

University of Leicester Code of Conduct on Protests

Introduction

1. Like all universities the University of Leicester and Students' Union are committed to the free exchange and expression of ideas and the right of our community to question and challenge in the pursuit of truth and knowledge. At Leicester, freedom of expression within the law is fundamental to our values and behaviours and we are committed to promote freedom of thought and to encourage debate.
2. As part of this commitment and where it is judged reasonably practical to do so, the University will not unduly hinder staff or students who want to undertake planned peaceful protests and orderly demonstrations while also ensuring that the University's operations are not unreasonably disrupted, that it can continue to meet its various legal and contractual duties and that health and safety is not compromised. This Code of Conduct sets out the University's requirements and expectations in this area.

Specific context

3. The University's commitment to freedom of speech within the law takes place within the wider context of the UK's legislative framework, elements of which are referenced below. Within a University context there are two specific additional areas of regulation which relevant to this code. The first of these is the Office for Students' expectation that the University's governing body (i.e. University Council) take 'such steps as are reasonably practicable to ensure that freedom of speech within the law is secured within the provider'. The second is the University's responsibility under the Prevent Duty which requires the University 'to have due regard to the need to prevent people from being drawn into terrorism' and related considerations about freedom of speech and speakers.

Scope

4. This code of conduct applies to all staff and students located at (or planning to protest at) and of the University's campuses in Leicester and should be read in conjunction with [Student Discipline Regulations](#), relevant HR policies and procedures ([Dignity and Respect Policy](#) and [Discipline Ordinance](#)) and the Code of Practice on [Freedom of Speech](#). This code sets out the University's approach to accommodating protest and/or demonstrations and identifies matters which must be considered when a protest is being arranged. For the avoidance of doubt, the scope of this code does not include lawful picketing on days of strike action by University staff that has been arranged in support of official industrial action by the recognised trade unions.



Principles

5. Under Articles 10 and 11 of the European Convention on Human Rights (ECHR), everyone has the right to a freedom of expression and the freedom of assembly and association. The right to freedom of expression can, on occasion, be restricted, for example where it interferes with the rights of others.
6. Decisions taken by the University in relation to staff or student protests will be informed by the following.
 - A recognition that the right to protest is a legitimate element of democratic participation.
 - A presumption that protests should not be unduly hindered so long as they meet legal requirements and the requirements detailed in this code.
 - The expectation that any University response to a protest will be proportionate and that a decision about whether a protest is to be permitted will be informed by whether the steps necessary to enable it (including costs such as staff time) are judged to be 'reasonably practicable'.
 - A recognition that advanced notice of a protest in line with this policy assists the University in taking reasonably practicable steps to enable a protest to proceed.
 - A respect for the right of others, including non-protesting staff, students and visitors, to go about their lawful business unhindered.
 - A recognition that the law restricts freedom of expression in the interests of promoting equality, diversity and the avoidance of violence and damage to property.
 - A respect for the University's own regulatory framework, which has legitimacy through the powers granted in the Charter and Statutes and permits the University to formulate internal, domestic rules and procedures for the University community.

Procedures

7. Operational responsibility for overseeing implementation of this Code of Conduct in respect of protests and demonstrations on University premises, and for ensuring that organisers of protests and demonstrations follow the provisions of the protocol, lies with the University Registrar and Secretary or their nominee (referred to hereafter as the 'Responsible Officer').



8. When planning and executing a protest, student and staff organisers must ensure the following.

- The protest or demonstration prioritises the safety of those involved, as well as the safety of those not involved in the protest, including those who may disagree with the position taken by the organisers (i.e. the potential of a counter protest).
- The protest or demonstration permits the continued operation of University functions, i.e. permits students, staff and visitors to freely move about campus; allows lectures and university events to continue unhindered and uninterrupted (including excessive noise in or intruding into buildings); allows other students, staff and visitors to conduct their business; allows entrance and egress from University grounds as needed.
- The protest or demonstration respects University property and the property of others.
- The protest or demonstration adheres to the Dos and Do Nots set out in Annex C.

9. Failing to follow these requirements could lead to the Principal Organiser and/or other members of the protest being subject to action under the relevant disciplinary regulations and, in serious cases, potential legal action.

Responsibilities of Protestors

10. Students or staff arranging protests or demonstrations on University premises must designate a 'Principal Organiser', who will be responsible for ensuring that the event is in line with the expectations of this Code.

11. Advance notice of planned protests must be provided. The University's expectation is that such notice will normally be provided not less than seven calendar days in advance of the event in question. It is the responsibility of the Principal Organiser to liaise with the Responsible Officer or nominated deputy in order to provide a suitable risk assessment. This will involve responding to the reasonable requests of the Responsible Officer and to ensuring details about the nature and theme of the event are provided in a timely and appropriate manner. This process will be assisted by the completion and submission of the form at Annex A at the earliest opportunity.

