

FREEDOM OF SPEECH, EXTERNAL SPEAKERS & EXTERNAL EVENTS POLICY

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Equality Statement

Because we value diversity and equality highly we have designed this policy to be fair and inclusive. In putting this policy into practice we expect all members of the University community to abide by the spirit and detail of the Equality Act 2010 and One Kingston, our policy and strategy for equality, diversity and inclusion

FREEDOM OF SPEECH & EVENTS POLICY

1. Policy Statement

The University values diversity and is committed to the principles of academic freedom and freedom of speech and expression which lie at the heart of its missions. 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.

This Policy is issued in accordance with section 43 of the Education [No 2] Act 1986 for the following purposes:-

- 1.1 To identify the reasonably practicable steps that must be taken to ensure that freedom of speech within the law is secured for all University Members and visitors; and
- 1.2 To specify arrangements for the management of meetings and events on University Premises, or off University premises but branded as a University Event, which are not an integral part of the day-to-day academic or administrative business of the University.

2. Policy Scope

2.1 This policy sets out the rights and obligations inherent in supporting the principles of freedom of speech on University Premises and at University branded external Events and applies to:

- The University (including its subsidiaries and all bodies or persons with authority to determine any matter relevant to this policy);
- Governors and Employees of the University
- University students
- Union of Kingston Students
- External Speakers and visitors
- Holders of University 'honorary titles'
- University Alumni
- Any individual or organisation, hiring a venue controlled by the University for an event or Meeting

There is no requirement for the University to make available its premises for External Speakers but it will make all reasonable efforts to do so.

2.2 This Policy will be communicated to all University Members upon joining. It will be posted on the University's internal and external web sites.

3. Definitions & Abbreviations

Term	Definition
Chair	the presiding officer at a meeting
Employees	employee, agent, officer, or otherwise on behalf of any person, firm or corporation directly or indirectly engaged by the University
Event	any event, meeting, activity or gathering of people formally convened
External Speaker	any speaker from outside the University who is not a Member
KUCEL	Kingston University Campus Enterprises Ltd
KUSCO	Kingston University Service Company Ltd
Member	University Governors, Employees and students
Principal Organiser	the person nominated by the organisers of an Event or meeting
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 Vice-Chancellor for compliance with this Policy
Union of Kingston Students	Union of Kingston Students (including its societies, clubs, associations and any other organisation over which it exercises control) its employees, agents and representatives.
University Premises	all University property (howsoever held), including that designated for student use, or reasonably associated with the University

4. Governance & Review

The Vice-Chancellor is authorised by the Board of Governors to appoint a Responsible Officer to act on his behalf to ensure compliance with this Policy and its review. The University Secretary, or his nominated representative, will hold this role.

5. Responsibilities

Role	Responsibilities
Responsible Officer	<p>Authorisation of Events notifications</p> <p>Maintaining a central record of authorisations</p> <p>Reporting to the Vice-Chancellor</p>
Principal Organiser	<p>Obtaining authorisation for an Event</p> <p>Ensuring speakers/ visitors sign Values Statement & abide by this Policy</p> <p>Update the Responsible Officer of any change of Circumstances</p>
Deputy Director Student Services	Liaising with the Union of Kingston Students to aid compliance with this Policy
Societies Co-Ordinator	Maintaining a central record of Union of Kingston Students Events

6. Contacts

Responsible Officer:	Kate Allan (Head of Legal Services)
Deputy Director Student Services:	Jayne Aldridge

7. Related Resources

Internal: Information & Security Policy; Data Protection Policy; Equality Diversity & Inclusion Strategy; HR Disciplinary Procedure; Student Disciplinary Procedure & Guidance

External: Universities UK publications www.UniversitiesUK.ac.uk

‘Freedom of speech on campus: rights and responsibilities in UK universities’[2011];

‘External speakers in higher education institutions’ [2013]

Charities Commission: *‘Compliance Toolkit Protecting Charities from Harm’[2013]*

Equality Challenge Unit [2012] *‘Promoting good relations on campus: a guide for higher and further education’*

HEFCE consultation [2015] *The ‘Prevent’ duty: Consultation on a monitoring framework for the higher education sector*

HEFCE Report [2015/32] The Prevent duty: Monitoring framework for the higher education sector.

