



# Policy on Speakers and Events

## Purpose of Policy

To protect freedom of speech for events/speakers on campus while ensuring compliance with the University's various statutory obligations.

## Overview

The Counter-Terrorism and Security Act 2015 and related guidance requires the University to strengthen its policies and procedures around the management of events and external speakers. The Policy on Speakers and Events sets out how the University will meet its requirements under the above act as well as other relevant legal duties whilst ensuring freedom of speech on campus.

## Scope: Mandatory Policy

The Policy is University-wide and applies to all events that are organised on campus that are not part of the core academic or administrative business of the University.

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## Document control

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## Approving authority

University Executive

## Consultation undertaken

Staff and student unions; Chaplaincy; Islamic Society (2015 version)

## Section responsible for policy maintenance & review

University Secretary's Office

## Related policies, procedures, guidelines & regulations

Terms of Reference for the University Compliance Group

## UK Quality Code

n/a

## Policies superseded by this policy

None

## Alternative format

If you require this document in an alternative format please email [Academic.Services@ed.ac.uk](mailto:Academic.Services@ed.ac.uk) or telephone 0131 650 2138.

## Keywords

Prevent duty, freedom of speech, speakers, events, counter-terrorism, proscribed

# Policy on Speakers and Events

## POLICY ON SPEAKERS AND EVENTS

### 1. Context

- 1.1 Freedom of expression within the law is central to the concept of a university. To this end, the University seeks to foster a culture which permits freedom of thought and expression within a framework of mutual respect. As part of this, the University has a long and proud tradition of hosting speakers from around the world who come to the University to share their thoughts and insights, and help the University fulfil its mission of advancing and disseminating knowledge.
- 1.2 The Counter-Terrorism and Security Act 2015 and related guidance requires the University to strengthen its policies and procedures around the management of events and external speakers. Furthermore, there may be Events hosted at the University which relate to controversial areas and engage other legal obligations of the University, in which case additional considerations around the management of such Events may be appropriate.
- 1.3 Capitalised terms used in this Policy are defined in Annex 1 of this Policy.

### 2. Purpose

The purpose of this Policy is to set out arrangements for the management of those events which are held under the auspices of the University but which do NOT form part of the University's normal academic or administrative business. This is so that the University can fulfil its legal obligations with regard to speakers and events, while maintaining at all times its commitment to freedom of thought and expression.

### 3. Principles

- 3.1 The University recognises and upholds the fundamental importance of freedom of thought and expression, and does not seek to restrict this fundamental freedom through this policy. Further detail on the University's commitment to freedom of expression is set out in its [Freedom of Expression Statement, which should be read in conjunction with this policy.](#)
- 3.2 Where the University, having considered the available information, believes that there is a demonstrable and serious risk that the speaker and/or those at an Event may break the law, or that holding the Event may result in a breach of the

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University's Statutory Responsibilities – including (but not limited to) the need to prevent people being drawn into terrorism - and/or will pose a demonstrable and significant risk to the wellbeing of students, staff or visitors, it may require that certain conditions are met or, in exceptional circumstances, it may refuse to allow the Event to go ahead. This Policy sets out how such decisions will be made.

## 4. Scope

4.1 This Policy applies to all staff and students of the University.

4.2 This Policy applies to any Event that is:

- organised by students or staff at the University; *and*
- held under the auspices of the University (including e.g. a student society), regardless of location; and
- not directly related to the University's normal academic or administrative business.

For the purpose of the above, an Event is deemed to be held under the auspices of the University if:

- regardless of who is organising it, it takes place on University-owned premises (including premises leased to EUSA by the University); or
- regardless of where it takes place, it is organised in the name of the University or one of its departments, including University-supported groups such as EUSA-affiliated student societies or EUSU-affiliated sports clubs.

