

## Visiting and External Speakers and Events Policy

### 1. Legislative Framework and Principles

- 1.1 This Policy sets the principles and procedures for managing external and visiting speakers and events hosted by, or closely associated with, the University. The Policy is intended to ensure that the University upholds Section 43 of the Education (No 2) Act 1986 where “every individual and body of persons concerned in the government of any establishment to which this section applies 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 establishment and for visiting speakers”.
- 1.2 It is recognised that the vast majority of events and/or speakers on University premises, or at a University branded event off-campus would not require assessment beyond the self-assessment required of the Organiser in Section 4 of this Policy, provided that freedom of speech within the law is exercised.
- 1.3 In implementing the Policy, the University will take such steps as are reasonably practicable to ensure that access to its premises (including the Students' Union buildings) is not denied to any individual or body of persons on any grounds connected with: (a) the beliefs or views of that individual or of that body or: (b) the policy or objectives of that body. Access to University premises will only be denied when there remains a material risk of:
- i. the rights of groups or individuals being breached under the Human Rights Act 1998, including the incitement of hatred on the grounds of the ‘protected characteristics’ in the Equality Act 2010, including race, religion, gender and sexual orientation;
  - ii. force or violence or endangerment of individuals’ or groups’ life;
  - iii. a breach of the peace (e.g., beyond peaceful protest), including risking serious damage to University property;
  - iv. that the speaker(s) or attendees support an organisation whose aims and objectives are illegal. The University is prohibited under law of holding events and meetings involving or supporting speakers from ‘proscribed organisations’ as defined under the Terrorism Act 2000. A criminal act would be committed by the University or any of its staff, students, or those associated with it if this occurred on University premises, or the University’s branding or name was associated with an event elsewhere. The Act makes it illegal to arrange, manage or assist in arranging or managing, a meeting to support or further the activities of a proscribed organisation. The Home Office maintains the list of proscribed organisations which is subject to addition and removal of organisations where appropriate: <https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2>
- 1.4 All authorised meetings and activities should proceed without: disruption or denial of access or exit for speakers or audience being impeded: the safety of those attending or in the vicinity of it being endangered; intimidation and breach of the peace. In turn, nothing in this Policy shall be deemed to affect the rights of any person taking any steps pursuant to lawful industrial action.

- 1.5 The University has developed a separate Statement on Academic Freedom and Freedom of Speech which details the wider considerations of freedom of speech within the law and, more widely than application of this Policy, the academic freedom of staff.
- 1.6 This Policy has also been updated to reflect the requirements of the Counter-Terrorism and Security Act 2015 and the Prevent Duty for HEIs in England and Wales. The Act places a duty on HEIs to have due regard to the need to prevent people from being drawn into terrorism through risk-based management of external speakers and events. Further contextual information is provided in the University's Prevent Duty Policy Statement.
- 1.7 This Policy is issued by authority of the Vice-Chancellor and Chief Executive and the Board of Governors, with the latter body having a statutory duty to secure freedom of speech within the law.

## **2. Scope**

- 2.1 The statutory duty to secure freedom of speech for speakers applies to individuals, meetings or any other activities on University premises and campuses wherever they are located, and University branded events off-campus. This includes events held in the open air or on premises leased or hired by the University, including those occupied by the Students' Union. This Policy also applies to online activities which use the University's IT networks and infrastructure.
- 2.2 This Policy applies to: (a) University Governors/Trustees; (b) all enrolled students of the University, all students studying at the University under an agreement with a partner organisation (c) alumni seeking to hold events, speak or arrange speakers on campus (d) all persons invited to speak in events to be held on University premises, or branded University events off-campus and (e) employees and sabbatical officers of the Students' Union and members of its constituent student groups, based on partnership working with the University and the Students' Union to ensure that clear arrangements exist for Students' Union related or led events taking place on campus, online or off-site.
- 2.3 This Policy applies to University affiliated, funded or branded events occurring off-campus in the UK, where staff and students and members of the University more widely are representing or demonstrating a clear relationship and association with the University, and this forms the principal or major component of an event, or where the University has authorised its branding to be used as key to the event, or funding of the event or speaker by the University forms the main funding stream for it. Further information is provided in 3.5 below.
- 2.4 The Students' Union is responsible for establishing guidance for the management of events and speakers organised off-campus which are affiliated to, branded or funded by it. The Chief Executive of the Students' Union or nominee will seek advice from colleagues within the University where there are concerns that such events and speakers risked breaching this Policy.
- 2.5 Staff who represent the University overseas, including undertaking teaching or research roles at institutions with which the University as a formal relationship are expected to abide by the principles of this Policy in respect of academic freedom, freedom of speech and equality and diversity. Registered students of the University at partnership institutions overseas are expected to abide by the principles of the Policy. It is however, recognised that the specific arrangements set out may not be applicable in an overseas context, and advice should be sought from the Head of Governance of the University on application.

