

## Freedom of Speech and Events Approval Policy

### Policy statement

It is the policy of the Union that all events organised and hosted by the Union adhere to this policy. For the avoidance of doubt this includes all events organised by Clubs, Societies, Projects, the Constituent Unions, other student groups, Community Connections activities as well as corporate Union events, activities associated with the Union's social enterprises and external events taking place within Union facilities. This policy applies equally to events taking place on campus as well as Union events held elsewhere.

### 1. Background

- 1.1. The Union's Trustees, as the trustees of a registered charity, have a clear duty to act in the best interests of the charity and ensure that activities are avoided which might place the funds, assets or reputation of the charity at risk. In the context of the Union this applies to all activities of the organisation, the Union cannot distance itself from its recognised student groups.
- 1.2. The Trustees have in place procedures that consider the risk posed by Charity events, and that steps are taken to identify when external speakers might present at an event and that checks are made on people that are planned to speak at an event<sup>1</sup>.
- 1.3. Other Union policy is relevant in the context of this policy, specifically the Union's policies around equality and diversity<sup>2</sup>.
- 1.4. This policy supersedes the policy on Events Involving Speakers policy which was passed by the Board of Trustees on 29 May 2013 and the Room Booking policy which was approved by the Executive Committee on 18 April 2011.

### 2. Context

- 2.1. There are several risks which may face the Union which revolve around freedom of speech. Speakers at events hosted by the Union or its constituent parts, which include all the Clubs, Societies & Projects could:
  - 2.1.1. break the law or be considered by observers or commentators to be breaking the law,
  - 2.1.2. put the Union's reputation or other assets at risk,
  - 2.1.3. be otherwise inappropriate under charity law, e.g. unlawful political activity or breach of public benefit principles,
  - 2.1.4. put the physical security of the venue or the attendees of the event at risk,
  - 2.1.5. put the Union's relationship with the College or external venues at risk.
- 2.2. While many events that may require an evaluation of these risks are held on College campuses, on occasion events which take place off College campuses. The jurisdiction of this policy applies to all Union events regardless of their location. Events involving speakers including debates, presentations, speeches or talks are common examples of events which may take place away from College campuses.

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<sup>1</sup> *Managing the risks associated with external speakers*, National Union of Students, July 2011

<sup>2</sup> Currently this extends to the Equal Opportunities Policy, but could in future include others, for example a No Platform Policy

- 2.3. Events which take place away from College campuses may present specific reputational risks without necessarily involving consideration of freedom of speech.
- 2.4. This policy binds all activities of the Union, which includes commercial activities and external events taking place within Union facilities.
- 2.5. The Union must manage these risks with reference to the following obligations:
  - 2.5.1. The activities of Clubs, Societies & Projects and other recognised student groups involve a diverse range of ideas, interests and opinions. They involve the invitation of a number of speakers and guests each year.
  - 2.5.2. The Union should facilitate safe space for all its members and must ensure all its events and activities abide by its policies on equality and diversity.
  - 2.5.3. All events on campus are subject to Imperial College London's Code of Practice on Freedom of Speech. Imperial College London is bound by Section 43 of the Education (No 2) Act 1986 which means it must do all that is practicable to ensure that freedom of speech is secured for members of the College community and visitors<sup>3</sup>. In addition the Union has additional responsibilities to consider as outlined in section 2.1.
  - 2.5.4. The right to freedom of speech is not absolute and must be "within the law". Relevant legislation that applies to speakers and related issues include:
    - 2.5.4.1. Equality Act 2010,
    - 2.5.4.2. Public Order Act 1986,
    - 2.5.4.3. Racial and Religious Hatred Act 2006,
    - 2.5.4.4. Terrorism Acts 2000 and 2006,
    - 2.5.4.5. Protection from Harassment Act 1997
  - 2.5.5. The Human Rights Act 1998 secures various rights including freedom of thought, conscience and religion (Article 9), freedom of expression (Article 10), freedom of assembly and association (Article 11).
  - 2.5.6. Union Trustees have a clear duty to act in the best interests of the Charity and to abide by the provisions of the Charities Act 2011
  - 2.5.7. For events which take place outside the United Kingdom compliance with local legislation must also be ensured.
- 2.6. The Union President is ultimately responsible for the enforcement of the provisions outlined within this policy. Implementation of the policy is delegated to Union staff.

