

## External Speaker Policy

To be Approved by: Board of Governors

Date of Approval: 11 July 2018

Review period: 1 year and then 3 years

Review Date: July 2021

# UNIVERSITY FOR THE CREATIVE ARTS

## External Speaker Policy

### 1. Introduction

1.1 As a University, we understand the importance of securing freedom of speech and that the concept of imposing limitations has the potential to provoke strong opinions. This policy presents our best understanding of a complicated area of law and provides a factual basis for considering the process of assessing the suitability of proposed external speakers. It should not be taken to be legal advice or a definitive statement of the legal position.

1.2 Our commitment to upholding freedom of speech and approach to this are detailed in our [Freedom of Speech Code of Practice](#). The University believes that an attitude of tolerance is essential to enable academic debate of a wide variety of ideas, including some which may be controversial, while having due regard to the welfare of its staff and students. Therefore, the right to freedom of speech must be balanced with the need to protect people from discrimination, harassment and abuse, for example through the inciting of hatred or exposure to hate speech within the University community.

1.3 The Education Act 1986 places a duty on universities to take such steps as are reasonably practical to ensure that freedom of speech within the law is secured for its students, staff and visiting speakers. Our Freedom of Speech Code of Practice requires staff and students of UCA to permit freedom of speech and expression, however abhorrent certain expressions may be, provided that such speech and expression is within the law. In addition to this, UCA must not be prevented from performing its wider legal duties such as the need to eliminate discrimination, to advance equality of opportunity and to have due regard to the need to prevent people from being drawn into terrorism. As part of this, the University may choose to share information relating to the application of its External Speaker Policy with external agencies where it is legal to do so.

1.4 This policy applies to the management of events which are not an integral part of the day to day academic or administrative business of the University. These include UCA branded events and activities which are held off site. External speakers are defined as speakers invited to attend such events or activities who are not current members of either the staff or student body of UCA.

1.5 The usual range of speakers is as follows:

- Speakers invited by academic staff to give presentations to students on course related matters, outside of the programme of study;
- Speakers invited by the University to give a key note talk to staff/students/invited guests;
- Speakers invited by conference organisers as part of an event taking place on UCA premises.

1.6 It is recognised that almost all speakers will be industry speakers or people who are experts in creative arts subjects. Such speakers are unlikely to give talks on subjects that could give rise to concerns around freedom of speech or pose a security or other similar threat.

1.7 For events and activities organised by the University's Students' Union, organisers should refer to its '*Policy on Handling Events with External Speakers*'. This has been approved by the Union's Board of Trustees and meets the requirements of the University's Freedom of Speech Code of Practice and External Speaker Policy.

## 2. Organising an event

2.1 The majority of external speaker requests will be straightforward and can be handled entirely at a local level. In these cases, it should be sufficient for event organisers to follow the steps outlined for the local assessment of proposed external speakers.

2.2 Any person organising an event or activity on UCA's premises or using its ICT systems which includes the participation of an external speaker must undertake an initial local assessment. These include UCA branded events and activities which are held offsite. Some requests may be complex and require referral for further consideration.

### Local assessment of proposed external speakers

2.3 At least three weeks before the event or activity, the event organiser should undertake a local assessment of any proposed external speakers. The event organiser will be responsible for assessing the speaker against the following set of questions:

1. Has the speaker been prevented from speaking at UCA, another University or similar organisation previously?
2. Has the external speaker previously been known to express extremist views, hate speech or been affiliated with a [proscribed group](#).
3. Has the speaker been known to perform acts in breach of the External Speakers Code of Conduct?
4. Does the proposed title or theme of the event present a potential risk that the speaker may express views and opinions which may be considered extreme?
5. Is the proposed speaker/theme likely to attract attendance from individuals or groups that have been known to perform acts in breach of the External Speaker Code of Conduct?

As part of this assessment, event organisers should undertake basic research of public sources of information, including the Home Office's list of [proscribed terrorist organisations](#).

