Speakers; and
	2. To specify arrangements for the management of events on College premises which are not an integral part of the day-to-day academic or administrative business of the College.

**Policy Scope**

1. This policy sets out the rights and obligations inherent in supporting the principles of freedom of speech on College Premises and applies to:
* The College (including its subsidiaries and all bodies or persons with authority to determine any matter relevant to this policy);
* Members
* The Student Council
* External Speakers and visitors
* Any individual or organisation, hiring a venue controlled by the College for an Event or Meeting
	1. There is no requirement for the College to make available its premises for External Speakers but it will make reasonable efforts to do so.
	2. There is no requirement for the College to display documents on behalf of External Speakers on its premises.
	3. This policy will be posted on the College’s intranet and website.

**Governance & Review**

1. Principal / Safeguarding Officers are authorised by the Academic Board to appoint a Responsible Officer to act on their behalf to ensure compliance with this Policy and its review

|  |  |
| --- | --- |
| **Role** | **Responsibilities** |
| Responsible Officer | * Authorisation of Events notifications
* Maintaining a central record of Events
* Reporting to the Safeguarding Officer
 |
| Principal Organiser | * Appointing a Chair for the Event
* Obtaining authorisation for an Event
* Ensuring Chairs/speakers/visitors abide by this Policy
* Update the Responsible Officer of any change of circumstances
 |

1. Related Resources

Internal:

Security Policy; Data Protection Policy; Diversity Policy; HR Disciplinary Procedure; Student Disciplinary Policy and Regulations; Employability Service Protocol: Outside Speakers and Employer Events

External:

* Universities UK - www.universitiesuk.ac.uk Safe
* Campus Communities website: www.safecampuscommunities.ac.uk
* True Vision Stop Hate Crime website: www.report-it.org.uk

Freedom of Speech

1. So far as is reasonably practicable and within the law, no College premises shall be denied to any individual or body of persons on any grounds connected with:

6.1. The beliefs or views of that individual or body; or

6.2. The policy or objectives of that individual or body

1. This Policy extends to ensuring academic freedom within the law for all Members without the risk of disciplinary proceedings. No person to whom this Policy applies shall take any action to prevent any academic activity because of the views held or expressed by a Member (subject to paragraph 8).
2. Freedom of speech is a qualified privilege.

8.1. It is limited, for example, by laws to protect national security and public safety, for the prevention of disorder or crime, for the protection of the reputation or rights of others, and to prevent the disclosure of information received in confidence. A speaker from an organisation proscribed by law would therefore not be allowed. A significant strand in the regulatory framework is the duty (under the Race Relations (Amendment) Act 2000) to promote good relations between persons of different racial groups.

8.2. The Counter-Terrorism and Security Act 2015 also imposes a duty on the College to have due regard to the need to prevent people from being drawn into terrorism. This Code of Practice fulfils the requirement in the Prevent Duty for Universities to have policies and procedures in place for the management of events on Campus and use of the College’s premises.

8.3. Freedom of expression also has to be set in the context of the College’s values, and the values of a civilised, democratic, inclusive society. The College expects speakers and those taking part in protest activities to respect those values, to be sensitive to the diversity of its inclusive community, and to show respect to all sections of that community. These precepts include the way in which views are expressed and the form of any protest activities.

8.4. In considering whether or not to permit its premises to be used for a particular event, the College has to consider:

8.4.1. Whether the views or ideas to be put forward (or the manner of their expression)

8.4.2. Infringe the rights of others, or discriminate against them, or constitute views that risk drawing people into terrorism or are shared by terrorist groups. For the avoidance of doubt, the definition of terrorism above is that as set out in the Terrorism Act 2000 (or as subsequently amended).

8.4.3. whether the activity in question constitutes a criminal offence, constitutes a threat to public order or to the health and safety of individuals, incites others to commit criminal acts, or is contrary to the civil and human rights of individuals.

8.4.4. Whether adequate arrangements can be made to safeguard the safety of participants in the event, and other people within the vicinity, and to ensure that public order is maintained.

1. Principal Organisers are responsible for ensuring that Chairs, Members, External Speakers and visitors at Events are aware of this Policy and adhere to it. Events Procedure
2. The Principal Organiser will report Events to the Responsible Officer no less than 10 working days prior to the Event by submitting the College’s External Speaker Request Form [Annexe A]. The Responsible Officer may in their absolute discretion refuse to accept forms submitted after this deadline.
3. The Responsible Officer may use whatever resources he/she deems necessary to assist in making the decision to authorise the Event. In addition to the details contained in the External Speaker Request Form, the following points may be considered:
* If the External Speaker has links with a Proscribed Organisation or feature on HM Treasury’s list of organisations subject to government sanctions.
* If a risk assessment in accordance with the Safeguarding Procedures for Children and Adults at Risk should be completed
* The capability and impartiality of the Chair to provide balance and challenge during the Event.
* Potential public order and health and safety concerns.
* Security provisions.
* If attendance is restricted to College Members only or open to the public.
* Reputational risk.
* Promotional materials available at the Event
1. Within five working days of receiving the notice, the Responsible Officer or his/her nominee, will advise the Principal Organiser in writing (electronically or otherwise) of his/her decision as to whether or not the Event is authorised.