12. Upon receipt of information and in consultation with others as required, the Responsible Officer, or nominated deputy, will liaise with the Principal Organiser to:

- agree the time, location, duration, route and other operational requirements for the protest/demonstration;
- advise on the University's expectations for the required risk assessment;
- determine any additional actions necessary to ensure that the protest/demonstration meets the requirements listed above;
- discuss use of language and expression during the protest and support available via the leaflet in Annex B;
- Inform Security (and other staff, or relevant external agencies as necessary) to ensure that they are aware and can take any reasonable action.

13. The University will endeavour to agree arrangements which permit legitimate protest without disrupting the normal working of the University or moving outside the law. Nevertheless, the University reserves the right to modify and/or prohibit a protest.

The Responsible Officer will typically base a decision to prohibit a protest where:

- it is judged a planned activity would be unsafe, would present an unacceptable disruption to business; or
 - insufficient guarantees can be provided that the protest will remain within the law; or
 - when there is a reasonable likelihood that the protest will lead to damage to persons or property; or
 - when the estimated cost of facilitating the protest is deemed to be disproportionate or extend beyond what is judged to be 'reasonably practicable'; or the activity is judged to constitute a breach of the Equalities Act or otherwise interfere with the University's various legal duties.
14. Should it be the determination of the Responsible Officer that the protest and/or demonstration will not be permitted, the Registrar and Secretary will provide the Principal Organiser, in writing, a rationale for the decision, normally within two working days. Where the Responsible Officer judges it appropriate, such a communication may include suggestions for alternate arrangements which would enable the event to continue, albeit in a revised form.
15. Principal Organisers should be aware that if a protest that is being arranged away from University premises and becomes a procession in public areas, it is a legal requirement that the Police are notified in writing six days in advance of the event by the event organiser.

Counter-protest

16. A protest, demonstration, or event on campus may, on occasion, invite a counter-protest from those who hold an alternative point of view. When these occasions arise, the ability of all parties to safely and effectively express their views will be a primary consideration. Where applicable the University Registrar and Secretary may insist on separate protest areas for those persons with views that differ from the views held by the event organisers. In order to ensure the safety of all participants, Campus Security or contracted external security provider may be in attendance. If it is deemed appropriate, external agencies may also be informed.

Annex A

Notice of planned protest: information form	
1. ORGANISER DETAILS	
Name of Principal Organiser:	
E-mail:	
Telephone number:	
2. PROTEST DETAILS	
Protest title (or focus/topic):	
Name of organising group (where relevant):	
Planned date and time (from setup to conclusion):	
Planned location:	
Description of planned format (please provide details of e.g. use of banners, megaphones, intention to march and route):	
Will those protesting be asked to register in advance?	
Anticipated numbers attending:	
Is attendance by third parties (i.e. individuals who are neither staff, nor students) anticipated?	
3. OTHER DETAILS	
Is the subject of the protest controversial and/or is a counter protest likely?	
Will the protest involve any external speakers? If YES, an External Speaker form must be completed and submitted for approval.	
Has a risk assessment been already been undertaken? If YES, please supply this. If not, please be aware a risk assessment will be required prior to approval	
4. EVENT PROCEDURE AND PROMOTION	
How will the event be advertised and in what language(s)?	
What promotional material will be available at the event?	
Does this event pose a possible threat of disruption and if so why?	



Is the media expected to attend?	
Provide details of any event sponsor(s)	
Will the event be broadcast/live streamed? If YES, please provide details.	
<p><i>PRINCIPAL ORGANISER TO READ AND SIGN: I have read the Code of Conduct on Protests and the Code of Practice on Freedom of Speech and confirm that this event and any speakers will adhere to the relevant regulations of the University. I will resubmit this form if any declared details in this submission change prior to the event taking place.</i></p>	
SIGNED:	DATE:



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Annex B



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Protests and hate crime

The University and Students' Union support the right to lawful protest, freedom of speech and to anyone legally making their voice heard.

We also have a duty to uphold the law protecting people from all forms of hate crime.

We want to help you to highlight your concerns, express your views, and take action safely, without putting yourself at risk.



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Think about how your behaviour could impact others. Don't cross the line to criminal behaviour.

Here's what you should avoid:

- Words, images or actions that could stir up hatred or that would be deemed a hate crime*. This includes actions and behaviours motivated by prejudice or hostility.
- Words, images or actions that support recognised terrorist organisations or promote acts of terrorism such as the killing, causing of harm to, or kidnap of, innocent people.
- Use of fear or violence, including threatening words or aggressive behaviours that could be considered intimidating.
- Defacing property.