## 5. Responsibilities

5.1 The University Secretary has ultimate responsibility for:

- agreeing to the provision of space on University property for a speaker or Event; and/or
- granting permission for the University to be associated with an Event, although they may delegate authorisation of Events deemed to be low risk in accordance with this Policy. In the absence of the University Secretary, these responsibilities rest with the Deputy Secretary, Students.

5.2 The University Compliance Group has responsibility for supporting the University Secretary with consideration of Events or speakers deemed to be high risk in relation to the University's Statutory Responsibilities, as set out in Section 7 of this Policy. The terms of reference for the University

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Compliance Group are set out in Annex 2 of this Policy.

5.3 The Event Organiser is responsible for:

- informing the University of Events they are organising;
- providing details of the Event / speaker in a timely manner as required; and
- implementing any actions or conditions that may be required by the University Secretary in relation to the Event,

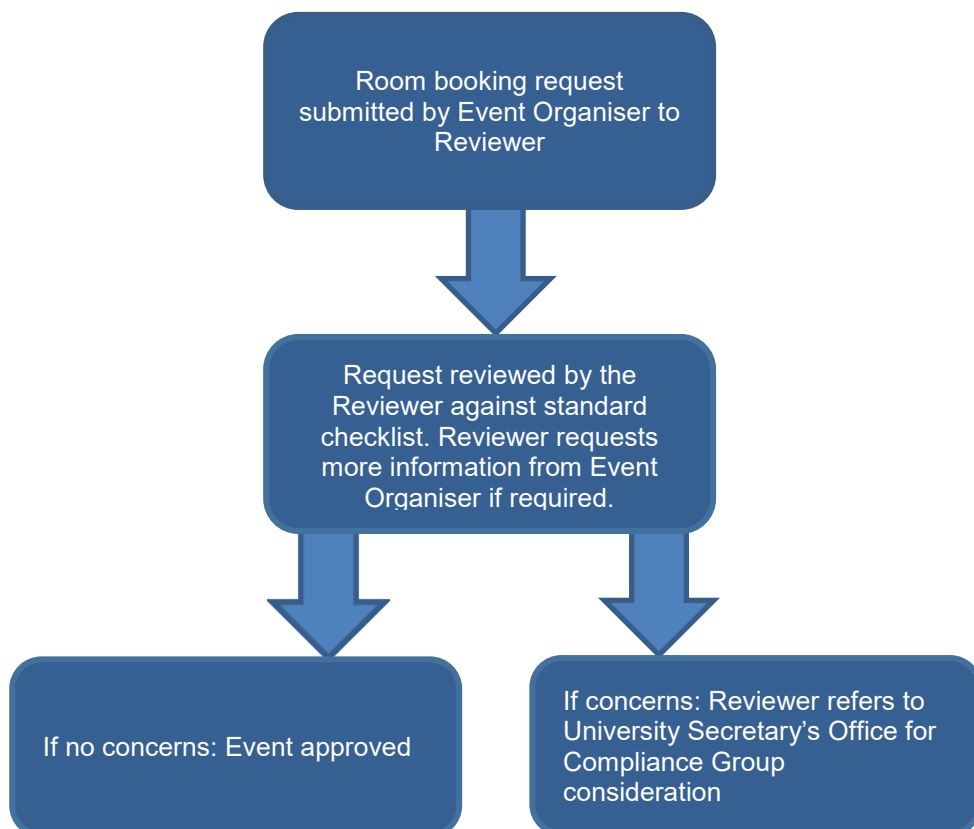
as set out in Sections 6 and 7 of this Policy.

5.4 Where the Room Booker is not the same individual as the Event Organiser, the Room Booker is responsible for assisting the Event Organiser by submitting accurate and timely room booking requests to the relevant space owner.

5.5 Persons in attendance at Events are responsible for complying with the instructions of the Event Organiser and any conditions which relate to the Event.