2.4 If the answer to all five questions is NO, then the event organiser can confirm the external speaker. The event organiser must send the external speaker a copy of the External Speaker Code of Conduct (Appendix 1).

- 2.5 If the answer to any of the questions is unclear, the event organiser should seek guidance from their line manager or Head of School/department, whose responsibility it will be to review the assessment of the speaker against the above criteria.
- 2.6 Where the answer to any of the questions is YES, the event organiser must refer consideration of the external speaker request to the Head of School for the course. Where there is a conflict of interest or the event/activity is taking place off site but bears UCA branding, the organiser must refer consideration of the external speaker request to the University Secretary.

#### Referring an External Speaker Request

- 2.7 The event organiser must complete the External Speaker Policy Referral Form (Appendix 2) at least fourteen days before the event.
- 2.8 Within five days of receiving the referral, the Head of School or University Secretary shall confirm whether permission to go ahead with the event may be granted. Where permission is granted, this may be subject to conditions which the Head of School or University Secretary consider necessary to secure fulfilment of the University's statutory responsibilities, particularly concerning the protection of free speech within the law. It is the event organiser's responsibility to ensure that the proposed external speaker is briefed on this process as appropriate and provided with a copy of the External Speaker Code of Conduct (Appendix 1)
- 2.9 Examples of conditions include;
- Requesting submission of the speeches in advance of the event or activity;
  - Limiting the number of attendees, including a restriction on food or drinks or anything that could be used as a missile;
  - No banners, flags, placards;
  - Declaration of attendees in advance of the event or activity;
  - Filming the event or activity;
  - Presence of the UCASU
  - Steward provision by the organiser;
  - Opportunity for debate and challenge to any particular view which may be promoted as part of the event or activity;
  - Opening the event to a wider audience.
- 2.10 In line with the Equality and Human Rights Commission guidance and in accordance with the law, segregation based on any protected characteristics including gender, religion or belief is not permitted at any event or activity.
- 2.11 Examples of circumstances which might lead to the withholding or withdrawal of permission include:
- Referral of the external speaker request was made with less notice than set out in paragraph 2.7 above and conditional measures could not be implemented in time;
  - Significant risk of public disorder such that the health and safety of staff, students and visitors would be put at risk;

- Significant risk of substantial damage to University property;
- Serious concerns that the law will be broken by those speaking at or attending the event;
- Significant risk of major disruption to the operation of the University's activities;
- Significant risk of non-compliance with the University's Freedom of Speech Code of Practice or External Speaker Policy.

- 2.12 Decisions of the Head of School or University Secretary shall be reported to the University Executive Group and to the Board of Governors.
- 2.13 Appeals to the decisions of the Head of School or University Secretary may be made to the Vice-Chancellor whose decision shall be final.
- 2.14 The Board of Governors will receive an annual report on the operation of this Policy which should include, the number of referred events, the decisions of the Head of School or University Secretary for each of these and details of any appeals made to the Vice-Chancellor.

#### Annexe A: List of relevant legislation

The following list is not exhaustive – it is intended as a guide for members of the University wishing to seek further information:

Charities Act 2011  
 Crime and Disorder Act 1998  
 Criminal Justice and Immigration Act 2008  
 Counter Terrorism and Security Act 2015  
 Data Protection Act 1998  
 Disability Discrimination Act 1995  
 Education Act 1986  
 Education Reform Act 1988  
 Equality Act 2010  
 Freedom of Information Act 2000  
 Health & Safety at Work etc. Act 1974  
 Human Rights Act 1998 (incorporating the European Convention on Human Rights)  
 Public Order Act 1986  
 Protection from Harassment Act 1997  
 Race Relations Act 2000  
 Racial and Religious Hatred Act 2006  
 Sex Discrimination Act 1976

