

**Freedom of Speech Code of Practice**

1. **Introduction**
	1. This code of practice sets out our commitment to freedom of speech and takes into account the Freedom of Speech Act 2023.
	2. It applies to:
		1. All events conducted in the name of HASU on or off campus and online
		2. Members of Clubs, Societies, & Educational Champions of the Students’ Union
		3. Staff of the Students’ Union
		4. External Speakers
	3. Providing it is within the law, freedom of speech will be protected for
		1. Our members in relation to their ideas or opinion
		2. A society or other body in relation to its policy, objectives, ideas, or opinions of any of its members.
	4. External speakers are defined as Any individual(s) invited to participate in an event or activity at the request of any affiliated student group; including societies, sports clubs, communities or elected representatives.
	5. In regard to HASU External Speakers may only be invited by a recognised collective body within the Students’ Union such as Students’ Union recognised society. **Speakers may not be invited to campus by staff or students acting independently** (i.e. outside of a Students’ Union society).
2. **What does the law say?**
	1. As we are a registered Charitable Incorporated Organisation (CIO) there are many legal factors in play:
		1. Education Act ‘94: “There is no obligation to secure speech which is not within the law, where it would, for example, be an offence, such as incitement to racial or religious hatred, or the encouragement of terrorism.”
		2. The Human Rights Act ‘98 requires public bodies to act in a way which is compatible with the rights set out in the European Convention on Human Rights.”
		3. Prevent Duty: “Charity Commission would expect all trustees to discharge their legal duties and responsibilities to manage the risks from terrorism, extremism or other illegal conduct such as racial or religious hatred.”
		4. Public Sector Equality Duty ("PSED") have due regard to the need to eliminate discrimination, harassment, victimisation and other conduct that is prohibited by the Equality Act 2010
		5. Charity Commission guidance: “If, after risk assessment trustees are of the view they cannot adequately protect the charity, its reputation or beneficiaries from undue harm”
		6. Freedom of Speech Act 2023: “An Act to make provision in relation to freedom of speech and academic freedom in higher education institutions and in students’ unions; and for connected purposes.”
3. **HASU External Speaker Procedure**
	1. This procedure follows the Harper Adams University ‘Freedom of Speech and Academic Freedom Policy.’
	2. Any external speakers for society, club, or HASU led events will be logged via HASU staff who will act as the Principal Organiser of the event
	3. If there are concerns then The principal organiser shall give notice of the proposal to the Chief Operating Officer at least ten working days before the date proposed for the event. The 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
	4. Within five working days, the Chief Operating Officer shall give written notification either granting or withholding permission for the use of University premises as proposed for the conduct of the event. Where a request is complex or likely to be controversial, the Chief Operating Officer will seek comments from at least two other members of the University Executive before reaching a final decision. If additional time is required to consider the request, the person making the request shall be informed of the reasons for the delay and be provided with a revised decision date. The risk rating table attached to this policy shall be drawn upon to inform the final decision.
	5. More information can be found here [Key Information | Harper Adams University (harper-adams.ac.uk)](https://www.harper-adams.ac.uk/apply/applicants/key-info.cfm) and in the following flow chart:



1. **Links to the University**
	1. We are heavily intertwined with University policies and procedures on external speakers.
	2. All HASU events where External Speakers would be involved are in University owned rooms so request for bookings go via the University room booking team.
2. **Conduct of External Speakers**
	1. External speakers are expected to abide with the law on freedom of speech including but not limited to:
		1. Encouraging, glorifying or promoting any acts of terrorism including individuals, groups or organisations that support such acts.
		2. Inciting hatred, violence or call for the breaking of the law.
		3. Spread hatred and intolerance based on religion, race, or other factors protected by the law.
	2. All External Speakers will be sent this code of practice before speaking at a HASU event.
3. **Criteria used by HASU for External Speakers**
	1. As outlined in section 3, HASU staff are responsible initially for reviewing external speaker requests.
	2. Staff will conduct searches on External Speakers and look for any incidents where the areas outlined in section 5 may have been breached.
	3. If any incidents are found, then the Speaker will be referred following the procedure in section 3.
4. **Breaches to this Code of Practice**
	1. Any breach to this code of practice by a member of the Students’ Union acting on behalf of their HASU role will be taken through disciplinary procedures. HASU roles include, but are not limited to, Society & Club Leaders, Educational Champions, Executive Officers.
	2. If a student breaches this code of practice but is not acting in their HASU role then the responsibility will lie with the University and the process will follow University student disciplinary processes.
	3. Any breach by a member of staff at HASU will be taken through internal staff disciplinary procedures.
5. **Updating the Membership**
	1. This code of practice will be available on www.harpersu.com
	2. As outlined in the Freedom of Speech Act 2023, at least once a year HASU will:
		1. Bring this code of practice to the attention of its members.
6. **Review**
	1. The Union Director or designated nominee will review this Code of Practice every three years or sooner where new developments in relevant legislation, or changes to operational practices make such a review necessary.