## 6. Arrangements and procedures

6.1 The process to any request by an Event Organiser for use of University space for an Event will be as follows:



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- 6.2 The relevant Reviewer to review Event Organiser requests is:
- For events held in **Centrally Bookable Space**, the University Timetabling Unit. For events in Centrally Bookable Space, the request must be submitted at least 10 working days prior to Event.
  - For events held in **Locally Bookable Space**, the manager with responsibility for that Locally Bookable Space. For Locally Bookable Space, the request must be submitted at least 10 working days prior to Event
  - For events **facilitated by EUSA**, the Commercial Director at EUSA.
  - For events **facilitated by Edinburgh First**, the Assistant Director, Business Development.
- 6.3 The request should contain sufficient information about the Event and/or the speaker to enable a short risk assessment to be carried out. Family celebrations such as weddings, dinners, parties etc., and corporate bookings such as training events, away days etc. will automatically be deemed to be low risk.
- 6.4 Where a proposed Event is referred to the University Compliance Group by the Reviewer, the Event booking cannot be confirmed until a properly completed authorisation has been received from the University Secretary's Office in accordance with section 7 of this Policy. The Reviewer may also consult with the Deputy Secretary, Students prior to a referral to the University Compliance Group to discuss any concerns.
- 6.5 The Event details form will be kept by EUSA on file until three months after the Event has passed. Event details forms for events escalated to the University Compliance Group by the University will be kept for five years.
- 6.6 Where the Event Organiser becomes aware of changes to the Event such that:
- an External Speaker is now to be invited and/or
  - the External Speaker(s) have changed and/or
  - the Event Organiser now has reason to believe that there is a risk that the speaker or event may break the law, result in a breach of the University's Statutory Responsibilities and/or
  - will pose a demonstrable risk to the wellbeing of students, staff or visitors

then they must submit a new booking request form, under which the Event will be re-assessed against a standard checklist as per stage 1 of the process set out above.

## 7. The University Compliance Group

- 7.1 The University Compliance Group (the “**Group**”) is chaired by the University Secretary or their nominee. It comprises a number of key, senior staff with specific knowledge / expertise in the relevant legal and philosophical issues. Membership of the Group is set out separately in the Terms of Reference for the Group, which is attached at Annex 2 of this Policy.
- 7.2 The Group, which may convene electronically if needed, assesses the information about Events escalated to it via the procedures set out in Section 6 against a range of established criteria including:
- the University’s commitment to freedom of thought and expression;
  - the University’s Statutory Responsibilities; and
  - the provisions of this Policy.
- 7.3 The established criteria used by the Group when assessing events are set out separately in the Terms of Reference for the Group.
- 7.4 Before reaching a recommendation under Section 7.5 below, the Group may request further information from the Event Organiser, and may also seek further information or feedback from other sources, as further set out in the terms of reference in Annex 2. Potential speakers will not be asked to provide copies of their papers or seminars in advance for the purposes of vetting, other than in cases which fall within the scope of the Prevent duty.
- 7.5 The Group will recommend to the University Secretary one of the following:
- approving the Event with no conditions;
  - approving the Event but with certain conditions with which the Event Organiser must undertake to comply; or
  - refusing approval for the Event.

The University Secretary will normally take a final decision on the request at the meeting of the Group but may defer a decision where it is deemed necessary to do so.

- 7.6 The University Secretary will write to the Event Organiser with the final decision and details of any conditions.

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- 7.7 Where conditions are imposed, the Event Organiser must ensure that the conditions are met in full, with support from University professional services groups such as Security where needed, and comply with any reporting requirements that may be imposed in respect of such conditions. Where such conditions are (or in the reasonable opinion of the University are likely to be) breached, this may result in cancellation of the Event and/or disciplinary action.
- 7.8 All recommendations made by the Group and decisions taken by the University Secretary will be recorded, together with a summary of the reasons given. An annual report on numbers and types of decision taken will be submitted to University Court as part of the University's annual statement on compliance with the Counter Terrorism and Security Act 2015.
- 7.9 Where the University Secretary has refused approval for an Event, the Event Organiser may make an appeal against that decision to the University Principal. Requests for a review must be made in writing to the Principal's Office no later than 10 working days after receipt of the original decision and the Group shall provide the relevant documentation relating to the Event to the Principal. The Principal or their nominee will hear the appeal as soon as is reasonably practicable. The Principal's decision will be final.

