

EXTERNAL SPEAKERS' POLICY

1. INTRODUCTION

Warwick Students' Union (WSU) is an organisation committed to creating an environment where everyone is treated with dignity and respect and where diversity is valued.

WSU's charitable objectives, (Article 4 of our Governing Document) being for the advancement of education, provide the framework for students to engage in debate. As a result, student groups host many events in WSU venues, University rooms and indeed externally. As a Students' Union it is our responsibility to make sure that everyone attending an event feels safe. The Trustees of Warwick SU are also responsible for ensuring that both students and the reputation of the SU are protected as well as upholding the law.

This policy clarifies the procedures relating to the use of external speakers at SU events including those organised by student societies or clubs as well as those events held in the SU buildings regardless of who is organising them.

2. AIMS

It is Warwick SU's policy:

- To provide an environment where freedom of expression and speech are protected balanced with the need to ensure that our community is free from harm and that incitement to hatred is never acceptable.
- To provide a supportive, inclusive and safe space for students
- To provide clearly defined and effective procedures to ensure that the law is upheld.
- To collaborate with others to reach sound, evidenced judgements about proposed external speakers ensuring that the SU and the University can meet their legal obligations
- To encourage and provide a balance of opinion at any academic discussion or debate
- To communicate to all members, volunteers, staff and visitors, that it is our mutual responsibility to comply with anti-discrimination, anti-bullying or anti-harassment legislation and that both Warwick SU and the individual can be held liable if they contravene the law.
- To challenge behaviour and change practice that directly or indirectly result in discrimination

3. FREEDOM OF EXPRESSION

Freedom of expression and speech are basic human rights that are protected by law. Freedom of speech and freedom of expression are not absolute freedoms but freedoms within the law. 'Academic freedom' is a term used to describe the law that allows for open and honest debate in an academic context. The University of Warwick has a legal duty (Education Act (no. 2) 1986 sec 43) to secure the development of students' ideas and understanding in the form of academic freedom on campus.

Academic freedom (the principle of which is referred to in Education Reform Act 1988 Sec 202) only applies to University academic staff and does not apply to students and visiting speakers.

Student safety and welfare is at the heart of WSU policies and practices. The freedom to express views needs to be balanced with the need to secure freedom from harm for students and communities. We want all of our activities and those hosted by our student groups and Student Council to be:

- safe (complying with our Diversity Policy and our Equal Opportunities By Law)
- without risk to the reputation of the Union or University
- within the law.

Sometimes an external speaker or their topic of discussion has the potential to go against our conditions for a safe event. We're committed to working together with event organisers and in some cases the external speakers themselves to make sure that we reach a decision that is reasonable, informed and within the law.

4. EXTERNAL SPEAKERS

An external speaker is used to describe any individual or organisation who is not a student or staff member of the University of Warwick or WSU or a WSU Associate Member. WSU reserves the right to extend this policy to Associate Members. It also includes any individual who is a student or staff member from another institution or Students' Union.

All events organised with external speakers in and outside of a WSU building or property are still within the responsibility (and liability) of the Students' Union including any event organised by a ratified student group/society or Student Council

- Any event organised by a student society, student group organised by the SU or sports club or Student Council or the Students' Union outside the Union building (for example in the University, off-campus at any external venue)
- Events where external speakers are streamed live into an event (sound and/or visual), or a pre-recorded film/ recording is played

The President (or equivalent) of the group organising any event is responsible for the activities that take place within their events. 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
- are not permitted to encourage, glorify or promote any acts of terrorism including individuals, groups or organisations that support such acts
- must not spread hatred and intolerance in the community and thus aid in disrupting social and community harmony
- must seek to avoid insulting other faiths or groups, within a framework of positive debate and challenge
- are not permitted to raise or gather funds for any external organisation or cause without express permission of the trustees.

5. PROCEDURES

Student groups 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 this procedure.

Warwick Students' Union has two part procedure: PART 1 - an initial assessment and PART 2- process to manage referred speakers.

Using robust judgement, the Student Activities team will, following an initial assessment determine the appropriate wording of the information to External Speakers regarding the requirements set out in the WSU External Speaker's Briefing (Appendix 2).