Be mindful of the University's own regulations and processes around [student](#) and [staff](#) conduct and behaviour and your commitment to treat others at the University with [dignity and respect](#). We are one community and these guidelines are key to making our campus a safe and welcoming place for all.



If you see behaviour that crosses the line, please report to [security](#):

0116 252 2023

0116 252 2888 (Emergencies only)



You can also use [Safezone](#) if you need help, first aid or in an emergency.

*A hate crime is defined by law as: Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.

Annex C

Code of Conduct for Protests and Demonstrations

The University of Leicester encourages students to respectfully share, debate and challenge views and positions on a wide range of issues. The University is committed to protecting freedom of speech and freedom of assembly for everyone, within the law.

This means that protests on campus are permitted, and staff and students should feel safe and confident in doing so, provided they do not breach relevant University policies or any applicable laws.

The right to lawful protest must be balanced between the rights of protesters to assert their views on the one hand and, on the other, the rights of others (students, staff and visitors) to go about their business safely, unimpeded and free from intimidation and harassment. The University has a responsibility to maintain a safe, effective, and welcoming environment for all our students, staff, and visitors.

The expectations below (which are not exhaustive) fall within section 11.17 of the Code of Student Conduct University regulations that govern student conduct. Providing more detail in this way is intended to ensure that student protests can be conducted safely for all members of the University community and the public and reduce the likelihood of protesters breaching University regulations and becoming subject to disciplinary action.

Our Code of Conduct on acceptable and unacceptable behaviour at demonstrations or protests at the University of Leicester is set out below. This is intended to enable freedom of expression, including freedom to protest, speakers and events.



DO

Remember that we all have a right to freedom of expression and freedom of assembly and that the right to exchange information, debate ideas and express opinions is a core aspect of our individual freedom and our collective good.

Attend events and respectfully engage at appropriate times, for example by raising points and asking questions at the allocated times during the event, and always remember to comply with the University's Dignity and Respect Policy.

Be mindful of how your actions may be perceived and ensure they do not make others attending a protest, or a protested event, fearful for their safety.

Give notice (usually seven calendar days minimum) of the protest/event to the University, Students' Union and the Security Team using the appropriate channels and agreed processes and secure the necessary permissions for the protest/event to take place.

Seek support in advance and follow any safety, security, location, and other advice given to you by the University and Students' Union staff or their representatives. Clearly communicate information about the protest to the participants, including any relevant University guidance.

Make sure you keep access routes clear, particularly for emergency vehicles, and clear away any litter.

Be mindful of what is posted on social media i.e. posts containing unlawful behaviour that are posted as being representative of individual or societies.

DO NOT

Deny the freedom of others to assemble and express opinions or beliefs different to your own.

Use intimidating, abusive, threatening, or unlawful behaviour or language via communications (in person or digital), placards, banners, posters, chants, or other means.

Occupy University buildings or disrupt any teaching, research, events, or other University business.

Invite external speakers or hold events on campus without following the due process set out above

Intentionally or carelessly damage any University or other property as part of your protest (including flyposting or stickering).

Seek to disrupt other events taking place on University premises by preventing speakers from talking, people from attending, or doing anything that is designed to prevent the event taking place successfully.

Engage in actions that may or do bring the University into disrepute.

Undertake any other activities that could be considered in breach of UK law.



What if I choose not to follow the Protest Code of Conduct?

Failure to ensure lawful, safe and peaceful protest, as set out above, may constitute misconduct under the Code of Student Conduct University regulations that govern student conduct (in the case of students) or the Disciplinary Policy (in the case of staff), and the discipline procedures under those policies will be followed.

Where staff or students invite third-party groups or individuals to join a protest on University premises, those staff or students will be responsible for ensuring compliance by those groups or individuals with these guidelines.

Any allegation of a criminal offence committed by a student or staff member may be reported by the University to the police (or, if the police are in attendance to ensure public safety, the police may take direct action in the event of a suspected criminal offence).

- Code of Student Conduct <https://le.ac.uk/policies/regulations/senate-regulations/senate-regulation-11>
- Freedom of Speech Policy <https://le.ac.uk/policies/codes-practice/freedom-speech>
- External Speaker Policy <https://le.ac.uk/policies/safeguarding/prevent>
- Dignity and Respect Policy <https://le.ac.uk/about/making-a-difference/edi/dignity-respect>
- Disciplinary Policy (staff) <https://uniofleicester.sharepoint.com/sites/staff/difficult-work-situations/discipline/SitePages/Home.aspx>
- Students' Union Event Notification, External Speaker and Room Booking Forms <https://www.leicesterunion.com/yourunion/roombookings/>