## 8. Monitoring and review

This Policy will be reviewed periodically by the University Executive.

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## Annex 1 – Definitions

<b>Centrally Bookable Space</b>	a collection of teaching, meeting and event spaces for which bookings, subject to approval by the relevant authorising department, can be requested by all staff and students
<b>Event</b>	a planned public or social occasion which does not form part of the University's normal academic or administrative business and is held under the auspices of the University.
<b>Event Organiser</b>	a current student or member of staff who is responsible for oversight and management of the planned Event. Where the Event involves a third party booking, there must be a nominated Event Organiser from within the University community, such as a member of staff from Edinburgh First (for commercial bookings). An Event Organiser must be a named individual (e.g. it cannot be a student society).
<b>External Speaker</b>	<p>an individual who is not a current:</p> <ul style="list-style-type: none"> <li>• student;</li> <li>• member of staff;</li> <li>• member of University Court; or</li> <li>• holder of an honorary position at the University</li> </ul> <p>who is invited to speak at an Event.</p>
<b>Locally Bookable Space</b>	a collection of teaching, meeting and event spaces for which bookings, subject to approval by the relevant authorising department, can be requested by staff and students associated with/attribution to the department in question
<b>Owner of Locally Bookable Space</b>	the member of University staff with responsibility for authorising use of that space by staff/students.
<b>Statutory Responsibilities</b>	the University's responsibilities with regard to events and speakers are governed by a wide range of legislative requirements from time to time



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	<p>including (but not limited to):</p> <ul style="list-style-type: none"> <li>• The duty to have particular regard to the need to ensure freedom of expression, including its obligations under the Human Rights Act 1998</li> <li>• The duty to protect academic freedom (Further and Higher Education (Scotland) Act 2005)</li> <li>• The duty to prevent people being drawn into terrorism (Counter Terrorism and Security Act 2015)</li> <li>• The duty (Terrorism Act 2000) not to arrange or assist in arranging a meeting in the knowledge that the meeting is to support the activities of a proscribed organisation, or is to be addressed by a person who belongs or professes to belong to a proscribed organisation</li> <li>• The duty to eliminate unlawful discrimination against certain groups, and advance equality of opportunity between groups (Equality Act 2010)</li> <li>• Obligations under criminal law e.g. with regard to use of threats, incitement of violence, inflaming religious or racial hatred</li> <li>• Obligations under charities law, i.e. whether the proposed activity is consistent with the University's charitable objects</li> <li>• A general duty of care to students, staff and visitors, including avoiding placing students, staff or visitors in situations that may expose them to risks to their health and safety, and statutory health and safety obligations.</li> </ul>
<b>Reviewer</b>	the member of staff who receives and reviews room booking requests, as further described in section 6 of this Policy
<b>Room Booker</b>	any member of staff outwith the University Timetabling Unit or Edinburgh First who uses University systems to request a room booking for an Event.

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## Annex 2 – University Compliance Group Terms of Reference

### UNIVERSITY COMPLIANCE GROUP

#### Terms of reference

#### 1. Purpose

To have operational oversight of:

- the University's obligations under the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people being drawn into terrorism ("the Prevent duty"); and
- events that do not fall within the scope of the Prevent duty but have been deemed high risk as part of the University's room booking process under the Policy on Speakers and Events.

#### 2. Remit

- To maintain a shared awareness and understanding of the risks of radicalisation within the campus community;
- To ensure that the statutory duty is addressed effectively; and
- To advise the University Secretary on sensitive matters that may arise in relation to Counterterrorism and Security. Examples are:
- deciding what action to take where concerns are raised that a member of the campus community may be being drawn into terrorism or;
- deciding whether to allow a controversial speaker to visit the campus (whether related to counterterrorism and security or not) where such an event has been escalated in accordance with the University's Policy on Speakers and Events, and on what conditions may be appropriate to apply to such an event.