2.6 Circumstances may arise where the University and Students' Union may reach a different decision in relation to an event or speaker being authorised, or any required adjustments. Whilst recognising that both bodies are independent entities, close liaison between both the named University and Students' Union role-holders will take place under this Policy to confirm a position.

### **3. Events involving Visiting and External Speakers**

3.1 A range of types or classes of activity and event involving speakers will exist across the University and its premises, including:

- i. speakers engaged in the routine course of teaching delivery such as presenting in a classroom or lecture setting as part of the programme delivery;
- ii. speakers at University conferences, research seminars, presentations and demonstrations;
- iii. extra-curricular activities which may supplement understanding of a subject area of discipline;
- iv. public lecture programmes and corporate events;
- v. tenant-led events and externally booked conferences and events.

3.2 Recorded or live events involving speakers projecting directly and specifically to University premises are also covered by this policy. This does not include general television or webcasts to a wider set of audiences such as the general public.

3.3 The concept of freedom of speech lends itself to reference to speakers formally delivering of a presentation, talk or debate through oral communication and accompanying visual and textual reference points. A wider notion of freedom of expression may also include events as activities which involve performance such as dramatic, dance and movement which are also covered under this policy. However, fundamentally the Policy pertains to events centring on speakers.

3.4 The Students' Union also organise events held on University premises, or in the University's name as do its societies, for which it will be responsible for regulating activity, whilst recognising freedom of speech within the law.

#### *Off-campus events and speakers*

3.5 In some cases events off-campus which are University branded, funded and the principal participants are University staff, students or third parties linked to the University will be clearly bound by this Policy. However, University affiliated, funded or branded is not interpreted to apply when the degree of association, through affiliation and attendance or participation of staff or students, funding or branding does not constitute a core part of the event, or those individuals would be reasonably interpreted as acting in a personal capacity. The key principle is that where staff or students from, or linked to, the University have any questions about whether an event off-campus could reasonably be seen to be affiliated with, funded by or branded by the University and there are potential concerns about the event or speakers or participants at it in line with 4.3 below, they should seek advice ahead of the event from the Head of Governance Services in the first instance. The University will work with venue providers and external organisers in these circumstances to ensure that they understand the requirements of this Policy and the University's statutory obligations under it, even where those parties are not bound by such procedures. A separate operating procedure for off-campus events and speakers has been developed for this purpose.

3.6 It is recognised that there are judgment calls in interpreting and assessing the nature of speakers and events. In reaching a decision not to hold an event or prohibiting a speaker, or imposing conditions on an event or speaker, it is also important to consider whether doing so would disproportionately target individuals or groups holding particular beliefs, this could be seen to contravene the public sector equality duty.

