



Freedom of Speech and External Speaker Policy

1. Introduction

- 1.1. The AECC University College is committed to the principles of freedom of speech and expression, as well as academic freedom. In accordance with the Education Act 1986, the University College will take all reasonable steps to ensure that freedom of speech and expression within the law is both preserved and exercisable at the University College.
- 1.2. The University College is committed both to protecting freedom of speech and academic freedom and to protecting and safeguarding its students and staff from the risk of being drawn into controversial and extreme views and terrorism. The University College discharges its Prevent duty in partnership with other agencies, including the Police, Local Authorities and the network of regional Prevent Coordinators.
- 1.3. The University College expects students, staff, governors, the Students' Union and visitors to ensure freedom of speech within the law is assured. The University College has regard to the need to ensure that students and staff have freedom to question, test and put forward new ideas and controversial or unpopular opinions without placing themselves at risk.
- 1.4. The University College believes that discussion that is open and honest can take place only if offensive or provocative action and language is avoided. Students, staff, governors, the Students' Union and visiting speakers are therefore required to demonstrate sensitivity to the diversity of the University College community. They are required to show respect and tolerance towards expression of views, opinions and beliefs of others even though those views, opinions or beliefs may run contrary to their own personal views, opinions or beliefs.
- 1.5. Where a breach of this policy occurs, the University College will take all reasonable steps to identify the person(s) involved in that breach; such breaches may be considered under the relevant Disciplinary Procedures of the University College where applicable and may include referral to the Police or Channel Program if appropriate.

2. Key Responsibilities

- 2.1. Students' Union Executive will have responsibility for approving student led events that are not curriculum related.
- 2.2. Heads of School will have responsibility for approving CPD events relating to their academic areas.
- 2.3. Heads of School will have responsibility for approving speakers in a teaching, learning or research setting or in the context of co-curricular activity.
- 2.4. Heads of Department will have responsibility for approving events relating to their scope of responsibility.
- 2.5. The Chief Operating Officer will have responsibility for approving all other events, not otherwise defined.
- 2.6. The Academic Registrar who is the University College's Prevent lead, will advise colleagues on Prevent duty and this policy.
- 2.7. All staff and students have a responsibility to assist the University College in upholding the rights of freedom of speech as set out in this Policy.
- 2.8. Event organisers must comply with the provisions outlined in this policy.

3. Definitions

3.1. Freedom of Speech:

The duty on universities under the Education Act 1986 is to ensure, so far as is reasonably practicable, that the use of any premises of the establishment is not denied to any individual or body of persons on any ground connected with:

- 3.1.1. The beliefs or views of that individual or of any member of that body; or
- 3.1.2. The policy or objectives of that body.

3.2. Freedom of Expression - Article 10 of the Human Rights Act states that:

S1 "Everyone has the right to freedom of expression. This right includes the freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.

S2 The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary."

3.3. Academic Freedom Section 202 of the Education Reform Act 1998 provides a requirement for pre-1992 institutions to:

"Ensure that academic staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges they may have at their institutions."

3.4. External Speaker

An 'external speaker' is deemed to be anybody who is neither a registered student nor a paid/unpaid employee of AECC University College who will be addressing a group at an event. Where an employee of AECC University College is speaking on a topic out of scope of their job description then they will be deemed an external speaker.

3.5. Event

An 'event' is any gathering that is hosted on University College premises, an external venue or online in the name of the University College, that includes an external speaker addressing a group, including in a teaching, learning or research setting or in the context of co-curricular or extra-curricular activity.

4. Lawful restrictions on freedom of speech

4.1. The University College will not unreasonably refuse to allow events to be held on its premises unless a conflicting legal provision is identified.

4.2. The expression of controversial views which do not breach the law will not be grounds for withholding permission for an event.