No event involving any external speakers may be publicised or considered confirmed until the speaker has been cleared through the procedure detailed in this policy. This includes advertisement through any social media platform.

WSU reserves the right to cancel, prohibit or delay any event with an external speaker if our policy is not followed or if health, safety and security criteria cannot be met.

Any room booking/ event organisation with an external speaker involved must be made **no later than 21 days before the date of the event**. This is to allow for adequate safeguarding checks to be made, as well as allowing time for alterations to the event if necessary. Any request made outside of this timeframe will be rejected unless there are extreme extenuating circumstances. This will be at the discretion of WSU.

When booking for a room online with external speakers the event organiser will be asked to detail a:

- brief description or booking title
- full description of the event detailing the exact purpose of the booking and the speaker's content
- group size (please note that if this is over the limit for that room then it will be rejected automatically)
- who will have access to the event
- whether there will be any under 18's
- name and contact details of the person making the booking
- start and end time of the event
- how the event will be advertised
- contact details for external speaker
- brief biography of the speaker if the speaker has been invited to speak at other institutions (and details)
- any special requirements needed by the speaker
- details of anyone accompanying them
- If the event is outside of the club or society's "core" activity, the event will need a separate risk assessment. Core activity being normal society/ club activity as detailed in the relevant club or society constitution and for which risk assessments will have routinely been completed.

WSU Student Activities staff will provide support and guidance where required in relation to carrying out risk assessments.

Any failure to disclose the full details of an external speaker may result in an event/booking being cancelled and could result in disciplinary action.

The relevant form is located on the University's website at

<http://www2.warwick.ac.uk/services/centraltimetabling/externalspeaker-copy/>

PART 1 – Initial Assessment:

The completed form will be passed to the relevant WSU staff member (in the Student Activities team – accessed in the Resources Room in SU HQ) who will check all speakers' details, group links and other connections (on the first six pages of Google results and any web link provided) in conjunction with the relevant University staff where the event will be taking place on campus.

PART 2 – Referral Process:

If there is cause for a referral then the details for the booking will be sent to the Chief Executive or Director of Membership Services (or their nominee) , for further investigation and guidance.

The classification for a referral will be any of the following:

1. The potential for the event going ahead to cause the union to be in breach of its equality and diversity policy
2. The potential for the event going ahead to cause the union to fail in its wider legal duties
3. The potential for the event going ahead to cause reputational risk to the Students' Union

4. The potential for the speaker's presence on campus to cause fear or alarm to members of the student body
5. The potential for the speaker's presence on campus to give rise to a breach of the peace

WSU's Student Activities' Team (including the Societies Officer) will liaise closely with student societies, religious and cultural groups (including the Chaplaincy if relevant) and University security.

Speaker validation

The Director of Membership Services, the Chief Executive or their nominee will research the speaker and wherever relevant, take representations from the student group related to the booking and from a wide number of concerned groups, university officials and external bodies.

Risks will be assessed based on the following, and will be identified as low, medium or high:

- any decision to limit freedom of speech as per the University's code of practice in pursuance of the 1986 Education Act
- the event going ahead to cause the Union to be in breach of its equality and diversity (or other) policy
- the event going ahead to cause the Student's Union to fail in its wider legal duties
- the event going ahead to cause reputational risk to the Union or the University
- the speaker's presence on campus to cause fear or alarm to members of the student body
- the speaker's presence on campus to give rise to a breach of the peace and/ or overcrowding issues leading to health and safety fears
- any other factor which is felt to be appropriate to take into account

The CE/ Membership Services Director may make one of the following recommendations for discussion in the first instance:

- to not permit the event with the external speaker to go ahead
- to fully permit the event with the external speaker to go ahead unrestricted
- to permit the event with the external speaker to go ahead on the basis of specified actions designed to reduce risk

These actions may include (but are not limited to) requiring that:

- the event be filmed (not for broadcast) by an independent body including but not limited to Warwick TV
- the event be observed by Union, University or third party officials. The Union, University or third party officials reserve the right to stop events if any of the applicable room booking policy, Dignity at Warwick, WSU's Diversity Policy or other relevant policy is contravened before or during the event
- the event be stewarded or subject to security (or extra security) on the door (at the expense of the club or society hosting the event)
- an event promoting a particular view includes an opportunity to debate or challenge that view
- an event closed to society members only be opened to all members of the Union
- a copy of any speech to be delivered by the speaker is submitted to the Union
- the event may be designated a ticket only event
- the event may require more robust chairing
- questions to the speaker must be submitted in advance

When considering any specified actions designed to reduce risk, the potential of those steps to cause risk (for example, the sense of oppression felt by having security on the door) should be taken into

account. The student group involved will be consulted and kept informed of discussions and decisions throughout endeavouring wherever possible to reach mutual agreement.

