

## **Meetings or Other Activities on University Premises: Code of Practice**

In pursuance of its duties as laid down in Section 43 of the Education (No.2) Act 1986 (the Education Act), the Council of the University hereby enacts the following Code with a view to taking the steps which are reasonably practicable to ensure that freedom of speech within the law is secured from members, students and employees of the University and for visiting speakers.

In addition to the Education Act, this Code takes into account the following legislation and guidance:

- Human Rights Act 1998
- Equality Act 2010
- Counter-Terrorism and Security Act 2015
- Equality and Human Rights Commission – Freedom of Expression: A Guide for Higher Education Providers and Students' Unions in England and Wales 2019

The Code also centres on principles of:

- Academic freedom, as set out in the University's Statutes
- Health and safety
- Dignity in the work place

### **I. Principles**

#### **1. Freedom of Speech**

So far as is reasonably practicable, no premises of the University shall be denied to any individual or body of persons on any grounds connected with:

- (a) the beliefs or views of that individual or of that body; or
- (b) the policy or objectives of that body.

The University must also take account of other legal obligations which may require it to have regard to what is said on its premises. A speaker, for example, who incites an audience to violence or to breach of the peace or to racial hatred or which invites support for a proscribed terrorist group transgresses the bounds of lawful speech. Equally, assemblies of persons, even if directed to lawful purposes, cease to be lawful if they cause serious public disorder or breaches of the peace.

#### **2. Segregation**

- (a) Events and meetings should be open to all, regardless of gender, and enforced segregation by gender, or any other characteristic, at events or meetings is strictly prohibited. Enforced segregation includes pre-allocation of seats by gender and the use of stewards to direct attendees to gender segregated seating. Segregation by gender is permissible for religious observation, however, any events or meetings following such religious observation must allow for openly available seating regardless of gender.
- (b) Individuals are free to choose to sit in groupings as they wish, including single gender groupings, at any and all events. Such voluntary segregation is permissible and compelling attendees to mix with other members of the audience is not acceptable and may constitute harassment.

### **II. Procedures**

3. (a) By the authority of the Council of the University the following procedures must in future be followed by members, students and employees of the University in respect of:

- (i) meetings or other activities which are to be held on premises of the University falling within the class of meetings specified in paragraph 5 below; and
  - (ii) the conduct required of all persons in connection with any such defined meetings or activities; and
  - (iii) any other related or ancillary matters which the Council of the University from time to time declares to fall within this Code. (See paragraphs 7(v) and 8 below).
- (b) Infringements of, or departures from, these procedures in whatever respect will render those responsible subject to disciplinary proceedings as laid down by the University.
  - (c) If any such actions involve breaches of the law the University authorities will be ready to assist the prosecuting authorities to implement the processes of law and, if charges are preferred, will stay disciplinary proceedings pending the outcome of any such proceedings.
  - (d) Additionally, members of the Students' Union should have high regard for the guidance on permissible activities on campus and expectations regarding events as set out in Students' Union policies and regulations.
  - (e) The Council of the University, in laying down the following, appoints the Registrar to act on its behalf to ensure as far as is reasonably practicable that all members, students and employees of the University, and visiting speakers, comply with the provisions of this Code.

#### *4. Students' Union society events*

The principles and expectations set out in this Code of Practice apply equitably to University of Nottingham and Students' Union events. For events organised by Students' Union societies, the Students' Union will oversee the management and implementation of this Code of Practice. All events will be reported to the Campus Life Director for assurance of compliance with this policy.

#### *5. Meetings or other activities to which this Code applies*

Any meetings or other activities where there is a real likelihood that the speaker may not be able to enter or leave the premises safely and/or deliver his or her speech will be deemed to fall within the requirements of this Code. In particular, consideration should be given to whether the event will raise controversial issues of a social, political or religious nature which may risk infringement of the Freedom of Speech principles set out above under point I.

Additionally, any such meeting or activity taking place off-site and in the University's name or on its behalf must be organised and managed in line with the principles and procedures set out in this Code.

#### *6. Visiting lecturers*

The University has an obligation to ensure full records of all visiting lecturers are held. Each School shall maintain a central record of its visiting lecturers for each academic year.

#### *7. Preparation for and conduct of meetings, etc. on University premises*

- (i) This section applies to all events or meetings to which any external speaker is invited, regardless of topic, or where an internal speaker, either staff or student, is invited and it is reasonably foreseeable that the event will raise controversial issues.
- (ii) The organisers of any such event shall ensure that a single person is appointed as Principal Organiser of the event.

