

External Speakers Policy

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1 Introduction and purpose

- 1.1 The university endorses and adopts the principle of freedom of speech and expression within the law. However as open and uncensored debate can involve contributions from external speakers¹ it is necessary to have in place a policy that can manage such requests appropriately.
- 1.2 Invitations to such external speakers allow staff and students to be exposed to a range of different beliefs, to challenge other people's views and to develop their own opinions. Although most speakers are uncontroversial some will express contentious even inflammatory or offensive views. In some cases their presence on campus may be divisive.
- 1.3 The university is conscious that it needs to balance its obligations to secure freedom of speech and expression; maintain good campus relations which safeguard the safety of students, staff and visitors and ensure compliance with relevant legislation. This policy seeks to document how that balance can be achieved.
- 1.4 For these reasons, where any person (e.g. staff or student) or organisation (or, in the case of the students' union, any constituent society, club or association) wishes to hold a meeting or like event for the expression of views as set out in this or the university's **Freedom of expression and academic freedom** (FoE) policy on premises which the university or the students' union control, or wishes to host a speaker on or off campus at events that are university affiliated, funded or branded, the university or students' union (as the case may be) shall not unreasonably refuse consent. The university reserves the right to refuse consent to any meeting or like event which involves or is reasonably expected to involve the expression of views that are in breach of this or the FoE policy or there are other reasonable grounds for refusal. All such requests should be made and will be considered in accordance with this policy.
- 1.5 The Chief Operating Officer (or their nominated Deputy) will oversee the implementation of this policy.

2 Legal Framework

- 2.1 Whilst the law promotes and protects freedom of speech and debate, the law places limits on those freedoms so that this is exercisable subject always to the law - both criminal and civil. For instance, the protection of freedom of speech does not extend to allowing a speaker to commit a criminal offence in the course of speaking, such as using threatening abusive² or insulting words or behaviour in circumstances where it is likely that racial or religious hatred will be stirred up; or inviting support for a proscribed

¹ This means any organiser or other person invited to address the meeting other than members of any audience at that meeting.

² Public Order Act 1986

terrorist organisation. However, it should be noted that this does not include a right not to be offended. Expressing views which some may find objectionable or offensive is not prohibited generally.

- 2.2 There are also aspects of civil law that can be relevant to external speaker events, for example where a speaker defames another person. It is also necessary to consider the laws relating to equality and discrimination as well as health and safety obligations if there is the potential for a speaker to create protests, and data protection considerations if there are concerns about potential criminal activity and the need to alert the police.

3 Procedure for approval of events (including “closed events”) on and off campus

- 3.1 Where any person or organisation subject to this policy (or, in the case of the students’ union, any constituent society, club or association) wishes to hold a meeting or like event on premises which the university or the students’ union control, or wishes to host a speaker on or off campus at events that are university affiliated, funded or branded, the university or students’ union (as the case may be) shall complete the External Speaker Request Form as attached at [Appendix A](#), giving the university at least 28 days’ notice prior to the commencement of the proposed event. This will allow the university to obtain the relevant information to assess whether the speaker is likely to operate within the framework of the law. It is recognised that there may be exceptional occasions when the 28 days’ notice period cannot be met- in such a situation as much notice as possible should be provided in order that a considered decision can be made. Any change to the planned event must be notified to the university not less than 5 working days in advance so that the university can reassess the request.
- 3.2 On receipt of the External Speaker Request Form by either the Students’ Union or the Faculty a review will be undertaken of the full legal context that applies to the activity in question. The majority of external speaker requests will be relatively straightforward to assess; others however may require further consideration to assess whether speakers are likely to contravene the law or where the event is likely to result in other adverse consequences, and whether mitigating actions will satisfactorily address the risk of this happening. Advice should be sought from colleagues e.g. the Head of Security (or their nominated Deputy) in the first instance who will consider whether further advice should be sought from other colleagues or agencies
- 3.3 It shall be accepted as reasonable to refuse consent, or withhold facilities, for a meeting or similar event to which this policy applies where the university or students’ union reasonably believes (from the nature of the speakers or from events at similar meetings in the past whether at the university or otherwise) or reasonably anticipates that:
- 3.3.1 The views likely to be expressed by any speaker infringe the civil or human rights of others, incite hatred through unlawful discrimination, harassment, victimisation and other activities that breach the university’s duties under the Equality Act 2010, or are otherwise contrary to the law.