The final decision will be taken by the Students' Union unless the event is taking place on campus and the University does not give its permission for the event to take place.

Where the group in question disagrees with the decision made they shall have the right to appeal to the Board of Trustees or if the University refuses to allow the event to take place on campus, a complaint can be made through the University Complaints Pathway.

6. RESPONSIBILITY FOR THE POLICY

Responsibility for the implementation of this policy is as follows:

The Trustee Board, as a group, has overall responsibility for ensuring the Union operates within its legal obligations.

The **Societies Officer** is responsible for supporting student societies in planning and organising their events

Welfare and Campaigns Officer is charged specifically with duties relating to equality and diversity and is accountable to the members to ensure the policy is implemented in full in the delivery of services.

The **Student Activities Team**, the **Democratic Services Coordinator**, the **Education Policy team** and the **Student Development and Campaigning** team have responsibilities both to implement the policy, to inform student groups with which they interact of the policy and to provide advice, training and guidance to students on the policy and related matters.

The **Senior Management Team** and **Sabbatical Officers** are responsible for the implementation of the policy across all services, ensuring staff and volunteers receive appropriate training and for the continual development and monitoring of the policy and reporting to the Trustee Board.

Managers are responsible for ensuring that their staff team are aware of and support the policy.

Staff have a collective responsibility to inform the Student Activities team of any activities they become aware of during the course of their normal duties that may fall under the remit of this policy.

Volunteers have a collective responsibility to promote equality and diversity and to behave in accordance with the policy reporting any issues to the Welfare & Campaigns Officer.

Members are expected to support and uphold the principles contained in this policy.

7. BREACHES

All complaints relating to breaches of this policy will be investigated and appropriate action taken. Breaches will result in disciplinary action. Refer to WSU's Disciplinary Regulations in By Law 12.

Any member of the **public, partner, contractor** or **visitor** wishing to raise a concern in relation this Policy should direct this to complaints@warwicksu.com.

For further details on how complaints are dealt with, please see <http://www.warwicksu.com/contact/complaints/>

Comments or questions about the External Speakers Policy should be sent to the Societies Officer – societies@warwicksu.com

Comments or questions about the Equality and Diversity Policy should be sent to the Welfare and Campaigns Officer – welfare@warwick.ac.uk .

Appendices:

External Speakers Booking Form – on University’s website

External Speakers Briefing Example

Useful Additional References

More information on the law and on the University of Warwick and Warwick Students’ Union policy and procedures relevant to freedom of speech, room booking, Dignity at Warwick can be found within the following websites and documents:

- [Counter Terrorism and Security Act 2015](#)
- [Terrorism Act 2000](#)
- [The Education \(No. 2\) Act 1986 S43](#)
- [Education Reform Act 1988 – Academic Freedom](#)
- [The Human Rights Act 1998](#)
- [Equality Act 2010 \(s.10 relates to religion & belief as a protected characteristic\)](#)
- [Discrimination Law – religion and belief](#)
- [Public Order Act 1986 – Violent, Threatening or Abusive Conduct and Speech](#)
- [Protecting Free Debate \(NUS Briefing\)](#)
- [Managing the Risks Associated with External Speakers July 2011](#)
- [EHRC Guidance on Gender Segregation at UK Universities and SU's](#)

- [WSU Diversity Policy](#)
- [WSU Terms and Conditions](#)
- [WSU Equal Opportunities By Law](#)
- [WSU Disciplinary By Law](#)
- [University of Warwick Dignity at Warwick Policy](#)
- [University of Warwick Regulation 29 Meetings on University Premises](#)
- [University of Warwick Complaints Pathway](#)
- [WSU Members' Code of Conduct](#)