- (iii) The Principal Organiser of such an event shall give notice to the appropriate Event Approver as set out in Appendix A at least three weeks before the proposed date of the event. Such notice shall contain a written statement of the name of the speaker, the subject of the address and the precise timing of arrival and departure of the speaker.
- (iv) Where the Event Approver is notified less than three weeks in advance of an event and it is not possible to put in place appropriate security measures within the timeframe, the Event Approver may not approve the event. This decision may be taken in conjunction with the Registrar and/or Campus Life Director.
- (v) Where the Event Approver considers the event to fall under the definition set under paragraph 5 above, they shall ensure that, at least two weeks before the date proposed for the event, notice of the proposal is given to the Registrar.
- (vi) Within five days of receiving such notice the Registrar shall issue a statement advising whether conditions are necessary for implementation in order for the event to proceed in line with the Principles set out above. In the Registrar's absence, this may be delegated to the Campus Life Director.
- (vii) Conditions will be such as the Registrar considers reasonably necessary to secure fulfilment of the University's statutory responsibilities concerning the protection of free speech within the law. (See paragraph 8 below.)
- (viii) The Principal Organiser and every other person concerned with the organisation of an event for which permission has been granted shall be required to comply with any and every condition laid down by the Registrar under the provisions of this Code. Such conditions may include a requirement that tickets must be issued for public meetings and that an adequate number of stewards should be available, as to whose suitability the Registrar must be satisfied, in addition to any security staff that the Registrar may feel should be present to maintain order. (See paragraph 8 below.)
- (ix) The University will normally supply and pay the cost of a public address system if there is reasonable cause to consider this necessary to enable a meeting to take place within adequate hearing for the speaker.
- (x) Organisers have a duty to see that nothing in the preparations for or conduct of a meeting or activity infringes the law, eg. by conduct likely to cause a breach of the peace or incitement to illegal acts.
- (xi) The Chair of the meeting has a duty so far as possible to secure that both the audience and the speaker act in accordance with the law during the meeting. In case of unlawful conduct the Chair is required to give appropriate warnings and, in case of continuing unlawfulness, to require the withdrawal or removal of persons concerned by the stewards or security staff.
- (xii) No article or objects may be taken inside the building where the meeting is taking place, or taken or used elsewhere on University premises in circumstances likely to lead to injury or damage.
- (xiii) Premises used for meetings or activities must be left in clean and tidy conditions 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.
- (xiv) The conditions prescribed under subsection (vi) above and paragraph 8 below may include conditions concerning admission or exclusion of press, television or broadcasting personnel.

- (xv) Where insufficient notice is given for an event and/or necessary conditions are not implemented in full and compliance with the above Principles cannot be assured, it may be necessary for the Registrar to cancel the event.
8. In addition to the conditions set out in paragraph 7 above, the Registrar has discretion to lay down further conditions, if appropriate, after consultation with the police. Thus he may, for example, require the designated meeting or activity to be declared public (which would permit a police presence); he may arrange for University staff to be responsible for all security arrangements connected with the meeting or activity and appoint a member of staff as "controlling officer" for the occasion. If not satisfied that adequate arrangements can be made to maintain good order he may refuse or withdraw permission for the meeting or activity. Such a step would normally only be taken on the advice of the police.
9. Appeals against the rulings of the Registrar may be made to the Vice-Chancellor whose decision shall be final but must be reported to the next meeting of the Council of the University.

### **Flowchart**

A flowchart visually outlining the steps of this process can be found in Appendix C of this document

### **Other Links**

Code of Discipline for Students

<https://www.nottingham.ac.uk/governance/documents/code-of-discipline.pdf>

Ordinance XXIV: Discipline

<https://www.nottingham.ac.uk/governance/universitycalendar/ordinances/ordinance-xxiv-discipline.aspx>

Staff Disciplinary Procedures

<https://www.nottingham.ac.uk/hr/guidesandsupport/performanceatwork/disciplinaryprocedures/index.aspx>

## Appendix A

### Event Notification Procedure

This procedure relates to the University's Code of Practice on Meetings or Other Activities on University Premises (hereafter "the Code of Practice").

This procedure applies to all events or meetings to which any external speaker is invited, regardless of topic, or where an internal speaker, either staff or student, is invited and it is reasonably foreseeable that the event will raise controversial issues.

Appropriate notification of any such event must be made with sufficient notice to ensure appropriate logistical and safety measures are in place and that compliance with the principles set out in the Code of Practice can be assured.

Notification for such events should be made to the appropriate Event Approver as detailed in the table below:

<b>Event Organiser</b>	<b>Event Approver</b>
Students' Union society	Students' Union/Campus Life Director*
Member of staff within a School or academic Department	Head of School/Department; Faculty Pro-Vice-Chancellors may seek access to pro formas and request further information at their discretion
Member of staff within a Professional Service	Head of Professional Service
External hirer	Head of Security

- \* The Students' Union will provide details of all external speaker events to the University's Campus Life Director to ensure compliance with the Code of Practice.

Notification of an event should be made by the Event Organiser to the Event Approver in writing at least 3 weeks prior to the intended event. Notification should include details of the name of the speaker, the subject of the address and the precise timing of arrival and departure of the speaker. For events organised through the Students' Union, such notification should be made through the Students' Union Event Notification process. For all other applicable events, the Event Notification Pro Forma in Appendix B should be used.

Once an Event Approver receives such notification, they shall take account of actual and potential risks associated with the event. Where the Event Approver considers the event to fall under the definition stated under Paragraph 4 of the Code of Practice, they shall provide the completed Event Notification Pro Forma to the Registrar, not less than two weeks ahead of the proposed event date.

If sufficient notice of the event is not provided, it may not be possible to make full arrangements for the event and it may therefore not be possible to grant approval to proceed. Where appropriate, further information shall be sought from the Principal Organiser regarding the event prior to approval.

## Appendix B

### Event Notification Pro Forma



**University of  
Nottingham**

UK | CHINA | MALAYSIA

#### **Event Notification Pro Forma**

##### **Event Information**

*Please give as much information about the event as you can in as much detail as possible*

Type of Event:

Name of Event:

Date of Event:

Start time:

End time:

Location:

##### **Event Speaker(s)**

Please provide full speaker(s) details including: name(s); position and organisation to which they're related; subject matter; and, any other information you consider to be pertinent.

##### **Event Organiser contact details**

Main Event Organiser:

Email Address:

Phone number:

## Appendix C

### Event Notification Flowchart