- 3.3.2 The views likely to be expressed constitute extremist³ views (whether violent or non-violent), or risk drawing people into terrorism or are views shared by terrorist or proscribed groups, or are for the promotion of any illegal/proscribed organisation or purpose.
 - 3.3.3 The intention of any speaker is likely to be to incite breaches of the law or breaches of the peace to occur, or their views are likely to jeopardise public safety and order and/or the safety of staff and students or to place the university in a position which compromises its compliance with Charity Commission guidance.
 - 3.3.4 It is in the interests of public safety, the prevention of disorder or crime or unlawful acts, or the protection of those persons lawfully on premises under the control of the university or the students' union or affiliated organisations that the event does not take place.
 - 3.3.5 The proposed activity is likely to give rise to an environment in which people will experience, or could reasonably fear, harassment, intimidation, verbal abuse or violence, particularly because of their race (which includes race, colour, nationality, ethnic or national origins) religion and belief,(including lack of belief) sex, sexual orientation, gender reassignment, disability or age. As part of its assessment in this area, the university would, in the case of an external speaker, review past activity and the presence of any convictions that have been received on account of words either spoken or written.
 - 3.3.6 Adequate arrangements cannot be made to safeguard the safety of participants in the event, and other people within the vicinity, and to ensure that public order is maintained.
- 3.4 The list at 3.3 is not exhaustive and, in accordance with 1.4, the university reserves the right to refuse consent to any external speaker or event where it has reasonable grounds for such refusal.
 - 3.5 Gender segregation is not permitted in any academic meetings or at events lectures or meetings provided for students, or at events attended by members of the public or employees of the university or the students' union (unless an exemption applies in accordance with the Equality Act 2010).
 - 3.6 In the event that there are indications that the planned event or speaker poses a higher risk, then the university may seek input both internally and externally on the request, form an internal working group to assist with particularly controversial or difficult requests, and/or engage with different groups on campus to consider the request further.

³ HM Government Prevent Duty Guidance: for higher education institutions in England and Wales. March 2015

- 3.7 Should the event involve public processions then the organiser of the event is required to notify the police in writing ahead of the event and comply with the conditions imposed by the police and/or the Public Order Act 1986. Should the event involve demonstrations then the organiser of the event should note that in accordance with the provisions of the Public Order Act 1986, such demonstrations may be subject to conditions imposed by the police.
- 3.8 The university will consider whether any mitigating actions can be put in place to reduce or manage any identified risks which would enable the request to be approved. These may include but are not limited to requirements as to provision of stewards, variation of location and time and whether such a meeting shall be open to the public at large.
- 3.9 Events or other related activities may be terminated early by the university where, in the course of that meeting or activity, it becomes apparent that any act or effect under 3.3 above is likely to occur, or has occurred.
- 3.10 Where the university is of the opinion that its powers to regulate the event or other related activity are insufficient to prevent serious disorder it may decline to permit such event to be held. Before doing so, the university may consult the police with a view to establishing whether the serious disorder can be prevented or otherwise dealt with appropriately by attendance of police officers or some other safeguards or conditions.
- 3.11 After due consideration of the request the university shall communicate its decision on this to the principal organiser of the event wherever possible within 7 working days of the request. This communication shall contain full details of any conditions that apply to the event or other related activity. The university may elect to include the speaker on an Approved List of External Speakers in accordance with the procedure as set out in section 4.
- 3.12 The university may withhold or refuse consent to any external speaker or like event that has not been made in accordance with this policy including where the specified timescales have not been complied with.
- 3.13 If any person or organisation believes that the actions of the university in refusing permission or facilities for the holding of any event or other related activity, or the actions of the university in imposing conditions are unreasonable, it shall have a right to make representations. These shall be made to the university's Ethics Committee within seven days of the date of the letter confirming the decision. The Ethics Committee shall consider such representations and, within seven days, shall confirm in writing to the person or body making them whether the original decision is to be upheld or varied.
- 3.14 Events/speakers must not be advertised until written approval for the event to proceed has been received in accordance with this policy.

