

Freedom of Speech Regulations

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V1.0	July 2024 Corporate Board	Date of creation	Registrar	Biennially and as required
Note				
<p><i>In accordance with the requirements of S.43 of the Education (no. 2) Act 1986, Equality Act 2010, Higher Education (Freedom of Speech) Act 2023, and the public interest governance principles of the OfS regulatory framework (at June 2024), ICMP makes the following regulations, governing the conduct of staff and students, and prescribing procedures to be followed in order to maintain freedom of speech within the law on ICMP Management Ltd premises.</i></p> <p><i>They are to be read in conjunction with other ICMP Management Ltd policy and procedures, including disciplinary procedures, which they supplement but do not supersede.</i></p> <ul style="list-style-type: none"> ● <i>Statement on Academic Freedom</i> ● <i>External Speakers and Events Policy</i> 				

1. Preamble

- 1.1. Freedom of speech and academic freedom are fundamental to higher education. The core mission of education providers is the pursuit of knowledge.
- 1.2. ICMP Management Ltd supports the principle of freedom of speech and expression within the law as one of the fundamental principles upon which the institution is founded.
- 1.3. Every person employed by ICMP Management Ltd and every student enrolling at ICMP or SAE UK should be aware that joining the community involves obligations and responsibilities which are consistent with the above principle and the law.
- 1.4. ICMP Management Ltd has established these regulations to ensure freedom of speech within the law is secured. These obligations apply to:
 - 1.4.1. All staff and members of the Corporate Board of ICMP Management Ltd;
 - 1.4.2. All students of ICMP Management Ltd;
 - 1.4.3. All student officers, student representatives and associated societies and clubs of ICMP Management Ltd;
 - 1.4.4. Any visiting or guest lecturers of ICMP Management Ltd;
 - 1.4.5. Any alumnus invited by ICMP Management Ltd;
 - 1.4.6. Honorary doctors and fellows of ICMP Management Ltd.
- 1.5. The remainder of these regulations addresses three types of event:
 - 1.5.1. events on ICMP Management Ltd premises arranged by staff outside the normal teaching and events programmes;
 - 1.5.2. events arranged by the students of ICMP Management Ltd;
 - 1.5.3. events outside the normal teaching programmes arranged by any person or group of persons not covered by (a) or (b) above, but held on ICMP Management Ltd premises.

2. Definitions

- 2.1. **Freedom of speech:** freedom within the law to express ideas, views and opinions, in speech or in writing, without interference
- 2.2. **Academic Freedom:** freedom within the law for academics to question and test received views and wisdom, and to put forward new ideas and controversial or unpopular opinions without placing themselves in danger of losing their jobs or privileges or likelihood of securing a promotion of a different job.
- 2.3. Free 'speech' includes written materials and other forms of expression. It is not limited to the spoken word.
- 2.4. **Unlawful Speech:** Speech that amounts to unlawful harassment of unlawful discrimination does not constitute free speech within the law and is not protected.

3. Regulations

- 3.1. The Executive Committee shall at all times do whatever is reasonably practicable to ensure that the use of ICMP Management Ltd premises 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, subject only to the caveats in paragraphs 3.4 and 3.5 below.
- 3.2. Where, at any of the events listed in paragraph 1.5 above adequate notice shall be given to the Executive Committee or the designated officer; a period of less than 14 days' notice shall be regarded as inadequate. Such notice shall include:
 - 3.2.1. the date, time and place of the event;
 - 3.2.2. in the case of staff and student-organised events, the name of the individual or group responsible for them and, where it is a group, the name of the individual who will act as correspondent to the group;
 - 3.2.3. in the case of other events, the name of the individual or group responsible and, where it is a group, the name of the individual who will act as correspondent to the group, plus where possible the name of at least one member of staff connected with the group and willing to act as co-sponsor of the event, who together with the correspondent or organising individual shall sign an undertaking to comply with all lawful instructions of ICMP management regarding the organisation of the event;
 - 3.2.4. the arrangements proposed for security measures and for caretaking, if these are necessary.
- 3.3. The Executive Committee or designated officer shall within seven days of the receipt of such notice, where no objection is made to the arrangements proposed, signify consent. Changes required to the arrangements shall similarly be notified within seven days.
- 3.4. Where it seems to the individual or group organising the event that views may be expressed which are unlawful, or that other unlawful actions may take place, this must be notified to the Executive Committee or designated officer at the same time as the notice described in paragraph 3.2 above is delivered, or if suspicion that this may occur arises thereafter, immediately. When for this reason or otherwise the Executive Committee or designated officer reasonably believes that an unlawful act may be committed, they may refuse permission for the event to take place on ICMP Management Ltd premises.
- 3.5. In accordance with the same procedure specified in paragraph 3.4, the organiser(s) of an event must notify the Executive Committee or designated officer if they judge that a breach of the peace may occur during/before/after the event. When for that reason or otherwise the Executive Committee or designated officer reasonably believes that there may be a breach of the peace during/before/after the event, they shall as soon as is practicable consult the Senior Police Officer (or their nominee) in the Metropolitan Police Division within which the event is to take place. After such consultation, permission for the event may be refused. Where it is not, the Executive Committee or designated officer shall act in concert with the Senior Police Officer and the organiser(s) of the event to ensure that freedom of speech is maintained and that no breach of the peace occurs.

- 3.6. Whenever an event falling within the provisions of Regulation 3.4 or 3.5 is proposed, the Executive Committee or designated officer shall inform of their actions and decision to the Chair of the Corporate Board.
- 3.7. ICMP will not unreasonably refuse permission for events to be held on its premises. To ensure this, the Executive Committee or designated officer shall, before refusing permission for an event to take place, inform themselves upon the following questions:
- 3.7.1. whether there is likely to be incitement of those attending the event to commit a criminal act;
 - 3.7.2. the likelihood of the expression of views contrary to the criminal law;
 - 3.7.3. whether the event is in direct support of an organisation whose aims and objectives are illegal;
 - 3.7.4. whether the event could give rise to any breach of the peace (bearing in mind the advice of the Senior Police Officer of the appropriate Division of the Metropolitan Police);
 - 3.7.5. the safety of persons attending the event and of persons in the vicinity who might foreseeably be put at risk;
 - 3.7.6. the security of ICMP Management Ltd premises;
 - 3.7.7. the good name of the institution.
- 3.8. A student signing upon enrolment an undertaking to observe ICMP Management Ltd regulations shall be deemed formally to have accepted both the letter and the spirit of these regulations.

4. Delegation

- 4.1. The Corporate Board delegates its powers in respect of the matters dealt with in these regulations to the Executive Committee or the designated officers, except insofar as the latter may deem it desirable to seek advice or a decision from the Corporate Board or its Chair, where this is reasonably practicable.

5. Breaches of the Regulations

- 5.1. Any breach of these regulations shall, in the case of a student or group of students, fall to be handled under the Student Disciplinary Procedure. A breach by a member of staff shall be handled in accordance with the Staff Disciplinary Procedure.