Freedom of Speech and Academic Freedom Policy

August 2024

1. Introduction
2. About this policy
3. Procedure for External Events
4. Code of Practice on Freedom of Speech
5. Process Flowchart
6. Risk Rating Table

A. Definitions
B. Our Values Statement
C. Complaints Procedure
D. Guest Speaker Booking Form (Parts A & B)

We will consider whether any third party is involved in the proposed event and whether there are any

Operating Officer or another member of the Senior Management Team in line with this policy and the relevant legislation in force at the time of the decision.

In considering the risks around any event, we will base our decision on the criteria set out in the Code of Practice included in this policy. We may check for links with proscribed organisations and seek advice

The University recognises the importance of freedom of speech for its staff, students, and visiting speakers. It is committed to supporting and encouraging open debate, even on challenging topics which may attract diverse opinions, as well as upholding principles of freedom of thought and expression. This commitment is reinforced by incorporating the London Principles for Academic Freedom into our practices.

This Code of Practice applies to:

- All meetings and events held on University premises or premises controlled by the Students' Union.
- All events affiliated with, funded by, or branded as University events, regardless of location.
- All University employees, students, and Students' Union employees.
- Visiting speakers and other persons involved in organising events must adhere to relevant sections of this Code.

The University adheres to the Human Rights Act 1998, which guarantees freedom of thought, conscience, religion (Article 9), and freedom of expression (Article 10). The rights expressed in both articles, are subject to 'such limitations as are prescribed by law'.

There are a wide range of limitations prescribed by law. They are to be found in equality legislation, health and safety legislation and aspects of the criminal law such as public order, criminal damage and anti-terrorism legislation. Most of this legislation operates on the basis that freedom of speech is protected if it does not infringe the rights of others, or cause others harm, or may cause others harm. Some equality legislation requires the University to positively promote equality and good relations between groups. Those duties may come into conflict with allowing expressions of views which are opposed to equality or may lead to worsening relations.

Anti-terrorism legislation has resulted in a list of proscribed organisations which are outlawed in the UK. It has also resulted in several new offences including the offence of publishing a statement which is likely to be understood as directly or indirectly encouraging terrorism.

The Counter-Terrorism and Security Act 2015 requires us to have due regard to preventing people being drawn into terrorism. We may need to exercise our authority under the Code to ensure that events and speakers do not misuse the University's premises, facilities or brand to promote extremist views where these are deemed likely to draw people into terrorism.

A request to hold an event will only be refused if:

- The event or its publicity is likely to incite illegal acts or violate the University’s legal obligations.

All event organisers must undertake to comply with all lawful and reasonable instructions issued by authorised University staff in relation to the location, arrangement and conduct of such meetings including adequate stewarding, chairing and provision of adequate control over entry. We may issue these instructions as conditions for allowing the event to proceed, including during the event itself.

Permission to hold an event may be withdrawn or an event which is underway may be terminated, if:

- any aspect of it is found subsequently to breach the above criteria, or
- the event organisers are found to be in breach of the relevant contract, or
- they are found to have provided false or misleading information, or
- they fail to comply with lawful and reasonable instructions issued by authorised University staff.

We may seek advice from the police about any public order aspect of a proposed event and may make police support at an event a condition for it to be allowed to go ahead.

Under this Code of Conduct, all University staff and students and employees of the Students' Union are expected to:

- Ensure that events on University premises (including those arranged by the Students' Union) proceed without substantial disruption as to enable the University to meet its statutory duties to ensure freedom of speech.
- Comply with instructions from authorised University staff regarding the organisation and conduct of events.

Any breaches may be subject to investigation (including disciplinary action where appropriate) under the University's procedures.

The following procedures must be followed by University members, students, and staff:

1. The Principal Organiser must notify the Head of Security at least ten working days before the event, providing detailed information about the speaker, the subject of the address, and the timing of the event.