### 3. Procedural framework

- 3.1. All Clubs, Societies & Projects and other recognised student groups must notify, using established systems, the Union of the speakers and topics that are being discussed at the events they are holding, together with information about attendees.
- 3.2. Identical information must be provided for any of the Union's commercial events or events organised by external clients.
- 3.3. Room bookings will not be processed and events will not be permitted to go ahead unless the correct processes and information have been provided within the correct timescales.

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<sup>3</sup> *Freedom of Speech Code of Practice*, Imperial College London. Available online:  
<http://www3.imperial.ac.uk/secretariat/collegedgovernance/provisions/policies/freedomofspeech>

#### 4. Processes

- 4.1. Requests for Union and College rooms and other spaces are made through a variety of routes:
  - 4.1.1. The majority of requests from student groups are usually received via the Union's online room booking request system.
  - 4.1.2. Union spaces may also be booked through members of Union staff, this includes all bookings taken by the Union from external clients and members of College staff.
  - 4.1.3. The College's Conferences & Events Office controlled spaces are booked via paper forms available through the Student Hub.
  - 4.1.4. It is expected that other College Departments do not directly make bookings for Clubs, Societies & Projects and other Union recognised student groups. Where requests are received by a department for rooms which are not available to be booked under the Union's room booking system or through the College's Conference & Events Office, they should liaise with the Union on a case by case basis.
  - 4.1.5. The Union will not process or be responsible for making bookings for individual students or groups of students who are not associated with a recognised Union activity.
- 4.2. There is a defined approval process for each of these routes. This is usually:
  - 4.2.1. Union staff. Role: Process the booking request
  - 4.2.2. College Departmental administrators. Role: Approve use of College Departmental space (where required)
  - 4.2.3. Deputy President (Clubs & Societies) or their nominee. Role: Research speaker(s) and topic(s) to determine the risk of Union and College policies or the law being broken. Refer research to College Security or College Secretary where risks are identified. Recommend and implement control measures. This work will be done in conjunction with or delegated to members of Union staff.
  - 4.2.4. College Security. Role: Provide further research on speaker and topic and decide on security arrangements and implementation of control measures.
- 4.3. The Union will automatically inform the College Secretary if an event is felt to fall under Section 2 of the College Code of Practice on Freedom of Speech, namely:  
*"Any meeting or other activity on College premises where there is a real likelihood that the speaker may not be able to enter or leave College premises safely and/or deliver his or her speech or that a breach of the peace may occur will be deemed to fall within the requirements of this code."*
- 4.4. Bookings or requests for the approval of additional speakers shall not usually be accepted less than two weeks before the date of the event taking place. Permission will usually not be granted in these circumstances.
- 4.5. The details of the event required must include:
  - 4.5.1. the title of the event,
  - 4.5.2. date and intended locations,
  - 4.5.3. organisers name & contact details,
  - 4.5.4. anticipated number of attendees,
  - 4.5.5. details of any non-standard seating arrangements,
  - 4.5.6. whether the event will be filmed or recorded, and how this will be distributed,
  - 4.5.7. details of the scope of advertising.



President (Clubs & Societies). Appeals on decisions of the Deputy President (Clubs & Societies) can be made to the Union President or their nominee.

## **5. Assessment and management of risk**

### **5.1. Risk will be assessed based on the following:**

**5.1.1.** Whether there is a risk of disorder or unlawfulness arising from the speaker or attendees at an event

**5.1.2.** Compliance with Imperial College's Code of Practice on Freedom of Speech and the 1986 Education Act.

**5.1.3.** Whether there is a risk of breaking the Union's Equality and Diversity policies.

**5.1.4.** The reputational and physical risk to the Union and the impact on its charitable purpose.

**5.1.5.** The reputational and physical risk to the College and the impact on the Union's relationship with it

**5.2.** A procedures document will be in place which provides extra detail regarding the processes which will be used to inform the decisions required by section 5.1. This document will be reviewed bi-annually by the Finance & Risk Committee.

**5.3.** Wherever possible the organiser of an event will be given the chance to change aspects of the event to conform to this or other policies.

**5.4.** If College Security are of the opinion that the physical security of the building, attendees or College members cannot be guaranteed the event must be cancelled. Appeals against decisions of College Security should be made to the College Secretary.

**5.5.** Conditions may be placed on events by the Deputy President (Clubs & Societies) or their nominee before they are granted permission to go ahead. These include but are not limited to:

**5.5.1.** Ticketing the event

**5.5.2.** Pre-registration of attendees

**5.5.3.** Restricting entry to:

**5.5.3.1.** Members of a society

**5.5.3.2.** Students of Imperial College London

**5.5.3.3.** Students and staff of Imperial College London

**5.5.3.4.** Students at a Higher Education Institution

**5.5.4.** Extra Security or stewarding, the costs of which will in principle fall on the organiser of the event.

**5.5.5.** Imposing a Chair designated by the Deputy President (Clubs & Societies) or their nominee

**5.5.6.** Putting a requirement on the format of the event – for example, that there is a question and answer session, or opportunity for debate of the topic.

**5.5.7.** Putting requirements or restrictions on the advertising and promotion of the event

**5.5.8.** Having a Union observer at the event

**5.5.9.** Specifying certain seating, entry/exit or other venue configuration requirements.

**5.5.10.** Requiring the speaker(s) to submit their speech beforehand, or sign a statement demonstrating their understanding of their responsibilities and obligations.

**5.5.11.** Imposing a no audio recording, photographs or videos ruling.

- 5.6. Appeals to restrictions placed on events by a nominee of the Deputy President (Clubs & Societies) may be made to Deputy President (Clubs & Societies). Appeals to restrictions placed on events by the Deputy President (Clubs & Societies) may be made to the Union President or their nominee.
- 5.7. Additionally the College's Code of Practice on Freedom of Speech, outlines the conditions that the College Secretary may put in place for events on Imperial College premises.
- 5.8. Furthermore restrictions may be placed on an event by the College or by an external venue.
- 5.9. Consideration should be given to whether there are individuals or groups on campus who could be consulted or informed of visiting speakers or certain topics being discussed.

## 6. Enforcement and reporting

- 6.1. The Union's disciplinary measures within Bye Law E may be implemented against the event organiser and/or committee member(s) of the responsible student group in the event of disrepute, disorder, breach of Union or College policy, non-compliance with imposed restrictions or unlawfulness arising from the speaker or attendees. College or police action may also be consequences.
- 6.2. The Deputy President (Clubs & Societies) or their nominee will periodically update the Trustee Board on decisions that have been made in relation to this policy.
- 6.3. An annual report will be presented to the Trustee Board detailing notable decisions or levels of restrictions imposed, together with information about events which were cancelled or where any difficulties were encountered.
- 6.4. This policy will be reviewed annually by the Trustee Board.

## Summary of changes

eActivities Submission	<p>ICU must be informed of speakers and visitors via the eActivities based form.</p> <p>Submission of the information via the room booking process will not be accepted. CSPs will be made aware of this via email, the room booking ticket, and in guidance material</p> <p>The reason behind this was for ease of processing with staff support and the requirement for more information inputted by the CSP.</p>
Deadline	<p>The deadline for submission of this form will be 3 weeks (15 working days) before the event.</p> <p>This is to ensure that there is enough time for ICU to process the form, and then for the College to process it.</p> <p>This is the minimum amount of time</p>
Appeals	<p>There will be a 1 week (5 working days) appeals opening, for any event that has sufficient mitigating circumstances.</p> <p>The DPCS will review the mitigation submitted and rule on the appeal. If appealed, the form will be included in the process at the point of the decision within the timeline.</p>

Guidance	ICU will issue specific guidance to CSPs on this procedure, which will outline previous areas of issue along with recommendations on areas of risk
Form Changes	As we have digitised the form, it has allowed us to expand the form to ensure that it includes all information required by Section 14 of Imperial College's Freedom of Speech policy.
Room Booking requirement	For all events held on campus, a room booking confirmation should have been received by the CSP before submitting the form. For events off campus, the CSP is expected to have written confirmation of venue booking on request.
Publicity	To ensure that events are not disrupted by a later than expected decision, publicity for an event with an visitor will not be authorised to be used until the speaker has been approved by both ICU and the College, or at the CSPs own risk within 2 weeks of the event. Neither ICU nor the College take responsibility for events being advertised before this process is complete and subsequently affected by the decision made.
Timeline	To ensure that CSPs are aware of the processes and timescales involved, we shall produce a timeline showing the processes, bodies and decisions clearly.
Review Meeting	If a visitor is to be not approved by ICU, the CSP will be invited to meet with the DPCS and Activities Team to consider a review of the event to mitigate any issues. This review meeting will then determine the final decision of the DPCS and this will be communicated to the College.
College Confirmation	We shall seek to request confirmation from the college on each visitor approved by them, so that we can feed the information back to the CSP. The process has been updated to ensure that the College and ICU processes can happen alongside each other, so that the decision made can taking both outcomes into account.

