

Freedom of Speech Policy and Code of Practice on Events

Preamble

1. Freedom of speech and academic freedom are central tenets of University and student life. These are part of the wider University stance on Freedom of Expression as defined in the Human Rights Act and covered within the University's Ethics Framework [[Ethics Framework](#) on SharePoint]
2. The University and the Hull University Students' Union (HUSU) are committed to upholding freedom of speech and academic freedom of enquiry in its activities, including teaching and research, to ensuring that free and open discussion can take place in an atmosphere of tolerance, openness and inclusivity. This allows all members of our community to engage with each other, and the public, in debate and discussion, and remain open to both intellectual challenge and change.
3. The legal duty of UK universities to protect freedom of speech is enshrined in legislation, including the [Higher Education \(Freedom of Speech\) Act 2023](#), Education (No. 2) Act 1986 and the Human Rights Act 1998 and academic freedom is protected by the Education Reform Act 1988. The 2023 legislation requires the University to undertake a number of steps including:

The governing body of a registered higher education provider must promote the importance of—

(a) freedom of speech within the law, and

(b) academic freedom for academic staff of registered higher education providers and their constituent institutions, in the provision of higher education.

4. The Office for Students has oversight for the duties imposed on the University who will consider its guidance when developing internal procedures: <https://www.officeforstudents.org.uk/for-providers/freedom-of-speech/>
5. This Policy sets out how the University discharges its responsibilities in respect of taking steps to secure freedom of speech, the management of events and the promotion of freedom of speech and academic freedom.
6. This central importance of freedom of speech and academic freedom in a university underlies the associated Code of Practice on Events.



Scope

7. This Policy must be followed by all members, students, and employees of the University (including those of HUSU) and all external visitors in respect of:
 - (a) all meetings and events to be held on University premises including those organized by third parties; and
 - (b) all meetings and other events that are organized or funded under the name of the University wherever they may take place, including those online.
 - (c) Communications associated with the activity
8. It is not anticipated that prior approval of meetings will be required for normal teaching sessions or other academic or administrative operational meetings.

Key Principles

9. Freedom of speech within the law and academic freedom must be protected.
10. The University believes that a culture of free, open and robust discussion can be achieved only if all concerned engage critically but courteously with each other, in line with equality legislation. The University does not tolerate any form of harassment or victimisation and expects all members of the community, and its visitors, to treat each other with respect, courtesy and consideration. The University is committed to fostering an inclusive culture which promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all members of the community are respected.
11. The following are some basic definitions, including those taken from the OfS guidance:
 - Free 'speech' includes written materials and other forms of expression. It is not limited to the spoken word
 - Freedom of speech 'within the law' is protected. Unlawful speech is not protected
 - Free speech includes lawful speech that may be offensive and hurtful to some
 - Speech that amounts to unlawful harassment or unlawful discrimination does not constitute free speech within the law and is not protected
 - Academic freedom is recognised as a privilege pertaining to academic staff allowing them to speak openly and to teach and carry out research without restraint on all



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matters within the scope of their academic work, and within the law. For further detail see the University's Ethics Framework [See Section 1 – or [Policy Directory](#)]

Review of the Operation of the Policy and Code of Practice

12. The University Secretary, Registrar & Chief Compliance Officer shall undertake periodic review of the operation of this Code and report to ULT on any recommended changes.
13. The Code will be considered by the University Ethics Committee as well as the Hull University Students' Union's Board of Trustees during any revisions. Final approval of the Code of Practice will rest jointly with the governing bodies of both the University and the Students' Union.

Appendix A - Code of Practice for External Speakers and Events

1. This Code of Practice for External Speakers and Events should be followed whenever an event is planned involving speakers, participants or audiences from outside the University, and should be commenced at the earliest opportunity and wherever possible not later than four weeks before the date of the meeting or event.
2. This Code should be read in conjunction with the procedure below for events and the detailed guidance on the booking of events found at:

University Events [[Room Bookings](#)]

Events by the Hull University Students' Union [[HUSU Web page](#)]

External events [[Beyond Events website](#)]

3. The *Principal Organiser* (the person responsible for the event) must undertake a self-assessment [[Freedom of Speech on SharePoint](#)] to determine whether further scrutiny or support from the University is required. If the *Principal Organiser* reasonably decides that there are no issues as to unlawful content or public order, the event can go ahead. It is anticipated that the vast majority of events organized will fall into this category.