#### 4. Key roles in the organisation, assessment and authorisation of event

- 4.1 All events organised under this Policy should have a designated **Organiser** who is a nominated person responsible for assessing the suitability of one or more speakers at an event. The Board of Governors has ultimate responsibility under this policy for compliance with the law in relation to arranging and holding events and hosting speakers in terms of freedom of speech and compliance with other duties requirements including the Prevent duty for HEIs. However, the Organiser of an event is responsible for compliance with this Policy as is reasonably practical. The administration of arrangements, including room-booking and facilities for an event may be delegated, but responsibility for the conduct of the event and speaker cannot.
- 4.2 It is not the intention of this Policy to restrict events being held and speakers being engaged for those events which form part of normal curricular activity. However, this does not mean that the Organiser of such events, who would normally be a member of academic staff, does not have a responsibility that speakers who come to talk to students or other staff are assessed if there are grounds that the content of speech or delivery could be deemed controversial.
- 4.3 In the context of recognising that many speakers invited to University premises will come on the basis of standard curricular activities, rather than formal events. Organiser she will not be required to document assessment of each event or speaker, subject to each of the following questions being reasonably answered as 'No':
- i. Has the speaker been refused permission to speak publicly at other educational establishments or organisations (including the Students' Union of this or another university)?
  - ii. Is the subject matter, topic or title controversial if advertised to the general public, or within the University community?
  - iii. Is there the likelihood of a situation arising in which people might experience harassment, intimidation, verbal abuse or violence, damage to person or property?
  - iv. Do we know or think the speaker would not be able to confirm that he/she would be able to abide by all relevant University policies including the Statement on Academic Freedom and Freedom of Speech?
- 4.4 Answering 'Yes', or not being able to respond definitively as 'No', to one or more of the above questions, does not mean that the event is automatically prohibited from taking place. However, this does mean that the Organiser is not in a position to allow the event to proceed without further assessment. The Organiser is required to refer the event to the local **Event/Speaker Assessing Officer** who will be the senior member of staff in the area to provide advice. The role of the Event/Speaker Assessing Officer is to:
- i. provide independent advice on specific areas of potential concern in relation to a speaker;
  - ii. seek further evidence and information from the Organiser about the speaker(s) and event;
  - iii. review and apply the requirements of this Policy;
  - iv. seek advice from the Head of Governance Services or the Head of Legal Services in his absence.
- 4.5 The Event/Speaker Assessing Officer should be satisfied that authorising a speaker or event would not breach this Policy. Where the Event/Speaker Assessing Officer is satisfied that no action needs to be taken to be able to respond to 'Yes' to each of the

questions in 4.3 above, they should authorise the event taking place, subject to the Organiser fulfilling their responsibilities under 4.6 below.

- 4.6 The outcome of the discussions between the Organiser and the Event/Speaker Assessing Officer and basis for reaching the decision that the event should proceed should be documented and held confidentially for future reference where required.

<b>Class of Activity</b>	<b>Likely Organisers</b>	<b>Event/Speaker Assessing Officer</b>
Core activities linked to teaching, research or core student and staff development:  <i>Academic Programme Delivery, Research</i>	A member of academic staff	Head of Department or Faculty Associate Dean (Learning and Teaching in their absence)
<i>Speakers linked to Professional Services activities, Staff Development Programme</i>	Professional Services Staff  HR Staff Development	Director or Head of Service Area
Public Lectures or speakers at Corporate University Events	External Relations and Events Staff	Assistant Director Marketing (External Relations and Events)
Students' Union Speakers, including those arranged through SU Clubs and Societies	Societies chairs/members  Sabbatical or employed staff of the Students' Union.	Chief Executive of NSU
Tenant, occupier-led events and conferencing	Companies and organisations leasing University property	Director of Campus Services in managing leases for buildings.

*Responsibilities for the Organiser at meetings and event*

- 4.7 At all meetings and activities:
- i. the Organiser has a duty to ensure that participating speakers and guests understand their responsibilities that freedom of speech are upheld, and in so doing, that nothing in the preparation for, or content or conduct of the event infringes the law. This includes, securing as far as reasonably practicable that the speaker and the audience act in accordance with the law during the meeting. The Organiser is responsible for ensuring all appropriate arrangements are in place for the event, including security, stewarding, chairing or panel members for a discussion if required. Where the Organiser does not take on these roles directly, they are responsible for ensuring that whoever does understand their responsibilities under this Policy;
  - ii. in the event of unlawful conduct, the Organiser or appointed chair should give appropriate warnings and, if unlawful conduct continues, require the withdrawal of persons concerned or their removal. It is contrary to the Policy to seek, by systematic or organised heckling, disruption or similar activity, to prevent the lawful expression of views;
  - iii. it is contrary to this Policy for any person to organise or engage in any conduct with the intention of preventing any meeting from being held or continued, other than by reasonable and peaceful persuasion.