- 3.15 For the avoidance of doubt it is to be noted that, unless express permission has been granted by the university, no person other than the notified and approved speaker is able to deliver a presentation or a speech or similar at the relevant event. This includes attendees at the event.

4 **Approved Speakers List**

- 4.1 The university will create an Approved List of External Speakers and associated subjects which will be reviewed annually by the Chief Operating Officer and the Head of Security.
- 4.2 If approval is provided for a particular external speaker the university, acting through for example the relevant Faculty Manager or Director, may determine as part of that approval process that the relevant speaker is suitable for inclusion on an approved list. The principal event organiser will be notified of such decision.
- 4.3 The Approved List of External Speakers will be maintained by the Head of Security or his deputy
- 4.4 Should there be a further request for an individual on the Approved List of External Speakers to speak at an event then this will be indicated on the External Speakers Request Form and as such may result in approval being secured in a timely manner.

5 **Working with the Students' Union**

- 5.1 The De Montfort Students' Union has a policy on external speakers which provides that full consideration is given to such requests taking into account the same factors as those listed at clause 3.3 above. In the event that the students' union considered that further information on the proposed event or speaker was required a referral of the request will be made to the university's Head of Security. On receipt of this referral the Head of Security will treat the request in accordance with the terms of this policy.
- 5.2 The university will seek input from the students' union in relation to particularly controversial speakers particularly when their presence on campus is likely to be of interest to student societies.
- 5.3 The university and the students' union will work together to ensure that the university has an accurate knowledge of which student societies are registered and approved.
- 5.4 The university and the students' union will work together to engage in joint scenario planning and to develop joint guidelines for dealing with sensitive and controversial issues
- 5.5 The policies of the students' union are attached at [Appendix B](#).

6 Speakers at events booked by external individuals or organisations

- 6.1 In the event that the university receives a request from an external organisation for the university to make its facilities available to them for an event, commercial or non-commercial, then any speakers connected to such an event will have to comply with the law as summarised in this policy.
- 6.2 The university will ensure that individuals who manage such bookings are aware of this policy and can manage the request in accordance with its provisions.
- 6.3 For the avoidance of doubt it is to be noted that unless express permission has been granted by the university no person other than the notified and approved speaker is able to deliver a presentation or a speech or similar at the relevant event. This includes attendees at the event.

7 Visiting Lecturers

For the avoidance of doubt, approval of a visiting lecturer or the content of his/her lecture can be made by the relevant faculty without following the procedure contained in this policy. However should it be considered that the identity of the lecturer or the content of the lecture would raise concerns as outlined in this policy then the external speaker request form attached at [Appendix A](#) should be completed.

8 Breach of the policy

Any individual or external organisation acting in breach of the External Speakers Policy may be subject to penalties such as removal of particular privileges, barring from future booking of university facilities, or in the case of DMU employees and students the instigation of disciplinary proceedings. Where breaches of the criminal law occur it may be referred to the police.

9 Review and monitoring

- 9.1 This policy will be kept under periodic review to ensure it remains relevant, effective and up to date. Should any changes be recommended these will be referred to the Board of Governors for consideration.
- 9.2 The numbers of requests for external speakers that have been received by the university- both those accepted and those rejected - will be recorded by the university's Head of Security and will be reported to the Board of Governors on an annual basis together with any other general feedback on the operation of the policy.
- 9.3 The university's Head of Security will also maintain a record of Approved Speakers in accordance with paragraph 4 of this policy.

Appendix A: External Speakers Request Form

(To note this form is not designed to be used for requests for general event team support)

Name and Contact Details of Principal Organiser

Name and Details of visiting speaker- what organization, if any, do they represent?

Is the visiting speaker known by or has been known by a different name?

Has the speaker spoken at the university previously or at another Higher Education Institution?

Is the speaker on the university's Approved Speakers list or is first time approval being sought?