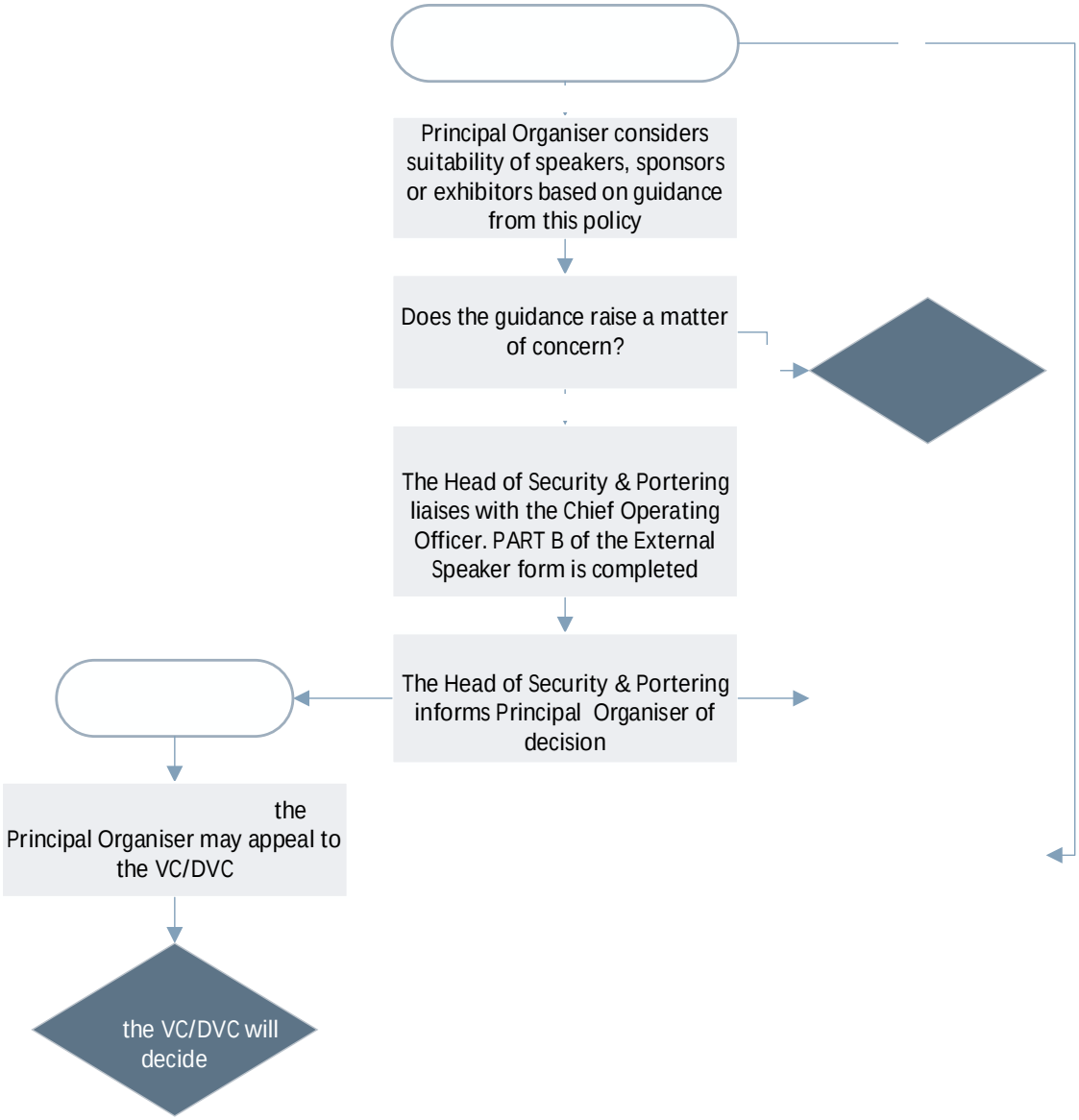
2. The Head of Security will review the request, consult with relevant authorities if necessary, and provide a decision within five working days. Conditions may be imposed to ensure compliance with legal and University standards.

3. Organisers must comply with all lawful and reasonable instructions issued by authorised University staff, including conditions imposed for event approval.

If an infringement involves a breach of the law, the University will be ready to assist the prosecuting authorities and, if charges are preferred, will stay disciplinary proceedings pending the outcome of any such proceedings.

The Board of Governors appoints the Chief Operating Officer to act on its behalf to ensure as far as is reasonably practicable that all members, students and staff of the University, and visiting speakers, comply with the provisions of this Code.

By integrating these principles, the University reaffirms its commitment to fostering a robust and open academic environment where freedom of speech and academic freedom are upheld.