Home Office [2015] Prevent duty guidance: for higher education institutions in England and Wales

National Union of Students [2011] '*Managing the risks associated with external speakers*'

Safe Campus Communities website: www.safecampuscommunities.ac.uk

True Vision Stop Hate Crime website: www.report-it.org.uk

8. Policy: Freedom of Speech

8.1 So far as is reasonably practicable, no University Premises or University branded external Event shall be denied to any individual or body of persons on any grounds connected with:

8.1.1 The beliefs or views of that individual or body; or

8.1.2 The policy or objectives of that individual or body.

8.2 This Policy extends to ensuring academic freedom within the law for all University 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 University Member (subject to 8.3).

8.3 Free speech is a qualified privilege subject to the limits imposed by law including those governing the protection of national security; health and safety; prevention of crime; charities; human rights; equality and discrimination and the protection of the rights and freedoms of others. The University will therefore refuse the holding of an Event where it reasonably believes:-

8.3.1 it is likely to incite a breach of the law;

8.3.2 it is likely to lead to an expression of views which are contrary to the law*;

8.3.3 it is likely to promote or support an illegal organisation including any Proscribed Organisation; or

8.3.4 It is in the interests of public safety, the prevention of disorder or crime, or the protection of those persons lawfully on University Premises or a University branded external Event, that the Event does not take place; or

8.3.5 The views being expressed, or likely to be expressed, constitute extremist views that risk drawing people into terrorism or are shared by terrorist groups SAVE where such risk can be effectively mitigated without cancellation of the event.

* Controversial, offensive or distasteful views which are not unlawful per se would not normally constitute reasonable grounds for refusing an Event.

8.4 The University expects Members, External Speakers and visitors to abide by its Values Statement (attached at Annexe A). Principal Organisers are responsible for ensuring speakers and visitors at Events are aware of this Policy and sign the Values Statement.

8.5 Procedure for Events on University Premises, or at University branded external Events:

8.5.1. This procedure applies to the management of Events which are not an integral part of the day-to-day academic or administrative business of the University.

8.5.2 The organiser(s) of an Event will appoint a single person as Principal Organiser, who will be a Union of Kingston Students Officer or University Employee. The Principal Organiser will report Events as follows:-

- Student Events, Trade Union Events, and Employee extra curricula Society Events to the Responsible Officer;
- Academic or Administrative Employee Events to the appropriate Dean or directorate head in the first instance (or their nominee) who will decide if the Event is an integral part of the day-to-day academic or administrative purposes of the University. If not an integral part, the Dean/head of Directorate should report the Event to the Responsible Officer for a decision. If an integral part but the speaker raises a concern under the considerations listed in 8.5.5, the Dean/head of directorate may refer the Event to the Responsible Officer. The Dean/head of directorate should keep a record of requests as per Annexe E.

8.5.3 Events booked through KUCEL will be subject to the University's Values Statement and this Policy. The Business Support & Commercial Events Manager will act as the Responsible Officer's nominee in this instance (who may escalate the matter if deemed necessary).

8.5.4 No less than 14 days prior to the Event, the Principal Organiser (or Dean/head of directorate) will notify the Responsible Officer and submit/forward the University's External Speaker's Form for approval in the form attached at Annexe B. Failure to do so may result in the Event being cancelled.

8.5.5 The Responsible Officer may use whatever resources she deems necessary to assist in making the decision to authorise the Event. In addition to the details contained in the External Speaker's Form, the following points will 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 the event title or subject matter is likely to be controversial or cause offence and whether the University has ran an Event with a similar topic previously.
- The capability and impartiality of the Chair to provide balance and challenge during the Event.
- Whether there are any grounds to suspect that an individual may speak outside the parameters of the law, or express extremist views that risk drawing people into terrorism..
- Potential public order and health and safety concerns.
- Security provisions.
- If attendance is restricted to University Members/alumni only or open to the public.
- Reputational risk.
- Promotional materials available at the Event.
- Has the speaker agreed to abide by the University's Values Statement?