Date, time and place of meeting or activity

Expected timing of the arrival and departure of any speaker (together with details of the proposed entry and exit of the speaker to the event venue if there are any security concerns)

Overview of the event- subject matter, appointed chairperson, what language the event will take place in, what the seating arrangements are.

What topic will the external speaker be talking about?

How will the event be advertised and in what language?

What publications or materials will be available to event attendees?

The numbers expected to attend

Are there any conditions applying to the event- will it be ticketed? Open to the public? Is there any intention to segregate the event by gender?

Do the principal organisers have any reason to believe there may be a threat of disruption caused by the proposed meeting or activity and what is the substance of that threat?

Any other reason known to the principal organizer or others involved in organizing the event as to why issues may arise with that speaker. Has there been any controversy attracted by the speaker in the past?

Will members of the press, TV or radio be permitted to attend?

Is the event being sponsored? If so by who? Will advertising appear at the event?

.....

University Decision: Approval/ Rejection:

(this can be a decision of the Faculty Manager or Director or their nominated delegate)

Escalation:

(give details here of who this has been escalated to and the date)

Signed by:

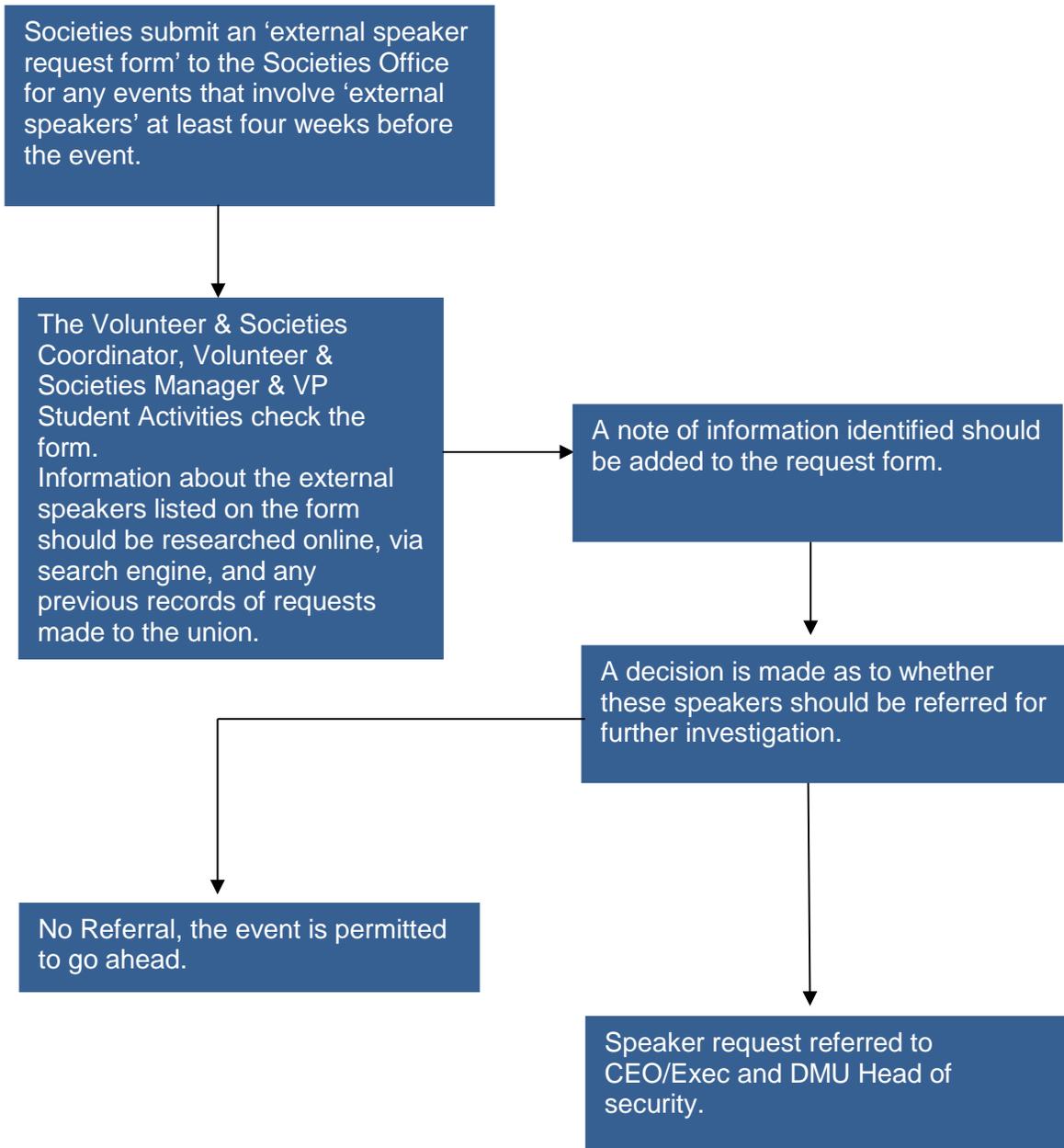
Name:

Date:

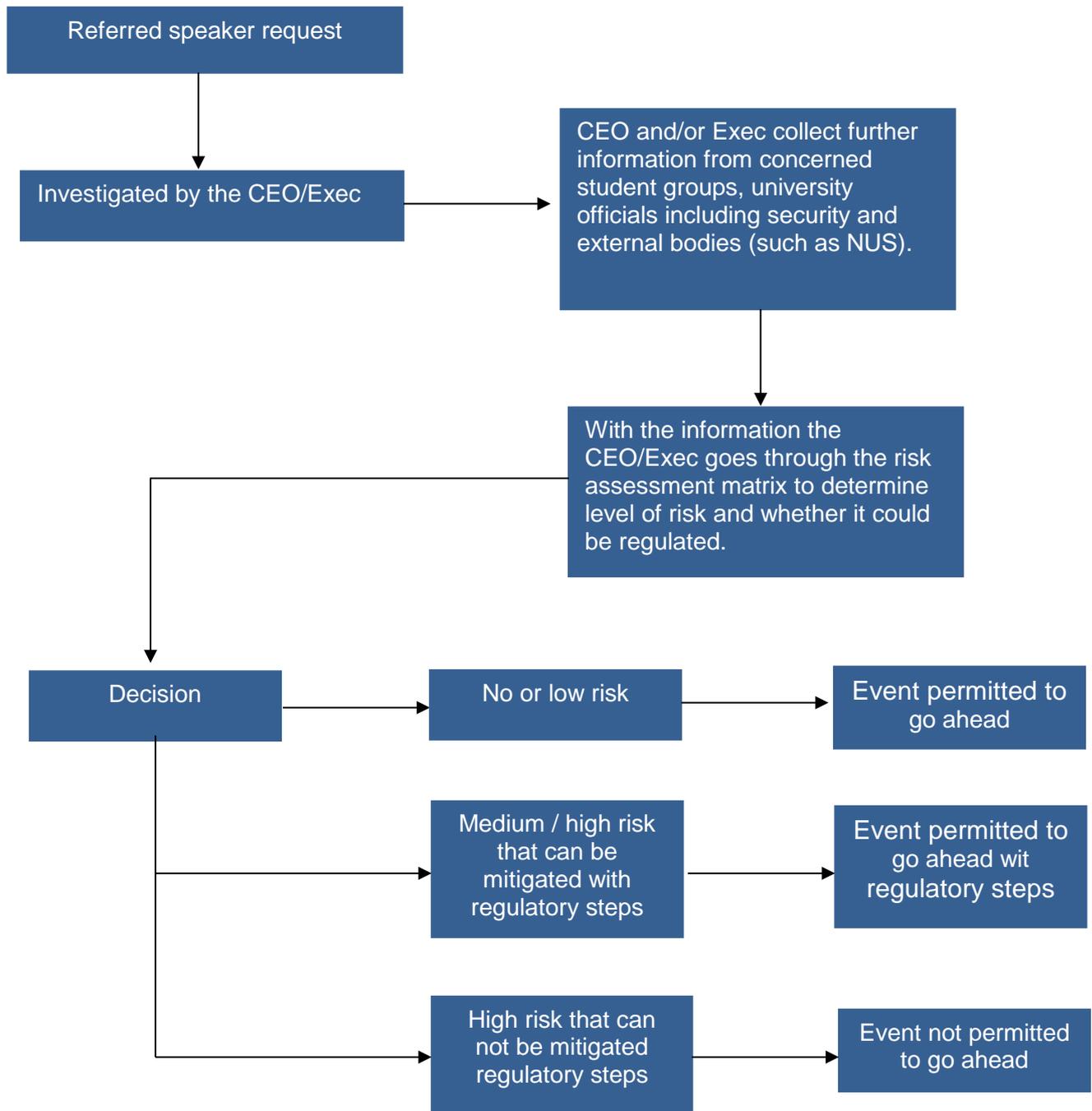
Note: A copy of this completed form should be forwarded to the University's Head of Security in order that a central database of decisions can be maintained.