Risk	Description	Comment
Very Low	•	

Freedom of speech has a special role in universities, specifically protected as a matter of law. The legislation emphasises the significance of free speech for universities by imposing legal obligations on them and in particular states that the only constraints on the duty to secure freedom of speech are

Freedom of speech is a wider concept that goes beyond the rights of academics and applies to everyone. It is commonly defined by reference to the freedom to speak freely without censorship or limitation. In practice, the right to free speech is not absolute in any country and is commonly subject to limitations which recognise the potential conflict between free speech and other rights.

At Harper Adams University we understand the importance of freedom of speech in a democratic country and we are committed to protect and promote this freedom. This means that members of our university community are free to criticize and contest the views expressed by other members of our community including those expressed by speakers who are invited onto campus. We do not permit obstruction or interference with the freedom of others to express views that some may reject or find offensive. However, we recognise that this freedom is a qualified right. As a guiding principle of our Respect Policy, through our actions collectively and individually we seek to nurture an environment of respectfulness, positive relationships and experiences. If conflicts arise between freedom of speech and other rights, we will follow the criteria set out in this policy to decide and impose the minimum level of restrictions necessary so that we may remain true to our Relate principles within the law.

This procedure applies to all members of the public other than enrolled students, employees or those who have access to internal procedures. If the subject matter of the complaint means that it is more appropriately investigated under another University procedure, we will confirm this to you and provide you with the alternative procedure. If the subject matter of the complaint is more appropriately investigated by another authority such as the Office for Students, we will inform you and give you suggested contact details.

This procedure was developed by the Office of the University Secretary which is also responsible for the handling of complaints under the procedure.

This procedure may be amended at any time. We may also vary this procedure, including any time limits, as appropriate in any case.

Any complaint under this procedure should be lodged within three months of the facts giving rise to the complaint (or it becoming apparent that there exist grounds for a complaint). If you have difficulty at any stage of the Complaints Procedure because of a disability or because English is not your first language, you should make this clear to the person with whom you have raised your compliant as soon as possible.

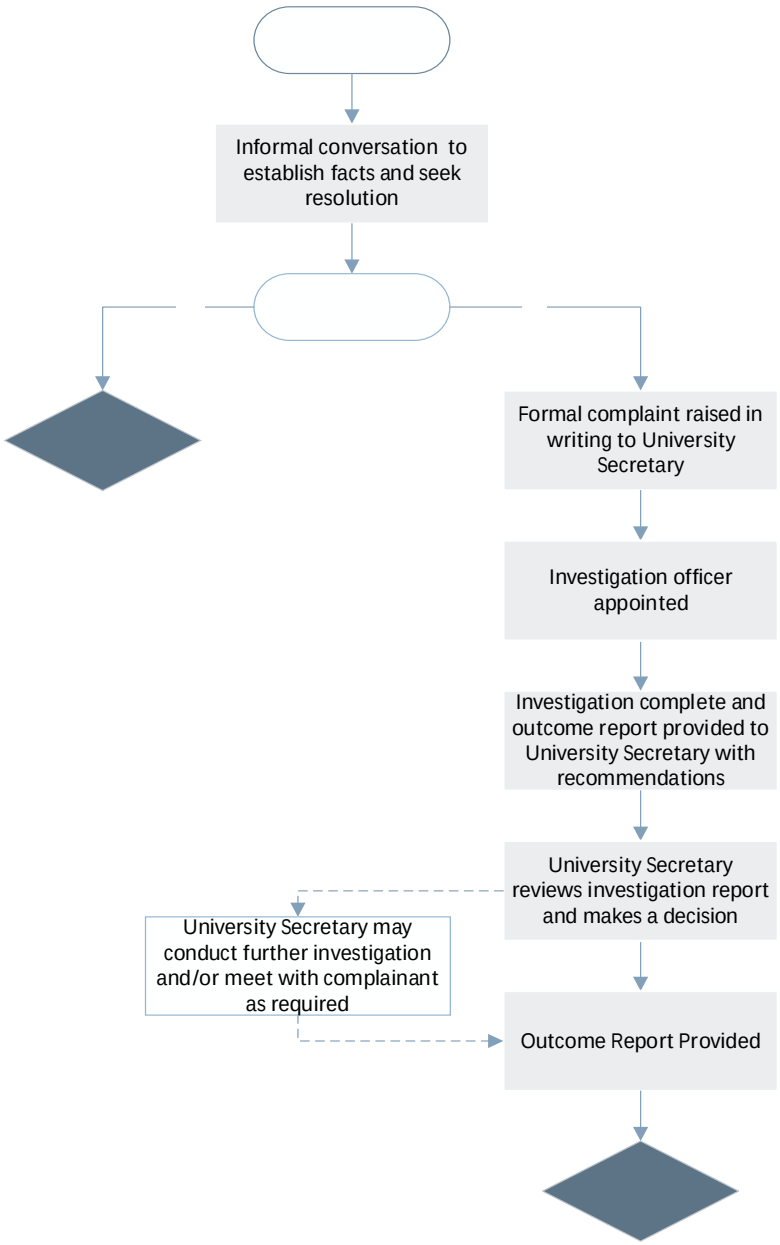
Written complaints will be held by the University Secretary along with a record of any decisions taken and any notes or other documents compiled during the investigation into your complaint. These will be processed in accordance with our Data Protection Policy.

Most complaints can be resolved quickly and informally through discussion with the University. You are encouraged to seek resolution though discussion with your original contact with the University, if you have one. If you feel unable to do so, for example, because the complaint concerns the behaviour of that contact, or you do not have a direct contact with the University, then you should speak informally to the University Secretary via +44 1952 820280. The University should normally respond to the complaint within 14 days. If this does not resolve the issue, you should follow the formal procedure below.

If your complaint cannot be resolved informally and/or you wish to make a formal complaint, you should submit it in writing to the University Secretary, Harper Adams University, Edgmond, Newport TF10 8NB, whose role is to achieve a solution wherever possible and to respect the confidentiality of all concerned. This should be done within 14 days of the failure of any informal discussions to resolve the complaint. Your written complaint should contain a full description of the nature of your complaint, including any relevant facts, dates, times and names of individuals involved. In some situations, we may ask you to provide further information.

We will carry out an investigation into your complaint. The amount of any investigation required will depend on the nature of the complaint and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents.

The University Secretary, or suitable alternative nominee, will write to you, as soon as reasonably practicable to inform you of the outcome of your complaint and any further action that we intend to take to resolve the matter. Where appropriate we may hold a meeting to give you this information in person. Our decision is final and will mark the end of the procedure.



- Name(s) of all speakers proposing to speak at the event.
- Are the speaker(s) representing an organisation?
  Yes
  No
  If yes, please give details

- Details of the subject they will be speaking about and any other relevant information:

- Brief biography of the speaker(s):

- The content, the topic of discussion, or the speaker(s) attracting disruption;

- The content, the topic of discussion, or the speaker(s) generating media interest publicity that may impact on reputation of the University and/or the Students Union and/or require the input of the Global Impact Team;

- Any reasonable belief that the content, the topic of discussion, or the event could attract extremist views (i.e. vocal or active opposition to University values, including democracy, rule of law, individual liberty, and mutual respect and tolerance of different faiths and beliefs).

No	Please complete the declaration at below and forward by email to the Head of Security
Yes	Application will be referred under below. Please include brief details:

Please tick each of the statements below and then sign to indicate your agreement:

I have read and understand the University's Freedom of Speech Code of Practice

I have provided a copy of the University's Freedom of Speech Code of Practice to the proposed external speaker

I understand that I am responsible for the proper security and organisation of the event for the purposes of protecting the rights of freedom of speech

I agree to notify the Head of Security (and Timetabling/Room Bookings as required) if any of the information given in this form changes.

Name
Date

- Are there any identified security threats to the speaker(s)?

  Yes

  No

  If yes, please give details

- Do the speaker(s) come with their own security detail?

  Yes

  No

  If yes, please give details

3.

- Are there any identified security threats/considerations in relation to this event?

  Yes

  No

  If yes, please give details including arrangements put in place to address the risk:

- Is there a risk of the attendance of the speaker(s), the event, or subject of discussion raising an issue under the University's equality or Prevent policies? (

  Yes

  No

  If yes, please identify the issues that may be raised and any arrangements put in place to address these issues.95 Tm0 g0 G[(see)8(Fa)3(ir)-2(T)6(r)-4(e)11(a)3(tm)-3(ent,)] TJETQ0(sues t)-3(h