## **5. Events and speakers requiring additional approval or adjustment**

- 5.1 In cases where the Event/Speaker Assessing Officer has sufficient grounds for doubt about whether the event or speaker will comply with this Policy, the Event/Speaker Assessing Officer should refer the matter to the Head of Governance Services as the **Authorising Officer** for events and speakers requiring additional approval or adjustment.
- 5.2 The request for authorisation of the event from the Head of Governance Services should be submitted no less than 10 working days in advance, unless there are exceptional reasons why this is not possible. The Visiting Speakers and Events Form must be completed by the Event/Speaker Assessing Officer and Organiser as the basis for formal escalation of the event or speaker to the Head of Governance Services.
- 5.3 The Head of Governance Services will consult with relevant colleagues based on the information submitted on the Visiting Speakers and Events Form. Role-holders consulted include:
- i. the Event/Speaker Assessing Officer and Organiser, who may be required to gather further information and evidence and feedback;
  - ii. one or more of the Head of Department, Executive Dean of the Faculty or Director of Services where these are not designated Organisers or Event/Speaker Assessing Officers;
  - iii. the Marketing Director or his nominee in relation to corporate and internal communications and media;
  - iv. Campus Services personnel, including the Security Manager, Head of Health, Safety and Sustainability, Facilities Managers
  - v. with external authorities and bodies where there is a lawful need to ascertain or share information about external speakers.
- 5.4 Prior to making a final judgment in all cases the Head of Governance Services will seek an independent, written opinion from the Head of Legal Services. The decision of the Head of Governance Services is final, informed by the advice sought.
- 5.5 There may be occasions when questions, concerns or a complaint about an event or speaker are brought to the attention of the Head of Governance Services in respect of University matters, from another individual or body within the University who is neither the Organiser nor Event/Speaker Assessing Officer. Concerns will be investigated where the Organiser can reasonably be identified. Individuals or groups identifying concerns will remain anonymous, unless the Head of Governance Services determines otherwise for good reason.
- 5.6 The possible outcomes of the assessment of the event are:
- (a) to authorise the event to proceed without adjustment;
  - (b) to set conditions, compliance with which will enable the event to proceed;
  - (c) to refuse to give consent for an event to take place and speaker to speak.
- 5.7 The Head of Governance Services may, in exceptional circumstances:
- (a) issue directions that specify categories of meeting or activity requiring assessment beyond that of the Organiser, and that Organisers would be expected to apply for permission on that basis;
  - (b) designate a particular meeting or activity as requiring assessment where such an assessment has not been sought by the Organiser.
- 5.8 In issuing such directions the basis on which such a judgment is made will be made clear to colleagues on whom the assessment potentially impacts, and a clear record will

be made of this judgment for future reference and judgments, including where it might be appropriate to reverse a direction.

## **6. Conditions attached to events requiring additional assessment, and refusal to hold events or host speakers**

6.1 In the event that the Head of Governance Services determines that conditions need to be met apply to enable the event to take place. The below list is not exhaustive and any number of proposed conditions or adjustments may be required, which include the following:

- i. deferral, or bringing forward of an event, if its timing raised concerns. Deferral may also be appropriate to enable further investigation and controls to be put in place
- ii. to the duration and location of any aspect of the event;
- iii. restrictions on attendance and control of entry;
- iv. ensuring that audiences or indeed speakers are not segregated on the grounds of gender where this was a known or potential outcome associated with an event;
- v. arrangements for chairing, stewarding or facilitating (this also applies to online environments);
- vi. liaison with University security, the police or other authorities and bodies where this required;
- vii. require pre-review of material contained in a speech or presentation;
- viii. including the opportunity to present opposing viewpoints and perspectives at the same rather than separate event, such as a Panel format;
- ix. restriction of alcohol;
- x. the requirement to remove or modify posters, banners, flags, placards, and any online media in advance of, during or after the event, including a live or recorded transmission or recording.

6.2 The Organiser and every other person concerned with the organisation of an event for which permission is granted is required to comply with such conditions laid down by the Head of Governance Services in addition to complying with such conditions.