12.1. Where the Responsible Officer has concerns the matter will be referred to the Safeguarding Officer

12.2. Where the Principal Organiser feels that the decision is unfair, he/she may raise the matter with their Safeguarding Officer or make a complaint via the College’s Complaints procedure or, if a member of staff, through their Line Manager

12.3. To ensure compliance with the College’s obligations to ensure free speech within the law and mitigate risk, conditions may be attached to an authorisation, including but not limited to:

* Methods of promoting the Event and the provision of promotion material for review (and potentially restricting what is available at the Event)
* Provision of an advance copy of the guest list for review prior to the Event
* Admittance or non-admittance of members of the public
* Making the Event ticketed or specifying that attendees must show a valid College ID.
* Provision of a specified number of suitable stewards
* Varying the time and location of the Event.
* That the Event is declared ‘public’ or ‘private’ (and if declared public whether it will require a police presence)
* The College to be responsible for security arrangements
* Presence of specified employees of the College
* The refusal or admission of the media to the Event
* Restricting the broadcasting of the Event (by whatever means)
* The mode of appointment of the Chair
* The availability of a translator at the Event
* Restricting the sale of alcohol
* Such other conditions considered necessary after taking into account advice from the police or an authorised authority.

12.4 The cost of security arrangements deemed necessary by the Responsible Officer will be discussed with the Principal Organiser who may be required to make a contribution. The Principal Organiser may be required to accept a limit on the number of Events organised if the costs incurred are significant.

12.5 Where the event is authorised the Responsible Officer will ensure that a risk assessment is carried out by the appropriate member of staff.

1. The Principal Organiser (or nominee) must attend the Event and take all reasonable steps to ensure that:
* Nothing in the preparation for, or conduct of, the meeting or activity is likely to breach the law or this Policy.
* The Chair is sufficiently competent to act as a presiding officer.
1. Segregation of any groups entering, attending or leaving the Event will not be allowed.
2. The Chair and the Principal Organiser have a duty, so far as is reasonably practicable, to ensure that both the audience and the speaker act in accordance with the law during the meeting. In case of unlawful conduct, the Chair will give appropriate warnings and if the conduct continues the offending individual(s) will be excluded from the Event.
3. No articles or objects will be permitted on College premises which are likely to lead to death, personal injury, damage or breach of the law.
4. College premises will be left in a clean and tidy condition and free from damage, in default of which the Principal Organiser may be liable for the costs incurred in making good. Payment or evidence of ability to pay towards these costs may be required by the Responsible Officer at the time of authorising the Event.

**Compliance**

1. Failure to comply with this Policy may result in one or more of the following measures:
* In respect of any Member, the implementation of the College’s disciplinary procedures.
* The Principal Organiser may be banned from arranging future events for a specified period.
* The External Speaker or a visitor may be excluded from College Premises for any specified period
* Any other measures the Safeguarding Officer deems appropriate.
1. Suspected or actual breaches of the law will be reported to the police or appropriate authorised body. Any disciplinary proceedings may be stayed pending the outcome of any criminal proceedings.

**Annexe A**

**St. Patrick’s International College External Speakers Request Form**

Please do not market or publicise the appearance of this speaker as attending your event until approved by the College. Please complete for each External Speaker attending the event. Principal Organiser to complete and return to the Responsible Officer by email:

|  |  |
| --- | --- |
| **Principal Organiser Details** |  |
| Name |  |
| E-mail and Phone Number |  |
| **Event Details** |  |
| Event Title |  |
| Date and Time (arrival and departure) |  |
| Venue |  |
| Principal Organiser’s Nominee – name, phone number, e-mail address where Principal Organiser will not be present |  |
| Appointed Chair |  |
| **Speaker Details** |  |
| Name |  |
| Organisation Speaker is associated with |  |
| Has this speaker spoken at the College previously? If yes, please give details |  |
| What will the talk cover? |  |
| Has the Speaker in the past, or might the Speaker on this occasion, cause offence to the groups defined in the Equality Act 2010 (including age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex and sexual orientation)? If yes, please provide details |  |
| **Event Procedures and Promotion** |  |
| If in addition to English the event be advertised in a different language please give details |  |
| What material will be available at the event? |  |
| Will the event be open to the public or only to members? |  |
| Is there any intention to segregate the event in any way? |  |
| Do you foresee that the event could cause disruption and, if so, why? |  |
| Wil the media be permitted to attend? |  |
| Please provide details of any sponsor |  |
| Will the event be filmed or broadcast live? |  |
| **PLEASE NOTE:** Premises used for meetings must be left in clean and tidy condition, in default of which the organisers may be charged for any additional cleaning and repairs that are subsequently required. Payment in advance or evidence of ability to pay towards these costs may be required. The College reserves the right to re-charge the organisers of any meeting for any extraordinary expenditure it incurs as a result of that meeting. |
| **Principal Organiser to read and sign:** I have read the Freedom of Speech and External Speakers Policy and Annexes and confirm that this event and its speakers will adhere to the principles of the statement. I will resubmit this form if any declared details in this submission change prior to the event taking place. Signed……………………………………………………………………………………..…………Date…………………………………………..…………………………………………..………….. |

**Annexe B**

**St. Patrick’s International College Events Procedure**