

Code of Practice on Freedom of Speech

Introduction

This Code of Practice sets out the School's commitment to freedom of speech, the restrictions on freedom of speech, and the School's Visiting Speaker Code of Conduct and Procedure.

Our Commitment to Freedom of Speech

Freedom of speech means that all School staff and students have the right to freedom of thought, conscience, religion, opinion, expression, association and assembly; that they have freedom within the law to hold and express opinions, question and test established ideas or received wisdom, develop and advance new ideas or innovative proposals, and present controversial or unpopular points of view.

The School upholds its commitment to freedom of speech through the provisions for academic freedom set out in its [Academic Freedom Policy](#), and also by ensuring that access to School premises is not denied to any registered student or employee of the School or to any individual or group lawfully invited to LIS premises by an LIS student or employee, on any grounds relating to their beliefs, views, policies or objectives, provided that the expression of these is neither unlawful nor reasonably anticipated to be unlawful. Freedom of speech does not equate to freedom from consequence as set out below.

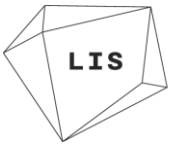
Restrictions on Freedom of Speech

The School's commitment to freedom of speech within the law is not absolute or unconditional. Freedom of speech comes with the responsibility to respect the democratic rights and freedoms of others. Namely, as is set out in the School's [Dignity at Work and Study Policy and Procedure](#) and its [Equality, Diversity and Inclusion Policy](#), all School staff, students and visitors shall refrain from all forms of harassment, prejudice and unfair discrimination, whether on the grounds of sex, race, ethnic or national origin, religion, colour, class, caring responsibilities, marital status, gender, gender identity, status of gender transition, sexuality, disability, age or other status or personal characteristic. For example, we expect all staff members, students and visitors to respect the chosen pronouns of everyone with which they interact in an LIS setting regardless of their personal views on gender identity and transition.

The School also expects its students, staff and visitors to express their views in the appropriate fora, in ways that are clear, relevant, respectful, accurate and timely; they should endeavour to justify their views with evidence, facts or reasonable argument, and should make every reasonable effort to present their views in a constructive and sensitive manner.

Just as the School will not restrict debate because the views being expressed might be controversial or unpopular, it also expects its staff and students to respect the rights of others to express views with which they might profoundly disagree.

There are circumstances in which the School might restrict freedom of speech. These include circumstances where restrictions are necessary in order for the School to:



- Discharge its obligations under the [Education \(No.2\) Act 1986](#), [The Education Reform Act 1988](#), or the [Counter Terrorism and Security Act 2015](#);
- Safeguard the safety, health and welfare of its registered students, employees and others lawfully upon School premises or engaged in activities associated with School, including giving effect to the safeguards set out in the [Equality Act 2010](#); and to
- Ensure it can manage its activities efficiently and economically.

Failure by a School employee to comply with the provisions of this Code of Practice, including the Visiting Speaker Procedure, may result in disciplinary proceedings, as set out in the School's Disciplinary Procedure (in the Staff Handbook).

Visiting Speaker Code of Conduct and Procedure

Introduction

The School's Visiting Speaker Code of Conduct and Procedure have been drafted in line with [Universities UK's External Speakers in Higher Education Institutions](#). It applies to all activities involving external speakers, including:

- Visiting lecturers invited by academic staff;
- Religious and political representatives speaking on campus;
- Events such as debates, speeches and conferences taking place in School facilities that have been organised by staff, students and external bodies.

Visiting Speaker Code of Conduct

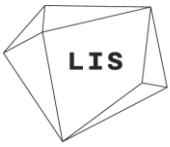
Higher education institutions operate in a complex legal environment; therefore all individuals involved in the School's Visiting Speaker Procedure, including the speakers themselves, must understand the legal context that underpins this area. Relevant areas of legislation include:

- Criminal law, which encompasses hate crimes, terrorism, harassment, breach of the peace and public order;
- Private rights, which entitles individuals to protection from harassment, defamation, unlawful breach of their human rights and unfair treatment under equality law;
- Public law, including freedom of speech and duties under the Equality Act.

The School expects visiting speakers to act in accordance with the law, and not to breach the lawful rights of others. The School reserves the right to deny an external speaker to speak at or attend a School event, and to refuse to permit an event and/or to halt an event at any time if it reasonably considers that there may be a breach of its Freedom of Speech Code of Practice or of any legal duty or obligation.

Below is set out some examples of unacceptable conduct by visiting speakers; this is intended as a guideline and is not exhaustive. During the course of the event in which they are participating, speakers may not:

- Breach criminal law;



- Incite hatred or violence, or any other breach of criminal law;
- Encourage or promote any acts of terrorism, or promote individuals, groups or organisations that support terrorism;
- Spread hatred or intolerance;
- Discriminate against or harass any person or group on the grounds of their sex, race, ethnic or national origin, religion, colour, class, caring responsibilities, marital status, gender, gender identity, status of gender transition, sexuality, disability, age or other status or personal characteristic;
- Defame any person or organisation;
- Deliberately misgender or misuse a person's chosen pronouns;
- Make provision for segregation of their event by sex (except in cases of religious worship).

Speakers must:

- Comply with the School's Freedom of Speech Code of Practice and, where relevant, its [Academic Freedom Policy](#);
- Comply with the School's [Health and Safety Policy](#);
- Express their views in ways that are clear, relevant, respectful, accurate and timely; endeavour to justify their views with evidence, facts or reasonable argument, and make every reasonable effort to present their views in a constructive and sensitive manner.

Visiting Speaker Procedure

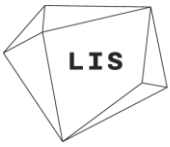
The majority of external speaker requests at the School will be straightforward and will present a low risk. However, some requests will be more complicated, and will require further consideration. The School's Visiting Speaker Procedure reflects this.

Any individual, whether staff or student, who is organising an event that includes an external speaker must follow the Visiting Speaker Procedure as set out below.

Prior to the confirmation of any external speaker, the event organiser must assess the visiting speaker against the following questions:

- Has the speaker previously been prevented from speaking at the School, or any other higher education institution?
- Has the speaker been known to express views that may be in breach of the Visiting Speaker Code of Conduct?
- Does the proposed theme or title of the event present a potential risk that the views expressed by the speaker may be in breach of the Visiting Speaker Code of Conduct?
- Is the proposed speaker or theme likely to attract attendance from individuals or groups that have previously been known to express views that may be in breach of the Visiting Speaker Code of Conduct?

If the answer to all of these questions is no, the event organiser can confirm the visiting speaker, book the event, and begin to advertise it. The visiting speaker must be given a copy of the School's Freedom of Speech Code of Practice.



If the answer to any of the questions is unclear, the event organiser must seek guidance. A staff organiser must seek guidance from their line manager or head of department. A student organiser must seek guidance from the Director of Admissions and Student Support. In both cases, the reviewer will evaluate the visiting speaker against the questions above.

If at any time the answer of any of the question is yes, the event organiser must submit a Visiting Speaker Referral to the Registrar by email at least 28 days prior to the event (registrar@lis.ac.uk). Failure to submit within these timelines may lead to the event being automatically denied.

A Visiting Speaker Referral must contain the following information:

- Name and contact details of principal organiser;
- Name and details of visiting speaker, including links to biographical information, and what organisation, if any, they represent;
- Date, time and place of proposed event;
- Statement as to whether the speaker has spoken either at LIS or another HEI before;
- Whether the speaker has attracted any controversy in the past, and of what nature;
- Overview of event (subject matter, appointed chairperson, format);
- Target audience (numbers expected to attend by group [students, staff, members of the public], including whether there is any reason to believe the event will attract groups/individuals that have been previously known to express views that breach the Visiting Speaker Code of Conduct);
- Any reasons to believe that there may be a threat of disruption caused by the proposed event, and the substance of that threat.

The Registrar will review the Referral against the School's Freedom of Speech Code of Practice (including the Visiting Speaker Code of Conduct), consulting where relevant with other members of School staff, and/or with third parties, such as legal advisors. The Registrar will provide an initial response to the Referral within ten working days of their receipt of the Referral. This response will be either:

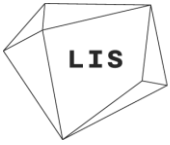
- Approval of the Visiting Speaker; or
- Approval of the Visiting Speaker with conditions; or
- Refusal of the Visiting Speaker.

The event organiser has the right to appeal against a decision made by the Registrar to refuse a Visiting Speaker. This appeal must be made in by email to the Chief Executive within 5 working days of the receipt of the refusal notification (chiefexecutive@lis.ac.uk). Appeals will be responded to within 5 working days of receipt of the appeal, and the decision will be final.

Communication of Visiting Speaker Procedure

In order to ensure that our Code of Practice on Freedom of Speech, including the Visiting Speaker Code of Conduct and Procedure, is visible and easily accessible, the School will communicate it via a number of channels, including:

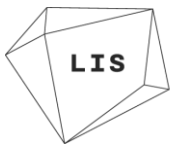
- Staff handbook;
- Student handbook;
- The School website;



- The Learning Management System (LMS);
- The students' association and student societies;
- Induction for new staff where the external speaker procedure is relevant to their role;
- Events staff at the School.

Monitoring and Review

The Registrar will annually review and, where appropriate, suggest revision to this Code of Practice in the light of changes in legislation, geopolitical or socioeconomic events, and other factors. Any changes will be authorised by the Board of Directors.



Version Control

Name of policy/procedure:	Code of Practice on Freedom of Speech
Document owner:	Hannah Kohler, Director of Admissions and Student Support
Date Originally Created:	02/2019
Related documents: (eg associated forms, underpinning processes, related policies or overarching policies)	Code of Ethical Conduct Academic Freedom Policy Equality, Diversity and Inclusion Policy Dignity at Work and Student Policy and Procedure Safeguarding Policy and Procedure (including Prevent) Staff Handbook (includes Disciplinary Procedure)

Version Control			
Version	Author	Date	Brief summary of changes
1	Hannah Kohler (Director of Admissions and Student Support)	18/02/2019	Original draft
2	Board of Directors	12/07/2019	Approved
3	Academic Council	18/12/2019	Approved, but requires review as part of overall update to general academic regulations given decision to pursue NDAPs
4	Hannah Kohler (Director of Admissions and Student Support)	19/12/2019	Minor typo fixes, no major changes
5	Academic Council	16/03/2020	Approved
6	Michael Englard, Registrar	AC Chairs action March 2022	Minor working changes following EDIC/AC on LIS context and to better include gender identity and that it should include all touch points not simply external speakers