6.3 The Organiser is required to satisfy the Head of Governance Services that all such conditions will be complied with. Permission to hold the meeting or activity may be refused or cancelled where these conditions are not satisfied. The Organiser must immediately notify the Head of Governance Services of any material changes to the meeting or activity. The Head of Governance Services the right to review any earlier decision regarding the event or activity in the light of new information becoming available.

6.4 The Head of Governance Services may nominate, in discussion with the Organiser, an individual such as a senior member of staff or member of the security team to be present at the event and serve as a controlling officer on behalf of the University. This individual may in exceptional circumstances, need to issue directions to the organiser, chair, stewards and speaker(s) and suspend or halt an event.

6.5 The University may make charges to outside bodies in respect of costs arising from additional staff attendance and security arrangements at such events.

6.6 The Students' Union, and its recognised student groups, will not normally be charged for the cost of additional University staff attendance and security arrangements, provided that the University's reasonable requirements have been complied with. However, the University reserves the right to place a limitation on the number of events which the Union or its society groups may hold in the course of a year without costs being charged.

6.7 Reasonable grounds for refusal are those listed in 1.3 of this Policy, namely events and speakers deemed unlawful and which trump the rights to freedom of speech.

## **7. Complaints and Appeals**

- 7.1 Any complaint alleging breach of this Policy in relation to the conduct of meetings and activities should be addressed in writing to the Head of Governance Services, who will investigate the matter as appropriate.
- 7.2 Any person or organisation may appeal if they believe that the decision of the Head of Governance Services in relation to any of 5.6 (a-c) is unreasonable. It would normally be expected that the appeal would be submitted by the Organiser of an event, with the support of the Events/Speaker Assessing Officer. Any appeal against a decision of the Head of Governance Services under Section 6 of this Policy should be made in writing to the Vice-Chancellor and Chief Executive, whose decision shall be final.
- 7.3 The purpose of the appeal is not to re-hear the case or represent a re-submission of the proposal for consideration by the Vice-Chancellor and Chief Executive, but it is intended as a channel to provide a clear position and supporting information from the appellant on why the decision made by the Head of Governance Services was unreasonable. The appeal should be made within five working days of the decision of the Head of Governance Services, or reasonably in advance of the decision made for an event to take place where the appeal is against a decision to hold an event. The decision of the Vice-Chancellor and Chief Executive would normally be made within five working days of submission of the appeal documentation, or a reduced timeframe where the appeal is made against an event being permitted to proceed.

## **8. Reporting and Review**

- 8.1 The need to take disciplinary action against any individual will be considered where allegations of a breach of this Policy are upheld. Allegations will be reported in the first instance to the Head of Governance Services for investigation. Any alleged breach of this Policy will be reviewed in the context of existing disciplinary procedures, as follows:
- (a) if the alleged breach is by a member of staff it shall be the normal staff management procedures;
  - (b) if the alleged breach is by a student it shall be subject to the Student Disciplinary Rules and Proceedings;
  - (c) if the alleged breach is by a member of staff of the Students' Union will be subject to the Students' Union Staff Disciplinary Procedure;
  - (d) if committed by a tenant or outside user, this shall normally lead to refusal of subsequent requests for use of the University's premises for these purposes. This process would be overseen by the Director of Campus Services, provided that the role-holder had not endorsed, supported or been aware of the event as the Event/Speaker Assessing Officer.
- 8.2 In addition, the University may share information about speakers and events with other providers, including the police or other authorities. The sharing of information about external speakers and events will only be undertaken where this is absolutely necessary and there are grounds for believing that a breach of the law may have taken place. Such sharing of information will be in line with the Data Protection Act 1988.
- 8.3 As required by Section 43 of the Education (No 2) Act 1986, this Policy will be kept up to date by periodic review by the Head of Governance Services. Substantive amendments to the Policy will require review by the University Executive and final approval by the Board of Governors.



8.4 The University Executive, at its discretion, may report the number of events and speakers referred to the Head of Governance, should this become a requirement under HEFCE's Prevent Duty Monitoring Framework. This will be done whilst preserving the anonymity of speakers where an event had not already received public attention.

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