8.5.6 Within 7 working days of receiving the notice, the Responsible Officer or her nominee, will advise the Principal Organiser (if staff) or Societies Co-Ordinator (if Principal Organiser is a student) in writing (electronically or otherwise) of her decision as to whether or not the Event is authorised. To ensure compliance with the University'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 I.D.
- Provision of a specified number of suitable stewards
- Varying the time and location of the Event.
- That the Event is declared 'public' or 'private'(if declared public it will permit a police presence)
- The University to be responsible for security arrangements (a controlling officer may be appointed for this purpose)
- Presence of specified senior members of the University
- 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
- Presence of staff or students capable of challenging the views expressed

The Responsible Officer may impose further conditions if considered necessary after taking into account advice from the police or an authorised authority.

This Procedure is outlined in the flow chart attached at Annexe C.

The Union of Kingston Students procedure for External Speakers is attached at Annexe D.

The cost of security arrangements deemed necessary by the Responsible Officer may 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.

8.5.7 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.

8.5.8 When an Event's subject matter could cause offence to an individual or group associated with the protected characteristics defined in the Equality Act 2010 or subsequent legislation (including age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, and sexual orientation), efforts should be made by the Principal Organiser to locate a venue which avoids the chance of an unexpected encounter.

8.5.9 Segregation of any groups entering, attending or leaving the Event will not be allowed. The University permits gender segregation for the purpose of religious worship only.

8.5.10 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.

8.5.11 No articles or objects will be permitted on University Premises which are likely to lead to death, personal injury, damage or breach of the law.

8.5.12 University 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.

Appeals and Reviews

8.6 Appeals against the rulings of the Responsible Officer may be made to the Vice-Chancellor (or in his absence, the Senior Deputy Vice-Chancellor or nominee), whose decision shall be final. This decision shall be reported to the next meeting of the Board of Governors.

8.7 The Responsible Officer may withdraw permission for the Event at any time if there are reasonable grounds for believing there is likely to be a breach of the law if the Event goes ahead. The Responsible Officer may take into account the advice of the police or any other authorised body.

8.8 The Principal Organiser must advise the Responsible Officer immediately if:

8.8.1 An approved speaker is replaced

8.8.2 There are material changes to the proposed Event

The University reserves the right to review an Event decision if further information emerges about the proposed event which in its view may affect the safe conduct of it.

Compliance

8.9 Failure to comply with this Policy may result in one or more of the following measures:-

- Implementation of the University's disciplinary procedures.
- 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.
- The Principal Organiser and their associated Society may be banned from arranging future events for a specified period.
- The External Speaker or a visitor may be excluded from University Premises or Events for a specified period.
- Any other measures the University deems appropriate.

Annexes: Annexe A : Kingston University Values Statement

Annexe B: Kingston University Events Form

Annexe C: Kingston University Events Procedure

Annexe D: Union of Kingston Students Societies Guest Speaker Approval Procedure

Annexe A

Values Statement Linking our Mission and Policies:

The mission of Kingston University is to:

- promote participation in higher education;
- strive for excellence in learning, teaching and research;
- realise the creative potential and fire the imagination of all its members; and
- equip its students to make effective contributions to society and the economy¹

Our Values inform how we pursue this mission:

Kingston University is a **secular institution** within which we expect a wide diversity of beliefs and values to flourish. The University operates within a framework of values which aims to protect this diversity and freedom. The framework enables us to offer support for all beliefs within our community without promoting any one of them over the others.