#### 3. Governance

- Under the guidance published by the UK and Scottish government, University Court has responsibility for oversight of the University's implementation of the Prevent duty.
- More broadly, the University has a number of statutory responsibilities in respect of events held under the auspices of the University, including (but not limited to) duties under the Equality Act 2010, health and safety legislation, and to have regard to the need to ensure freedom of expression.
- The Group is chaired by the University Secretary as the officer approved by University Court to lead on the University's Prevent duty. The Group may also consider other external speakers not within the scope of the Prevent duty where events have been

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escalated through the University's Policy on External Speakers. The Group reports on its work to the University Executive and subsequently University Court on an annual basis.

## 4. Operation

- The Group meets once a year to review implementation and effectiveness of the University's planning and operations under the Prevent duty.
- The Group is convened at any other time when either:
  - a request is received from a member of the University community to hold an event or invite a speaker and that request has been escalated to the Group in accordance with the Policy on Speakers and Events;
  - a member of the University community has raised concerns that student at the University is being drawn into terrorism.
- Where several such requests are received over a short timeframe, the Group may consider several requests at the same meeting.
- The Group is quorate when at least 4 members are present including the Convenor or their deputy.
- The Group may meet electronically if needed.
- The Secretary will normally take a final decision on the request at the meeting of the Group but may defer a decision where it is deemed necessary to do so.

## 5. Composition

The Group comprises:

- The University Secretary (Convenor)
- The Assistant Principal (Community Relations)
- The University lead for Equality, Diversity & Inclusion
- The University's representative to the Scottish Higher Education Prevent Working Group (currently the Deputy Secretary, Students)
- The Head of Security (or their nominee)
- Director of Legal Services (or a Solicitor from Legal Services)
- The University Chaplain (or her nominee)

The individual (staff member or student) responsible for organising an event may be invited to attend where this is felt to be appropriate.

## 6. Assessing the risk of events / speakers

### a. Responsibilities and Expectations of Committee Members

All members are expected to recognise the University's profound and long-standing commitment to freedom of thought and expression.

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When assessing the risk of events / speakers:

- there should be a presumption in favour of allowing events / speakers, with conditions if necessary, unless there is an overwhelming case that the speaker or event will contravene the law / the University's statutory duties and no mitigating actions can be imposed.
- all members must help assess the risks of allowing the event to proceed by working to established criteria, which are aligned with the guidance issued by the UK Government at <https://www.gov.uk/government/publications/prevent-duty-guidance/prevent-duty-guidance-for-higher-education-institutions-in-scotland>
- all members must be familiar with the provisions of the University's Policy on Speakers and Events.
- where necessary, the Group may seek further information and/or advice from the individual organising the event, relevant professional bodies, from public sector agencies and organisations, from other Universities or from the University's lawyers, before making a recommendation. This should not involve asking a speaker for an advanced copy of their talk for vetting purposes, other than where an event is being considered under the Prevent duty.
- Notwithstanding the above, the Group should seek to assess and return a decision to the event organiser within two working days of referral of the event to the Group.

## b. Consultation and imposing conditions on events

When a potentially controversial or distressing topic or speaker is seeking approval to proceed, the Group should seek to consult with staff and student groups who might wish to organise protests or counter-speech (where such groups are reasonably identifiable) and seek to ensure that assistance is provided to organise these appropriately, safely and peacefully. This consultation should form the basis for guidance on appropriate protesting which should be published in good time in advance of the event in a clear and accessible manner and via staff and student groups.

The Group, having assessed an event / speaker against the established criteria, may recommend that the event may proceed but that certain conditions must be met / restrictions imposed, in order to ensure compliance with the University's statutory obligations.