4.3. Reasonable grounds for refusal include, but are not limited to, the fact that the event is likely to:

- Incite attendees to commit a criminal act
- Lead to the unlawful expression of views
- Support an organisation or individual whose aims and objectives are unlawful or on the UK government proscribed organisation list
- Breach the peace
- Promote radicalization and extremism

5. Organising an Event

Key principles:

- 5.1. Where a student, member of staff, Governor or the Students' Union wishes to hold an event (as defined under 3.5), they must ensure that this Policy is adhered to. Where this does not occur, the University College will consider action as outlined in 1.6 of this policy.
- 5.2. The organiser will be required to complete and submit an event application form (Appendix A) to the appropriate approver (see section 2 above) as soon as possible and no fewer than 15 working days before the date scheduled for the Event.
- 5.3. It is the responsibility of the event organiser to ensure the signature of the main speaker is captured on the form in enclosure B (electronic signatures are acceptable).
- 5.4. Under no circumstances should the organiser advertise, publicise or promote the event until permission is granted.
- 5.5. An event cannot be recorded or live streamed without the permission of the approver in the first instance, and then the speaker and attendees.

Approving an Event

- 5.6. The approver (outlined in section 2) will assess risk, through their best endeavours, considering:
 - 5.6.1. Duty of care to University College staff, students and visitors; to ensure freedom of speech with reference to the Education Act 1982;
 - 5.6.2. Preventing people from being drawn into terrorism with reference to the Counter Terrorism and Security Act 2015
 - 5.6.3. Its obligation to prevent individuals from discrimination under the Equality Act 2010; and
 - 5.6.4. Any other relevant legislation.
 - 5.6.5. Impacts on the University College's reputation should a controversial event occur.
- 5.7. A potentially high-risk event may include where the speaker or topic of the event is political, religious or controversial in any way. The potential risks of the event not going ahead would likewise be considered.
- 5.8. In the spirit of debate, the University College will normally seek to ensure that events or speakers identified as posing a risk will go ahead subject to the agreement of appropriate safeguards. Refusal or cancellation of an event will only occur in exceptional circumstances, for example upon the advice of Police.
- 5.9. Where a proposed speaker or event presents potential high risks and/or possible reputational damage, the approver will seek advice and guidance from relevant internal and external stakeholders. Where an event is assessed as high risk, these events will require the approval of the Chief Operating Officer or nominee. In such cases, the approver will notify the organiser of the outcome of the approval process and necessary modifications within the specified time.
- 5.10. The University College acknowledges that occasionally opportunities for speakers arise at short notice or situations are fast changing. The University College will consider late requests, but cannot commit to agreeing with them outside of the defined timescales.
- 5.11. The approver will notify the proposer when a decision is made, normally within 5 working days of a complete event booking form being completed.
- 5.12. The approver, on behalf of the University College, reserves the right to cancel, postpone or request modification to any event at any time should risks be identified. The University College may, amongst other things:
 - Request submission of speeches in advance of the event;
 - Place a limit on attendees or to whom it is advertised/accessible to (i.e. University College audience or open to the general public)
 - Seek declaration of attendees in advance of the event;

- Request stewards to be provided by the organisers;
- Ensure the presence of an appropriate member of staff of the University College or Students' Union to ensure good order
- Ensure a presence of security
- Place limitations on what attendees can bring to a venue, to limit potential items that could be used as weapons
- Bag searches and ID checks
- Ban banners, flags, placards or similar items in and around the venue
- Alter proceedings and/or facilitation, including appointing an alternative Chair
- Reserve the right to input into communications about the event (before and after)
- Cancel, prohibit or delay at any time.

Managing Events

- 5.13. Event organisers have a responsibility under the Equality Act 2010 to ensure that no enforced segregation by any protected characteristic takes place at any event, unless it is specifically for religious worship or practice or for reasons of health and safety, and that attendees have the freedom to choose where they sit. Event organisers must not knowingly facilitate discrimination by others at the request of an external speaker or any individual attending or wishing to attend an event.
- 5.14. The protection of freedom of speech does not allow a speaker to break the law or breach the lawful rights of others. It should be noted that these provisions do not create a broad right not to be offended; the expression of views which some people may find objectionable or offensive is not prohibited generally by law and students should be able to confront and debate opinions and ways of thinking which may be different to their own.
- 5.15. It is the responsibility of the event organiser to ensure that all external speakers receive a copy of the Guidelines for External Speakers and the Freedom of Speech Policy.
- 5.16. It is the responsibility of the event organiser to ensure that the event is carried out in accordance to the plan that was approved; last minute changes to speakers, speeches, organisation cannot be accepted under this policy.
- 5.17. All speakers and attendees are expected to act with civility, consideration and respect for others in the University and the local community.