Our commitments to participation and the realisation of potential are supported by the **values of equality of access, esteem and opportunity** for students and staff within the university which are expressed in our Equality, Diversity & Inclusion Strategy 2012-2016. The University community of staff, students and visitors form a diverse population and hold a wide variety of beliefs and practices which are important to them. The University would wish to support that diversity, insofar as it does not inappropriately infringe on the beliefs and practices of others within the community. This commitment to equality is not confined to those characteristics which are protected by law², but should be worked out through an attitude of **respect and openness** towards all members of the University. The standards of behaviour through which students and staff will maintain these values are set out in the Code of Student Behaviour and Staff Handbook. **KU and the Union of Kingston Students do not support or allow segregation and will not approve any activity that imposes, or allows it, save for when the sole purpose of an activity is religious worship.**

In our mission to promote higher education and equip our students as contributors to society we recognise that the University serves a wider social purpose as well as bringing benefits to individuals. The University therefore **values its place as an institution within the Royal Borough of Kingston, within Greater London, within the national life of the United Kingdom and within our increasingly interconnected world.** We recognise our obligations to play a part in civic life, to be a good neighbour to those around us, and to make a contribution to the civic, cultural and intellectual life of our local community. The University is proud to be a diverse and international community and recognises both the responsibilities and opportunities this creates. We therefore seek to operate and develop in ways which takes account of ethical issues.

¹ <http://www.kingston.ac.uk/aboutkingstonuniversity/howtheuniversityworks/missionandvision/>

² Nine characteristics are currently protected by legislation: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation

We expect students and staff to demonstrate these civic values in their behaviour as neighbours within the local community and in the way they work and study in the international community of the University.

In order to strive for excellence in learning, teaching and research the University is deeply committed to both **freedom of speech** and **academic freedom**. We recognise, however, that in a free society speech also has to be responsible and we will not condone the abuse of this freedom in order to deliberately engender discrimination or harm to groups in either the University or our local community. This is reflected in our Freedom of Speech and Events Policy to which this Values Statement is subject. We **cherish the academic processes through which ideas and beliefs are tested by rigorous intellectual inquiry**, and the freedom in which to pursue inquiry and creativity. We look for the highest standards of **integrity** in our academic work and expect debate to be conducted with respect and in a mutual pursuit of understanding.

We **value the contributions made by all members of staff** and are therefore committed to realising their potential through our processes for staff appraisal and development.

We are committed to **good governance, transparent decision making** and to operating within the **Seven Principles of Public Life** defined by The Committee for Standards in Public Life. These principles are Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.³

We expect visitors to the University to show respect for our community and its values. The University and the Union of Kingston Students reserve the right to intervene where we believe a guest speaker or student breaches this value statement which includes the nine protected characteristics of the Equality Act 2010.⁴

I agree to adhere to the principles expressed in this Values Statement and the Freedom of Speech and Events Policy

Signed _____

Name _____

Date _____

³ Further detail can be found http://www.public-standards.org.uk/About/The_7_Principles.html

⁴ <http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/protected-characteristics-definitions/>

Annexe B: Kingston University External Speaker Form

Please **do not** market or publicise the appearance of this speaker as attending your event, until approved by the University. Please complete for each External Speaker attending the event. **Principal Organiser to complete:**

ORGANISER DETAILS	
Principal Organiser Name:	
Contact Details:	
EVENT DETAILS	
Event Title:	
Event Date & time (arrival & departure):	
Event Venue:	
Appointed Chair:	
SPEAKER DETAILS	
Name of Speaker (including any aliases or alternate spellings):	
Organisation Speaker is associated with:	
Has this speaker spoken at the University previously? If YES, when?	
Detailed description of what the talk will cover and entail.	
Has there been any other controversy around the speaker in the past, which could lead to potential issues arising:	
EVENT PROCEDURE AND PROMOTION	
How will the event be advertised and in what language?	
What promotional material will be available at the event?	
Will your event be open to the public, or will it be limited to students / alumni / staff?	
Is there any intention to segregate the event in any way?	