# External Speaker Code of Conduct

## 1. Introduction

- 1.1 This code of conduct applies to all external speakers taking part in a UCA hosted event or activity which do not form part of an academic programme, including UCA branded events and activities which are held off site. It is the responsibility of the member of UCA organising the event or activity to ensure that this Code of Conduct is sent to all external speakers (once they are approved and confirmed) and that all reasonable steps are taken to comply with it throughout the running of the event.
- 1.2 The Education Act 1986 places a duty on universities to take such steps as are reasonably practical to ensure that freedom of speech within the law is secured for its students, staff and visiting speakers. As a University, we understand the importance of securing freedom of speech and that the concept of imposing limitations has the potential to provoke strong opinions. The University's [Freedom of Speech Code of Practice](#) requires staff and students of UCA to permit freedom of speech and expression, however abhorrent certain expressions may be to members of UCA, provided that such speech and expression is within the law.
- 1.3 It is important that all individuals involved in staging events which includes the participation of external speakers understand the legal framework which governs this area of activity. Free speech is a qualified privilege subject to the limits imposed by law including those governing the protection of national security, health and safety, prevention of crime, charities, human rights, equality and discrimination and the protection of rights and freedoms of others. In addition, it must be clear to all parties that UCA must not be prevented from performing its wider legal duties such as the need to eliminate discrimination, to advance equality of opportunity and to have due regard to the need to prevent people from being drawn into terrorism. As part of this, the University may choose to share information relating to the application of its External Speaker Policy with external agencies where it is legal to do so.

## 2. Conduct

- 2.1 External speakers are not prevented from expressing points of view, including those that may be contentious or potentially offensive provided that this is done in the spirit of academic debate, being open to challenge and question.
- 2.2 The University expects external speakers to act in accordance with the law and not to breach the lawful rights of others. In addition, all speakers shall:
  - Comply with the University's Freedom of Speech Code of Practice and its External Speaker Code of Conduct;
  - Comply with the venue's instructions on health and safety;

- Present ideas and opinions in the spirit of academic debate and be open to challenge and question.

2.3 During the course of the event, no speaker should:

- Use threatening, abusive or insulting behaviour or language, harassment, alarm or distress;
- Incite hatred or violence or call for the breaking of the law;
- Encourage, glorify or promote any acts of terrorism or any individuals, groups or organisations that support terrorism;
- Spread hatred or intolerance;
- Discriminate against or harass any person or group on the grounds of their sex, gender, race, nationality, ethnicity, disability, religious belief, sexual orientation or age
- Defame any person or organisation;
- Raise or gather funds for any external organisation without the permission of the University.

2.4 Please note that this is not intended to be an exhaustive list of unacceptable conduct by external speakers. The University reserves the right to deny permission for the staging of an event and/or to halt an event at any time if it reasonably considers there may be a breach of the External Speaker Policy or of any legal obligation.

3. Complaints

3.1 Where external speakers are dis-satisfied with the application of the University's External Speakers Policy, they may complain to Vice Chancellor.

# External Speaker Policy

## External speaker referral form

### Part 1: Event Organiser details

Name	
School/Department	
Contact Details	Phone:
	Email:

### Part 2: Proposed event details

Event title	
Event date	
Event venue (preferred)	
Description of event (content and format)	<i>Please indicate here if this event will be open to the public.</i>
Target audience (profile and size)	<i>Please indicate here if you believe the event may attract any groups or individuals that have been known to perform acts which may be in breach of the External Speaker Code of Conduct.</i>
Proposed External Speaker(s)	<i>Please provide links to biographical information and indicate here if you believe that the proposed speaker(s) had previously been prevented from taking part in an event at UCA, another University or similar organisation.</i>

Part 3: Reasons for Referral

Which of the criteria questions has triggered this referral?	
Are there any other concerns regarding engaging this external speaker for a UCA event?	
Are there any mitigating factors to the risks identified?	<i>Please indicate here any suggested actions which would mitigate identified risks of engaging the proposed speaker at this preferred venue for this event.</i>

**FOR OFFICE USE**

Referral Received on:

Decision Returned on:

The proposed External Speaker should/should not be ( <i>please delete as appropriate</i> ) permitted to participate in this event, for the following reasons:
Please specify any conditions for the participation of the proposed speaker, as appropriate.
Are there any further recommended actions? Please specify.