Where conditions are imposed, these will be communicated in writing to the Event Organiser on behalf of the University Secretary. The Event Organiser must ensure that the conditions are met in full, with support from University professional services groups such as Security where needed, and comply with any reporting requirements that may be imposed in respect of such conditions. Where such conditions are (or in

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the reasonable opinion of the University are likely to be) breached, this may result in cancellation of the Event and/or disciplinary action.

Examples of conditions that may be imposed on Events are:

1. Where the Group is of the view that the views to be expressed, or likely to be expressed, constitute extremist views that risk drawing people into terrorism or are shared by terrorist groups, then the Group may require that speakers are challenged with opposing views as part of that same event
2. Only University of Edinburgh (UoE) members of staff and/or registered students of UoE may attend.
3. Members of the public may, or may not, be invited or admitted.
4. If guests are to be allowed to attend, only those whose identity is known to the organisers shall be admitted.
5. Admission shall be restricted and controlled by ticket, identity card or both.
6. Special arrangements for the checking of admission shall be instituted.
7. Where appropriate a specified number of stewards shall be provided by the organisers and required to be present throughout the meeting and also whilst the audience is assembling or dispersing.
8. Where appropriate the names and addresses of stewards (including a chief steward) shall be supplied in advance by the organisers for approval by the University Secretary or other designated officer of UoE
9. The cost of these stewards or other services shall be met by the organisers.
10. Certain members of UoE shall be present in order to assist in the maintenance of good order.
11. Any speaker shall enter and leave by specified routes and shall be escorted under specified arrangements.
12. No food or drink, alcoholic or otherwise, or any other items which could be used as/or contain missiles shall be taken into a meeting and UoE security staff and/or stewards will be instructed to remove any such items prior to entry to the meeting or function.
13. No banners, flags, placards or similar items shall be brought into the building or used anywhere on the premises in circumstances likely to lead to injury or damage or cause a breach of the peace.
14. The admission of representatives of the press, radio or television shall be subject to prior approval by the University Secretary or be subject to any restrictions which may be specified.
15. The chair and/or organiser shall be made aware of a personal duty to ensure that no speaker or other person present at a meeting or function should infringe the law and, if in the opinion of the chair, such conduct continues after a warning, the chair has a duty to close the meeting.
16. The chair shall be instructed in advance by the organisers about his or her duty to decide whether a meeting or function should be terminated, and about procedures for requesting the police to be

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summoned in case of breach of the peace or a criminal act, or threat of either occurrence.

17. Stewards provided by the organisers shall be briefed by the organisers about their duties and responsibilities including being made familiar with local fire and emergency procedures.
18. Such other instructions as may be given about the conduct of a meeting or function or the conditions in which it may be held.

Where any such conditions or restrictions are imposed, it is the duty of the event organiser to ensure they are complied with, and the Group may adopt any such monitoring provisions of conditions or restrictions as they deem appropriate.

## c. Right of appeal

Event Organisers may appeal to the Principal against a decision to not let an event proceed within ten working days of such decision being intimated to the Event Organiser (but may not appeal the imposition of any conditions). In such cases, the Principal's decision will be final.

## 7. Students who may be at risk of being drawn into terrorism

Where staff involved in supporting a student have concerns that the student may be being drawn into terrorism, they should discuss those concerns with an appropriately trained senior manager, who will be able to advise further on whether the case should be passed to the University Secretary. Where cases are passed to the Secretary, she will convene a meeting of the Group to discuss the case further and agree what actions to take.

The Group shall also be provided with Guidelines to use when considering such cases.

If it is decided that information on the student is to be shared, the Group must record:

- What information was shared and for what purpose
- Who it was shared with
- When it was shared
- Its justification for sharing
- Whether the information was shared with or without consent

## 8. Records in relation to the Prevent duty

All recommendations made by the Group in relation to its Prevent duty will be recorded, together with a summary of the reasons given. An annual report on numbers and types of recommendation made will be submitted by the Secretary to the Group to University Court as part of the University's annual statement on compliance with the Counter Terrorism and Security Act 2015.

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Approved by: University Executive

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