Does this event pose a possible threat of disruption and if so why?	
Will the media be permitted to attend? If yes, this must be agreed in advance by the KU Head of Communications.	
Provide details of any event sponsor	
Will the event be recorded/broadcast/live streamed? If yes provide details, and note that promotional materials must make clear that the Event will be recorded/broadcast.	
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:

For Office use only:

Risk Assessment outcome –

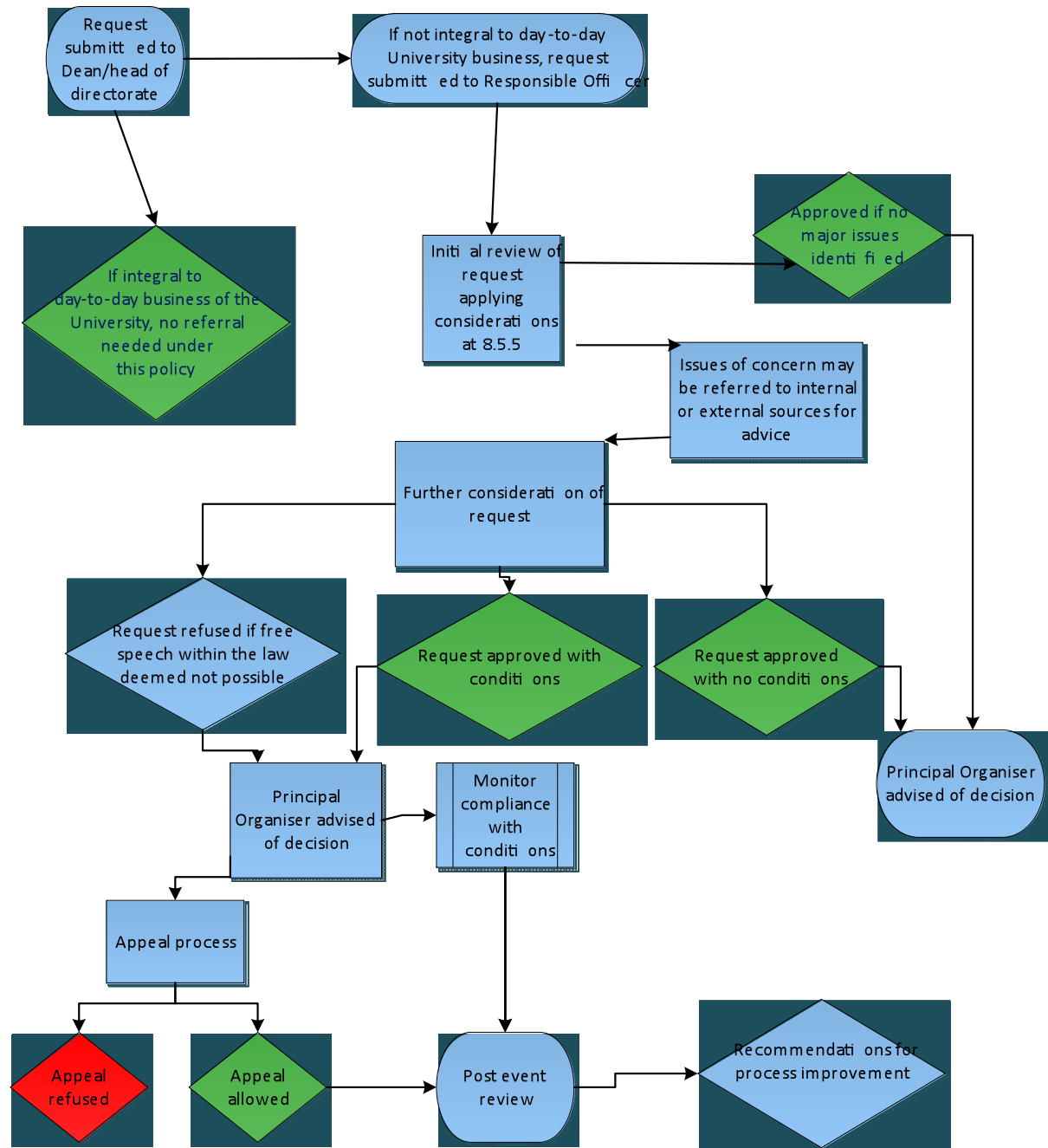
Low Risk ☐ Medium Risk ☐ High Risk ☐

Additional Control Measures may include:

- Provision of an advance copy of the guest list for review prior to the Event
- Non-admittance of members of the public
- Making the Event ticketed or specifying that attendees must show a valid I.D.
- Taking a register of those who attend
- Provision of a specified number of suitable stewards
- Varying the time and location of the Event.
- Any change to the time or location of the Event to be agreed in advance by the University.
- Declaring the event 'public' (permitting a police presence)
- The University to be responsible for security arrangements (a controlling officer may be appointed for this purpose)
- Presence of specified senior members of the University
- Presence of specified senior members of the student union
- Refusal or admission of the media to the Event. Conditions for admission of media to the Event to be agreed between the Principal Organiser and the KU Head of Communications.
- Restricting the recording or broadcasting of the Event (by whatever means)

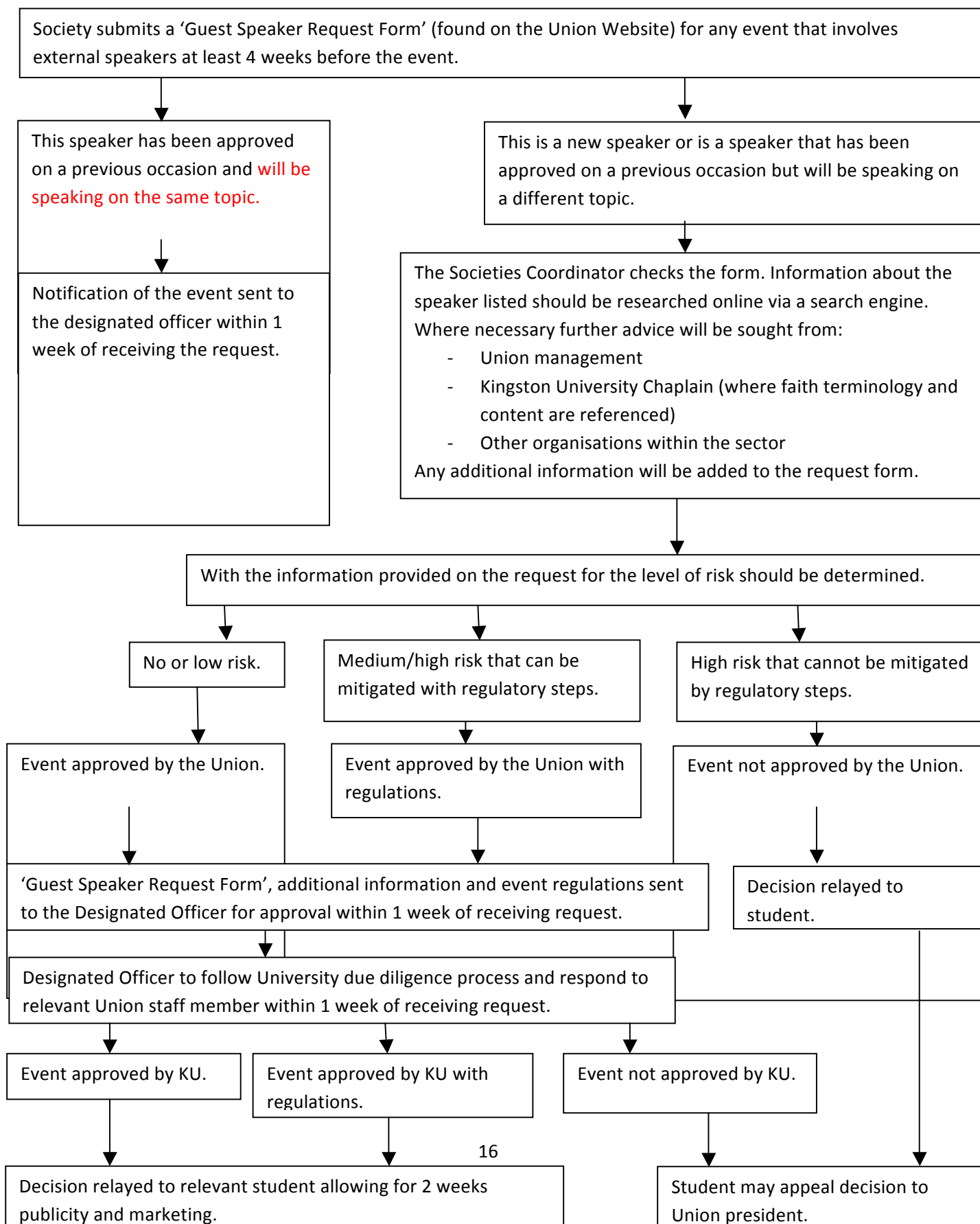
- If recording/broadcasting is to be allowed, this must be agreed in advance by the University and all promotional materials must specify that the Event will be recorded/broadcast.
- The mode of appointment of the Chair
- The availability of a translator at the Event
- Restricting the sale of alcohol
- Presence of staff or students capable of challenging the views expressed