Appendix B: Students' Union Policies

Societies Guest Speaker Procedure Stage 1. All Speaker requests



Societies Guest Speaker Procedure Stage 2. Referred Speakers





EXTERNAL SPEAKERS POLICY

The Union notes

- Societies must notify the Union of any events that involve external speakers (defined as individuals or organisations that are not part of the Union or the University) through these procedures.
- No event involving any external speakers may be publicised until the speaker has been cleared through the appropriate procedures as provided in this policy.
- The Union reserves the right to cancel or prohibit any event with an external speaker if the procedures provided herein are not followed or if the relevant health, safety and security criteria cannot be met.
- The Union reserves the right to deny a platform to racist and / or fascist individuals and groups by debating them as part of the DSU Against Hate policy in the usual channels. It will be for the Trustee Board to determine processes that reasonably identify individuals and members of groups that fall within the DSU Against Hate policy and where this judgment is made the event will automatically not be approved.

The Union believes

- Freedom of expression and speech are basic human rights to be protected and are protected by law.
- Open debate is central to the culture of academic freedom, the development of students' ideas and understanding and is protected by an act of parliament relating to freedom of speech and academic freedom on campus.
- That said student wellbeing is at the heart of the Union's policies and practices.
- As such, the freedom to express views can sometimes be tempered by the need to secure freedom from harm for students and communities.
- Where there is a potential for these rights to come into conflict in relation to controversial speakers, DSU is committed to collaboration that will allow us to reach sound, evidenced judgments about the organisation(s) or person(s) in question and that allows us to meet our various legal obligations.

The Union instructs

- The Chair of the Society organising any event are responsible for the activities that take place within their Society's events.
- The Society Committee organising the event are responsible for researching the speakers initially. Repeated requests for speakers which go against Union policy could result in referral to the Union's Disciplinary Procedure for Members.
- All speakers will be made aware of their responsibility to abide by the law, the University and the Union's various policies, including that:
 - They must not incite hatred, violence or call for the breaking of the law
 - They are not permitted to encourage, glorify or promote any acts of terrorism including individuals, groups or organisations that support such acts

- They must not spread hatred and intolerance in the community and thus aid in disrupting social and community harmony
- Within a framework of positive debate and challenge seek to avoid insulting other faiths or groups
- They are not permitted to raise or gather funds for any external organisation or cause without express permission of the Trustees
- They are not permitted to request enforced segregation of the event
- The Union's external speaker request form requires event organisers to provide:
 - Expected number of attendees
 - Confirm whether the event will be a member only, invitation only event or open to the general public
 - Confirm any external speakers' affiliations (specifically where they are political or religious)
 - Declaration of any knowledge of controversy attracted by the speaker or topic in the past
 - Confirmation if the event and speaker are likely to attract media interest - if so why?
- Any failure to disclose full speaker details may result in an event/booking being cancelled and could result in referral for the Union's disciplinary action
- On receipt of the form the Volunteer and Societies staff will check all speakers on Google and look at the results (if any are found). This information is then noted on the sheet including a link to the most relevant information about the speaker.
- The Volunteer and Societies staff will refer any speakers that may require further exploration to the Vice President Student Activities, CEO and Head of Security at De Montfort University.

