



Global Banking School
+44 (0) 207 539 3548

info@globalbanking.ac.uk

www.globalbanking.ac.uk

891 Greenford Road, London

UB6 0HE

GBS Freedom of Speech Code of Practice

Document title	GBS Freedom of Speech Code of Practice
Version	V2.1
Approved by (Oversight Committee)	Board of Directors
Policy lead (Staff member accountable)	Head of HR
Date of original approval	December 2019
Date of last review	November 2023
Changes made at the last review:	Minor editorial changes (November 2023)
Date effective from	November 2023
Date of next review	November 2026

Related GBS policies

- GBS Health and Safety Policy
- GBS Staff Disciplinary Policy
- GBS Student Disciplinary Policy
- GBS Equality and Diversity Policy
- GBS CCTV Policy and Procedure
- GBS Data Protection Policy
- GBS Social Media Policy

External Reference Points

1. Information Commissioner's Office, Accessed online at: <https://ico.org.uk/>
2. UK Public General Acts, Data Protection Act 2018, Accessed online at: <https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>
3. UK Public General Acts, Human Rights Act 1998

Contents

1. Policy Statement	4
2. Purpose	4
3. Roles and Responsibilities	4
4. Scope	5
5. Legislation	5
6. Code of Practice.....	7
7. Internal Meetings and Activities	8
8. External Meetings and Activities	8

with the principles of freedom of speech, the details of the Code and procedures for approving relevant activities

4. Scope

4.1 GBS Freedom of Speech Code of Practice sets out the rights and obligations inherent in supporting the principle of freedom of speech and expression within the law. The Code's obligations and rights apply to:

- GBS (which includes all bodies or persons having authority to determine any matter relevant to this Code).
- All students of GBS
- Any visiting or guest lecturers invited by GBS
- Any alumnus invited by GBS
- Any person or organisation wishing to hire premises controlled by GBS for an event.

4.2 In relation to the holding of any events on premises controlled by GBS, the Code of Practice rights shall also apply to:

- Persons invited or otherwise lawfully on the premises for the purposes of the event.
- Persons who, if it were not for the provisions of this Code, would have been invited to the event.

4.3 Those who are under a duty to observe and uphold the principle of freedom of speech within GBS shall do so at all times, irrespective of whether or not they are on property owned or controlled by GBS.

5. Legislation

5.1 Article 10 of the Human Rights Act 1998

5.1.1 Article 10 of the Human Rights Act¹ states that everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are proscribed by law and are necessary in a democratic society, in the

Human Rights Act 1998 <http://www.legislation.gov.uk/ukpga/1998/42/schedule/1/part/I/chapter/9>

interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

5.2 Education (No 2) Act 1986

5.2.1 Section 43 of the Education (No 2) Act 1986² states that every individual and body of persons concerned in the government of higher education institutions 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 institution and for visiting speakers. This includes, in particular, the duty to ensure, so far as is reasonably practicable, that the use of any premises of the institution is not denied to any individual or body of persons on any ground connected with:

- the beliefs or views of that individual or of any member of that body; or
- the policy or objectives of that body

5.2.2 The Act requires that GBS's Board of Directors shall, with a view to facilitating the discharge of this duty, issue and keep up to date a code of practice setting out the procedures to be followed by members, students, and employees of GBS in connection with the organisation of:

- Meetings to be held on the premises of GBS and which fall within any class of meeting specified in the code.
- Other activities which are to take place on GBS premises and which fall within any class of activity so specified.
- The conduct required of such persons in connection with any such meeting or activity.

5.2.3 Additionally, the Act states that every individual and body of persons concerned in the governance and management of GBS shall take such steps as are reasonably practicable (including where appropriate the initiation of disciplinary measures) to secure that the requirements of the freedom of speech code of practice are complied with.

Education (No 2) Act 1986, Section 43 <http://www.legislation.gov.uk/ukpga/1986/61>

5.3 Prevent Duty ³

5.3.1 The Counter Terrorism and Security Act 2015⁴ means GBS must have due regard to the need to prevent people from being drawn into terrorism (Section 26). GBS must also have particular regard to the duty to ensure freedom of speech and to the importance of academic freedom (Section 31). Under Section 29, GBS must have regard to any such guidance in carrying out that duty.

5.3.2 GBS complies with this duty in all its aspects, which in practice means striking a fine balance between concerns around extremism and concerns around censorship. The work in promoting British values and GBS values aim to positively address this challenge. It covers many areas of activity, including pastoral support for students, staff training, information sharing and assessing speaker events. In assessing speakers for events associated with GBS, account will be taken of the Government's list of terrorist groups or organisations banned under UK law and details of proscription criteria.

6. Code of Practice

6.1 GBS is an academic community of staff and students. Central to this concept is the ability of all its members freely to challenge prevailing orthodoxies, query the positions and views of others and to put forward ideas that may sometimes be radical in their formulation.