ANNEXE C: Kingston University Events Procedure



Annexe D

Union of Kingston Students Guest Speaker Approval



Societies Guest Speaker Request

If you wish to submit a Guest Speaker request for approval please fill in **ALL** the fields below and email your completed form to the Societies Coordinator, societies@kingston.ac.uk, **at least 4 weeks before the event**. Once the speaker has been approved, the Societies Coordinator will contact the speaker with a copy of the Union / University's Values Statement. The speaker must reply to the Societies Coordinator with their agreement to the statement **before the event** or it will not be permitted to go ahead.

Society	
Your Name	
K Number	
Your Email Address	
Title of Event and detailed description of what the talk will cover and entail.	
Date ⁵	
Time of arrival and departure	
Name of Guest Speaker (including any aliases or alternate spellings) and any guests they will be bringing with them.	
Event Venue ⁶	
Information on the speaker and any guests – please include general background information, organisations they are linked to, published work and websites. Please be detailed in your research.	
Has there been any other controversy around the speaker in the past, which could lead to potential issues arising	
Has this speaker spoken at the	

⁵ Please bear in mind any potential clash with other University events, calendar dates or significant anniversaries.

⁶ Use of rooms within the John Galsworthy Building, or the Lawley Lecture Theatre, will be acceptable. For any medium or high risk event, use of any other location will need prior University and KUSCO security approval.

University previously? If YES, when?	
Speaker's Email Address	
Speaker's Phone Number	
How will the event be advertised and in what language?	
What promotional material will be available at the event?	
Will your event be open to the public, or will it be limited to students / staff?	
Is there any intention to segregate the event in any way?	
Does this event pose a possible threat of disruption and if so why?	
Will the media be permitted to attend?	
Will the event be broadcast/live streamed. If yes provide details	

For Office use only:

Risk Assessment outcome -

Low Risk ☐ Medium Risk ☐ High Risk ☐

Additional Control Measures may include:

- Provision of an advance copy of the guest list for review prior to the Event
- Non-admittance of members of the public
- Making the Event ticketed or specifying that attendees must show a valid I.D.
- Provision of a specified number of suitable stewards
- Varying the time and location of the Event.
- Declaring the event 'public' (permitting a police presence)
- The University & Union to be responsible for security arrangements (a controlling officer may be appointed for this purpose)
- Presence of specified senior members of the Union or University
- 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

- Presence of staff or students capable of challenging the views expressed

Annexe E: Example record of decisions referred to Dean/Head of Directorate

External Speaker Requests 2016

	Name of Speaker	Name of Proposer	Date of Request	Date of Event	Integral Event? If not, date referred to the Responsible Officer
1					
2					