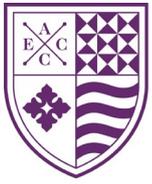
6. Data Sharing

- 6.1. Where there is a legitimate reason to do so, the University College will share information on the external speakers it has hosted, and/or those it deemed to be a risk, with other relevant agencies.
- 6.2. In accordance with its obligations as detailed in the Prevent Duty Guidance, the University College will report any major incidences of concern involving external speakers on campus to the Office for Students (OfS).

7. Concerns

- 7.1. If any member of the University College has a concern regarding any aspect of this policy, including an approved event, they should in the first instance contact the Chief Operating Officer.
- 7.2. Failure by any member of staff or student to follow this policy will be treated seriously and may result in formal action under the University College's disciplinary policies.
- 7.3. If any member of the University College community, external speaker or visitor considers there has been a breach of this policy, they have the formal right to make a complaint by emailing registry@aecc.ac.uk

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| Version: | 1.0 |
| Approved by: | SMG |
| Originator / Author | Academic Registrar |
| Owner | Academic Registrar |
| Reference source | HEI Exemplars |
| Date approved | 15 March 2022 |
| Effective from | 15 March 2022 |
| Review date | Spring 2025 |
| Target | Staff and Students |
| Policy location | SIP and Moodle and public website |
| Equality analysis | This Policy has been developed with due regard to the University College's general equality duty. |



Event and External Speaker Booking Form

The purpose of this form is to ensure that all events are organised to meet the standards set out in the Freedom of Speech and External Speaker Policy. This form is also designed to identify how the University College can assist with security/other arrangements where speakers/topics may be at risk of disruption/protest. All forms must be sent to the appropriate approver as soon as possible, and no fewer than 15 working days before the event. **Please title your email: Event Approval Required.**

Invitations or other arrangements for the proposed event must not be sent prior to the booking being approved.

If insufficient information is provided, the booking will not be approved.

Please review Freedom of Speech and External Speech Policy (available on the VLE or Staff Information Portal).

PART A – Proposed Event Details

Name of student society / department / school / group wishing to make booking:

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| Signed: | Dated: |

Event organiser and contact details (*Person responsible for the booking*):

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Title and subject of proposed event:

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Name(s) of Guest Speaker:

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Proposed date of event: Start time / Finish time:

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| Date: dd/mm/yyyy | Start Time: | Finish Time: |
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Preferred venue (please note if it is an online event):

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Total anticipated number of attendees:

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Are there any potential risks or security considerations identified in relation to this event? Including but not limited to matters such as:

- The content or the topic of discussion attracting protests/disruption/breach of the peace
- The attendance of the speaker(s) or subject of discussion raising an issue under the University's equality policies (including inciting hatred)
- The content or speaker(s) raising issues under the University College's Prevent policy (the promotion of radicalisation or extremism)
- The speaker(s) generating media interest/publicity that may impact on reputation and/or may need to be managed by the University College's Marketing and Communications Department

- No* - complete the declaration in Section 5 and send to approver * student clubs/societies and external organisers must complete Part B even if a risk has not been identified
- Yes – please complete Part B

Approvers:

- Students' Union Executive will have responsibility for approving student led events that are not curriculum related.
- Heads of School will have responsibility for approving CPD events relating to their academic areas.
- Heads of School will have responsibility for approving speakers in a teaching, learning or research setting or in the context of co-curricular activity.
- Heads of Department will have responsibility for approving events relating to their scope of responsibility.
- The Chief Operating Officer will have responsibility for approving all other events, not otherwise defined.

PART B

To be completed by **ALL student and external organisers** and where a member of staff organising an event has identified a potential risk (See Part A).

Please note where the booking requires **completion of Part B**, you will need to **complete and submit this form 15 days prior to any event**.

1. Organisation of the event

Entry requirement for the event:

- Pre-registration
- Pre-registration – online
- Ticketed
- Turn up on the day
- Other (please state)

Is any other organisation outside of AECC University College involved in any way with this event?

- Yes
- No

If yes, please give details including any funding received for the event:

2. Proposed Speaker Details (includes all external guest speakers and visiting academics but not visiting academics delivering lectures/seminars as part of a planned unit)

(The information required in this section should be completed by the organiser in consultation with any potential speaker(s))

Name(s) of proposed speaker(s). Please give *all names* used by the speaker(s):

Is/are the speaker(s) representing an organisation(s)?