A *Principal Organiser* can be: a named staff member or sabbatical of the Students' Union, elected representatives or volunteers of one of its clubs or societies; a University staff member on a contract of 0.2 FTE or greater; a representative of an external organisation booking events through Beyond Events, the University's Events Management Service.

4. If a *Principal Organiser* identifies that further scrutiny is required, the venue can be provisionally booked and the *Principal Organiser* must refer the matter to the Responsible Officer to determine how best concerns or risks in respect of unlawful content or public order may be mitigated. The *Principal Organiser* may propose measures of mitigation, but the final decision will rest with the *Responsible Officer* who will decide what conditions, if any, are required. Examples of measures of risk mitigation that may be resorted to in order to enable events to proceed are detailed in the Procedure.
5. In exceptional circumstances, where it is anticipated that the risks posed by an event cannot be mitigated by reasonable and proportionate measures, the Responsible Officer has the right to refuse permission for the event to proceed, or cancel the event even after initial authorisation.
6. The University will not give permission to hold a meeting or event where it is known that:



- (a) the proposed speaker belongs to, or professes to belong to, a [proscribed organization](#); or
- (b) the proposed speaker will use the event to support, or to further the activities of, a proscribed organization.

Role of the Responsible Officer

7. The University has appointed the University Secretary, Registrar & Chief Compliance Officer to act as the Responsible Officer, with delegated authority from the Vice-Chancellor
8. In the context of this Code of Practice, the Responsible Officer will be entrusted with the duty to assess the implications of events formally referred to them and to act in accordance with the University's legal responsibilities, including:
 - (a) The obligations under the Higher Education (Freedom of Speech) Act 2023;
 - (b) the importance of academic freedom (as required by the Education Reform Act 1988);
 - (c) the need to ensure that freedom of speech within the law is secured (as required by the Education (No.2) Act 1986);
 - (d) the rights and freedoms enshrined in the European Convention on Human Rights and incorporated into domestic law by the Human Rights Act 1998;
 - (e) to have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity, and foster good relations between different groups in accordance with the Equality Act 2010 and the Public Sector Equality Duty 2011;
 - (f) the Counter-Terrorism and Security Act 2015 which requires universities to 'have due regard to the need to prevent people from being drawn into terrorism' (s.26(1)) and which also provides that in carrying out that duty, Universities 'must have particular regard to the duty to ensure freedom of speech; and to the importance of academic freedom'; and
 - (g) the need to ensure the safety of all staff, students and other visitors to the institution especially where they might be exposed to public disorder, incitement to violence or hatred.
9. The Responsible Officer will act in a risk-based and proportionate manner consonant with the desire, wherever possible, to enable events or meetings to proceed.
10. Some functions of the role in this Code and any related booking procedure may be undertaken by staff in the Events Management Team.

Appeal



11. If an organizer, or any member of the University's staff or student body has any concerns about a meeting or event and is unhappy about the decision of the Responsible Officer they may write to the Deputy Vice-Chancellor setting out clear reasons for their unhappiness and requesting a reconsideration of the decision. The decision of the Deputy Vice-Chancellor will be final.
12. The individual, if unhappy with the decision, may then submit a complaint to the Office for Students if this relates to a complaint in respect of Free Speech. This right of complaint is limited to staff and visiting speakers. Student complaints would be managed by the Office of the Independent Adjudicator (OIA), following the issue of a Completion of Procedures Letter.

The conduct of meetings, events and associated communications

13. It is expected that all participants in events organized within, or under the name of the University, will observe good order and behave in a manner consonant with the values outlined in this Code, and in particular, by respecting the right to freedom of speech within the law, and by treating others with respect, courtesy and consideration. HUSU events need to comply with its Member Code of Conduct and relevant HUSU policies.
14. A failure on the part of University/HUSU Staff or Students to adhere to the terms of this Code will represent a disciplinary offence and action may be taken, accordingly, under the respective disciplinary procedures:
 - Student Code of Conduct
 - Staff Disciplinary Policy
15. The University reserves the right to exclude from its premises, or meetings hosted in its name, members of the general public who are deemed to have breached the terms or ethos of this Code.