6.2 Any individual or body of persons shall be free, within the law, to hold meetings or engage in such other activities of the type set out in Appendix A on the premises of GBS, regardless of the beliefs, views, policies or objectives of that individual or body. Appendix B provides further guidance on types of activities.

6.3 GBS will seek to ensure that the use of our premises is not denied on grounds connected with the beliefs, views, policies or objectives of an individual body or body of individuals, as long as such use is at all times within the law. Where there are concerns about an event, GBS will seek to facilitate an open and transparent dialogue with the event organisers to establish whether the event can take place whilst ensuring GBS meets its legal obligations. Event organisers will be expected to take part in this dialogue in an open and transparent manner.

³The statutory Prevent Duty Guidance has been issued to all 'specified authorities', wS



law will not be permitted on GBS premises. Requests to hold events on GBS premises may be declined if a suitable location is not available.

7.2 GBS has the discretion, however, has no legal obligation to allow meetings or events held on its premises to be open to members of the public. GBS shall have the right to require that it is provided in advance with a list of all attendees for an event and also has the right to require that events held on its premises may be ticketed.

7.3 GBS shall have the right to refuse entry to those attending the event if they bring items onto the premises that it deems to be:

- Unduly provocative or offensive in nature
- Designed or have the potential for use to cause injury to people or property.

7.4 (for)0.7ho(hel)-1edG7S ntsies a(ubl)-1.1 (l)-1 (e)5.t eventslovesesf helr-1.7 ((e)5.1 ()]Tc -1.720

- Encourage or promote illegal acts or promote individuals, groups or organisations that undertake illegal acts.

9.1.2 These requirements are not exhaustive and GBS reserves the right to terminate an event if it considers that a speaker will not conduct themselves in accordance with this Code of Practice. The Campus Facilitator or Campus Coordinator should be consulted when such matters arise or are thought to have arisen.

9.1.3 All external speakers are to be provided with a copy, either electronically or a hard copy, of this Code of Practice. Where appropriate the Campus Facilitator or Campus Co-Ordinator may require the external speaker to confirm in writing to GBS that they have read and understood the Code of Practice and that they agree to abide by its requirements. Where required, this confirmation must be submitted at least seven days in advance of the event.

9.2 Publicity Materials

9.2.1 GBS shall have the right to require that it is:

- Provided with copies of all publicity materials for the speaker and the event, together with an explanation of any abbreviations, acronyms, alternative or coined nomenclature or any technical terms used.
- Informed if representatives of the media are to be admitted or excluded. GBS logo and other associated symbols and emblems shall not be used in publicity materials for any event without the written consent of the Campus Facilitator or Campus Coordinator.

9.3 Assessment of Events and Speakers

9.3.1 Before giving permission for any event to take place on GBS premises, or off-site under the authority or brand of GBS, the Campus Facilitator or Campus Coordinator must consider and decide upon the following questions:

- Has the proposed speaker been previously barred from speaking at either this or another education establishment for expressing views that contravene the purposes of this Policy?
- Does the proposed speaker or the theme or content of the event contravene the purposes of this Policy, including the need to have due regard to the need to prevent people from being drawn into terrorism?

- Will the proposed speaker or the theme or content of the event be likely to attract attendance from individuals or groups that have previously been known to express views or to act in ways that contravene the purposes of this Policy?
- Is there or might there be an intention to segregate the audience on the basis of any protected characteristic?
- Has the event been organised to raise or gather funds for any individual, organisation or cause that encourages, promotes, or undertakes acts that break the law?

9.3.2 If the answer is no to all of the above questions and it is clear that there are no issues that require further consideration then the organisation of the event can be approved to proceed by the Campus Facilitator or Campus Coordinator.

9.3.3 If the answer is yes to one or more of these questions or there is uncertainty or further consideration required in relation to any of the questions, then a request to approve an external speaker or the theme or content of the event should be discussed and decided upon by the Campus Facilitator or Campus Coordinator in consultation with the Chief Executive Officer.

9.3.4 This set of questions is not exhaustive and the Campus Facilitator or Campus Coordinator has the discretion to consider other factors. GBS will also have the discretion to consult other parties and external information sources as part of his or her deliberations. In all circumstances, GBS should only take such action and make such decisions as it considers proportionate, objective, reasonable, and fair to the furtherance and fulfillment of this policy.

10. Obtaining permission to hold events

10.1 The event organiser (the person—member of staff or student or student group) responsible for organising the event must first check with the Campus Facilitator or Campus Coordinator that accommodation at GBS would be available. Following this, the event organiser must complete the Form for Obtaining Permission to Hold an Event (Appendix C) or Invite an Outside speaker and then submit this with any additional appropriate documents to the Campus Facilitator or Campus Coordinator to obtain a decision over whether or not the proposed event and/or outside speaker can be approved.

11. Breaches of the Code of Practice



Appendix B: Guidance on activities

Event: An event is any gathering (which would include meetings, events,