If yes, please give details including website:

Is/are the speaker(s) affiliated to any organisation(s)?

If yes, please give details including website:

Full details of the subject they will be speaking about and any other information you think the University College need to be aware of:

(To be completed fully and agreed by any Chair of meeting is appropriate)

Biographical details of the speaker(s) (please provide details):

3. Speaker Risk Assessment

Would you reasonably expect the speaker(s) or the topic of discussion to attract any protests (e.g. Are you aware of disruption at events that have involved the same speaker of topic in the past)?

Yes

No

If yes, please give details:

Is there any information on open source research (e.g. google search) to the detriment of the speaker(s)?

Yes

No

If yes, please give details:

Has the speaker(s)/have the speaker(s) been refused permission to speak at other venues?

Yes

No

If yes, please give details:

Are there any identified security threats to the speaker(s)?

Yes

No

If yes, please give details:

Does/do the speaker(s) come with their own protective security detail?

Yes

No

If yes, please give details:

4. Event Risk Assessment

Are there any identified security threats/considerations in relation to this event e.g. would you reasonably expect the content or the topic of discussion to attract any protests/disruption? (For further information see the Freedom of Speech and External Speaker Policy).

- Yes
- No

If yes, please give details:

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Is there a risk of the attendance of the speaker(s) or subject of discussion raising an issue under the University College's equality policies?

- Yes
- No

- You will need to think about the potential for the subject matter or the speaker causing offence. This may include offence caused by subject or language used including 'jokes'/'banter'. Think also would the speaker's attendance in itself cause offence (because they are known for speaking publicly on topics that some individuals may find offensive). See the Dignity at Work and Study Policy for further guidance. However, the Policy does not create a broad right not to be offended.
- You will also need to think about the potential for the speaker(s)/topic to be found to be 'inciting hatred' or a risk of causing fear or alarm to attendees or the wider University College community.

If yes, please identify the issues that may be raised, and any arrangements put in place to address these issues.

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5. Declaration

Please tick each of the statements and then sign below to indicate your agreement (*electronic signatures accepted when emailed from the same University College email account*):

- I have read and understood the University College's Freedom of Speech and External Speaker Policy.
- I have provided a copy of the University College's Freedom of Speech and External Speaker Policy to the external speaker(s).
- I understand that I am responsible for the proper security and organisation (including stewarding and Chairing) of the event for the purpose of protecting the rights of freedom of speech.
- I agree to notify the University College's Room Bookings and/or Event Approver if any of the information given in this form changes.

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| Signed: | Dated: |
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Additional Notes:

Health & Safety: As the organiser, you are personally responsible for ensuring that all attendees at an event are aware of health and safety issues (such as fire procedures and emergency exit routes) and for the proper conduct of all attendees. You do not have to make the relevant announcements and arrangements yourself but you are personally responsible for ensuring that it is done. The Health and Safety Executive has a helpful series of [webpages and resources](#) to help you run events safely.

Risk Assessment: It is the event organiser's legal responsibility to conduct a risk assessment in relation to the proposed event and put in place appropriate measures to mitigate any potential risk which is identified as a result of that assessment. A risk assessment form is available on VLE (alongside the Policy and this form) and on the SIP.

Equality and Inclusion: It is the event organiser's responsibility to identify and put in place arrangements to ensure that individuals can access and participate in the event including disabled participants. Individuals may ask for specific arrangements to be put in place.

Data Protection: It is the event organiser's responsibility to ensure that any personal data collected or communicated before, during or after the event is done so in accordance with the requirements under Data Protection legislation.

PART C – APPROVER TO COMPLETE

APPROVER:

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| Name: | Dated: |
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Checklist – I confirm that I have considered the Freedom of Speech Policy and External Speaker Policy, the risks associated with this event and:

- Approve
- Approve with the following provisos (please refer to 5.12 Policy)

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- Do not approve

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| Reasons: |
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- Request the following information from the organiser

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Return to organiser within 5 working days of submission

Please retain a copy of the completed form for University College records.



Freedom of Speech and External Speaker Policy

Event and External Speaker Approval Process

