

Centre for Alternative Technology

Policy and Code of Practice on Freedom of Speech

1. Introduction

- 1.1 This policy and code of practice relates to the exercise of freedom of speech in relation to meetings and events held on a site owned, managed or hired by Centre for Alternative Technology (CAT) or badged with the CAT logo.
- 1.2 If any member of staff, student or visitor has any concerns about anything that might fall under CAT's Prevent duty they should refer it immediately to either the Head of School (adrian.watson@cat.org.uk), Head of Human Resources (hr@cat.org.uk) or to the Chief Executive (adrian.ramsay@cat.org.uk) who will actively respond to any information thus provided.

2. Fundamental principles

- 2.1 Along with all other institutions of learning, CAT has an important role to play in providing a forum for debate and discussion, where ideas can be tested without fear of control, where our students learn to challenge ideas and think for themselves, and where the pursuit of knowledge is underpinned by rationality. For further information please see *Freedom of speech on campus: rights and responsibilities in UK universities* (Universities UK, 2011) (<https://www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2011/freedom-of-speech-on-campus.pdf>)
- 2.2 CAT is an Alternative Provider of Higher Education whose degrees are validated by the University of East London (UEL) and Liverpool John Moores University (LJMU). While the CAT is not a university in its own right, its affiliation with UEL and LJMU means that this guidance is closely related to the guidance relating to universities.
- 2.3 The role of universities in ensuring free speech is reinforced in two pieces of legislation:
- Section 43 (1) of the Education (No. 2) Act 1986 (<http://www.legislation.gov.uk/ukpga/1986/61/section/43>) states that: 'persons concerned in the government of any establishment...shall take such

steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers.'

1. CAT will not, therefore, as far as is reasonably practicable, deny access to its premises to individuals or bodies on the basis of their beliefs, views or policies. However, we must balance a person's rights to free expression with a person's obligations to respect the rights of others, especially those enshrined in the Equality Act 2010 (<http://www.legislation.gov.uk/ukpga/2010/15/contents>).

2.4 The Equality Act 2010 covers the following protected characteristics: age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation.

2.5 The associated public sector equality duty requires higher education providers, in the exercise of their functions, to have due regard to the need to:

- eliminate discrimination, harassment and victimisation and any other conduct that is prohibited under the Act;
- advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it, and;
- foster good relations between people who share a relevant protected characteristic and those who do not share it.

3. Code of Practice

3.1 This Code of Practice applies to all staff and students of CAT and visiting, external speakers. It also applies to all events to be held on premises owned, managed, or hired by CAT, or badged with the CAT logo.

3.2 CAT expects students, staff and visitors to ensure that freedom of speech within the law is assured. Whilst there is no legal prohibition on offending others, our institution nevertheless abides by the principle that discussion that is open and honest can take place only if offensive or provocative action and language is avoided. Students, staff and visiting speakers are therefore required to demonstrate sensitivity to the diversity of our community and to show respect to others.

- 3.3 A named principal organiser must be identified for each event, who will be responsible for the booking and control arrangements, and for the conduct of the events including stewarding and moderating, chairing, monitoring and entry.
- 3.4 An event that creates an environment of fear, harassment, intimidation, verbal abuse or violence, particularly as a result of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation is likely to be unlawful.
- 3.5 If the named principal organiser, any student or member of staff believe that an event that they are organising poses a risk under this code of practice, they are required to refer the matter in the first instance to the Chief Executive as a possible “designated event”. No advertising of a designated event is permitted until a decision is reached on its compliance with this code of practice. See the associated “Designated Event Process” here (**insert url**)
- 3.6 The Chief Executive, or his nominee, will make an initial assessment of the designated event, taking whatever advice and guidance they deem necessary, including from the “‘On-Demand’ External Speaker Protocol for Colleges and Universities in Wales”. If they decide that the event complies with this code of practice, confirmation will be given that the event can proceed. If it is deemed necessary, such permission may be conditional on the organisers putting in place safeguards, such as extra security, or a strong and well-informed chair with the power to intervene, or close the event down if there is a breach of this code.
- 3.7 The Chief Executive, or his nominee, shall have the discretion where they deem it to be reasonable and necessary, acting upon advice if appropriate, to require the organisers to film/record the whole event, so there is no dispute afterwards about what was said, and by whom. In such circumstances the organisers will inform anyone attending the event that it will be filmed/recorded, but neither the organisers, nor anyone attending, will have the discretion to decide whether, or not, the filming/recording should take place (subject to any data protection rules). The organisers of the event will be responsible for any extra expense incurred.
- 3.8 If it is decided that the designated event poses too great a risk under this code, the Chief Executive, or his nominee, may decide to consult with students, staff or other groups before coming to decision, or take legal advice. The decision of the Chief Executive, or his nominee, will be final and will not be subject to appeal.
- 3.9 The expression of views that may be controversial, but do not breach the law, will not constitute reasonable grounds for refusal. Reasonable grounds for

refusal would include: incitement to commit a criminal act; unlawful expression of views; support for an organisation whose aims are illegal, and/or; the creation of an environment likely to give rise to a breach of the peace.

3.10 If an event has been advertised, individuals, or groups, may still make representations to the Chief Executive, or his nominee, should they feel that there is the risk of a breach of this code of practice. If the event is permitted to proceed, CAT will allow the right to peaceful protest. Those participating in such peaceful protest will not be permitted to interfere with the running of the event.

3.11 Willful breach of this code will be dealt with under CAT disciplinary procedures and, if necessary, by recourse to law.

3.12 CAT will withhold the right to use premises owned, managed, or hired by CAT, or badged with the CAT logo if it fears there is a likelihood of this code being breached.

3.13 All members of our CAT community must act responsibly in relation to the use of social media, especially where such media are being used to organise and publicise events. If the use of social media is conducted in such a way as to break this code of conduct appropriate disciplinary procedures could be implemented.

3.14 All groups, or commercial bodies, may not promote themselves on the CAT site without the prior approval of CAT.

4. Procedure for the approval of external speaker events under this policy and code of practice

4.1 If you are proposing to hold an event on a site owned, managed or hired by CAT or badged with the CAT logo please refer to our procedure for the approval of external speaker events, which can be found here

[\[https://gse.cat.org.uk/index.php/about-us/policies-and-information/category/8-student-policies-and-forms?download=25:policy-and-procedure-for-the-booking-of-speakers-and-events \]](https://gse.cat.org.uk/index.php/about-us/policies-and-information/category/8-student-policies-and-forms?download=25:policy-and-procedure-for-the-booking-of-speakers-and-events).

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