Referred Speakers

- Any events with referred speakers will be investigated by the CEO and Vice President Student Activities on behalf of the Trustee Board.
- They will conduct a short investigation into the speaker and the event that, wherever possible, takes representations from the student's society related to the booking and from a wide number of concerned student groups, University officials and external bodies.
- In making recommendations they will assess risk on the following basis:
 - The potential for any decision to limit freedom of speech as per the University's code of practice in pursuance of the 1986 Education Act
 - The potential for the event going ahead to cause the Union to be in breach of its equal opportunities policy
 - The potential for the event going ahead to cause the Union to fail in its wider legal duties
 - The potential for the event going ahead to cause reputational risk to the Union
 - The potential for the speaker's presence on campus to cause fear or alarm to members of the student body
 - The potential for the speakers presence on campus to give rise to breach of peace
- They may make one of the following recommendations
 - On the basis of the risks presented to not permit the event with the external speaker to go ahead.
 - On the basis of the risks presented to fully permit the event with the external speaker to go ahead unrestricted.
 - On the basis of the risks presented to permit the event with the external speaker to go ahead on the basis of regulatory steps designed to reduce risk.
- Regulatory steps designed to reduce risk may include:
 - Requiring that the event be filmed by an independent body
 - Requiring that the event be observed by the Union, the University or third party officials
 - Requiring that the event be stewarded or subject to security on the door

- Requiring that an event promoting a particular view includes an opportunity to debate or challenge that view
- Requiring that an event closed to society members only be opened to all members of the Union
- Requiring that a copy of any speech to be delivered by the speaker be submitted to the Union two weeks in advance of the event date

- When considering any regulatory steps designed to reduce risk, their potential to, in and of themselves cause risk (for example, the sense of oppression felt by the imposition of security on the door) should be taken into account.
- The recommendation will be put to the Vice President Student Activities who will make a decision that is routinely communicated to the Trustee Board. Where members of the Trustee Board disagree with the decision they can call an extraordinary meeting in the usual way.
- Where the society in question disagrees with the decision made they shall have the right to appeal which will be considered by the President.
- Where students or student groups disagree with the decision made they shall have the right to submit a complaint in the usual way, a remedy to which shall be the option to consider the complaint an appeal as above.
- An annual report on referred speakers will be produced by the Vice President Student Activities for consideration by the Trustee Board.

External Speaker Request Form

The University reserves the right to be informed of all visiting speakers who intend to lecture on its property to staff or students. In allowing such speakers consideration will be given to any safety issues, the topic being discussed, the background of the speaker and the potential to disrupt the business or damage the good reputation of the university.

This form is for all societies who have an external speaker speaking at their event. It should be returned to Emma Wright or Tom Nicholls in the Office or via email on societies@dmu.ac.uk at least 4 weeks in advance of the event. Where more than one speaker will be present at an event please complete one form per speaker.

| | |
|---------------------------------|--|
| Society Name | |
| Name of organiser | |
| Contact email | |
| Contact telephone number | |

Event Details

| | |
|-------------------------------------|--|
| Name of event | |
| Date of event | |
| Venue/Location of event | |
| Expected number of attendees | |
| Room booking form number | |

Will this event be ...?

- Member only
- Invitation/ticket only event
- Open to the general public

About the event - Please provide a short description of the event in the box below.

Speaker Details

| | |
|---------------------------------|--|
| Speaker Name | |
| Organisation | |
| Contact email | |
| Contact telephone number | |

About the speaker – This should include the subject they will be speaking about and any other additional information you think we need to be aware of including any knowledge of controversy attracted by the speaker or topic in the past.

Is the event and speaker likely to attract media interest? If yes, please describe why.

- Yes
- No

Where are you planning to promote this event? E.g. to members only, Facebook, Posters etc.

Signed

Approved Officer of the Society

Committee Position

Admin purposes only

Date received: _____

Note of information by Volunteer and Societies Staff:

Referral to CEO/EXEC required? Yes/No

CEO/EXEC notes of information: