

External Speakers Policy

Including Freedom of Speech

September 2024

Document Control

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Associated Documents

Policy
Safeguarding Policy (England)(Scotland)(Wales) Academic Freedom Statement for Staff and Students Student Behaviour Charter Global Staff Code of Conduct H&S Policy and associate Procedures

Use of Technology Policy
Whistleblowing Policy

Legislation and Government Guidance

Education Act (no. 2) 1986

Prevent Duty: HE


Prevent Duty: FE

Counter Terrorism and Security Act, 2015

Guide to the General Data Protection Regulation, 2018

Equality Act, 2010

Approved

Proprieter	Signature and date
Elena Rodriguez-Falcon Executive Director Academic and UK & Ireland Operations	 07 August 2024

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1. Introduction

Centres must have regard to the importance of lawful free speech for staff, students and visiting speakers.

Study Group is committed to fostering a culture of tolerance which is essential to the academic debate of a wide range of ideas, including those that may be controversial, whilst supporting the safeguarding and welfare of students. External speakers bring different perspectives and experiences to these debates and as such Study Group encourages all staff to support teaching and learning (online or face-to-face), inside and outside of the classroom, with appropriate external speakers. This policy, and its associated local procedures, details the requirements for this to be managed safely whilst supporting the principles of freedom of speech in accordance with the *Education Act 1986* and the *Equalities Act 2010*.

Speech which is unlawful harassment or unlawful discrimination under the *Equalities Act 2010* is not free speech within the law and is not protected. Unlawful harassment is unwanted conduct that has the purpose or effect of violating a person's dignity, creating an intimidating, hostile, degrading, humiliating or offensive environment because of or related to a person's relevant protected characteristics. Unlawful discrimination is when someone is treated less favourably than others because of a protected characteristic or practice or rule has a worse effect on someone because of the protected characteristic.

Study Group has a zero-tolerance approach to unlawful discrimination, bullying and harassment or any act which incites or promotes violence or terrorist activity. Centres should have due regard to the need to prevent people being drawn into terrorism in compliance with the *Counter Terrorism and Security Act 2015*.

This policy should be read alongside the relevant *Safeguarding Policy*.

2. Scope

This policy applies to all permanent, contracted agency and supply staff who:

- Work at, or visit, any centre within the Study Group portfolio in the UK;
- Deliver teaching and learning online and/or face-to-face;
- Have direct or regular contact online and/or face-to-face with students in order to carry out their daily duties.

An external speaker is defined as any person invited to speak to staff or students who are not an employee of Study Group and, as such, this policy relates to external speakers booked and managed by the centres, including the Digital Learning Hub.

This policy does not replace that of any university with which Study Group has a collaborative agreement in place and, as such, university staff members or external speakers booked by a partner university fall outside of the scope of this policy. This policy also applies to speakers from partner universities who provide progression advice and guidance to students on the Digital Learning Hub.

3. Purpose and Aims

The purpose of this policy is to set out individual and centre-specific responsibilities when inviting and facilitating external speakers either on or off campus, or for online activities. It sets out the steps to be taken to manage risk and to prevent the spread of intolerance and provides the expectations of behaviour, for both students and staff, when encouraging the free debate of ideas inside the learning environment.

The External Speakers Policy aims to ensure:

- All students are safe;
- Due diligence measures have been taken;
- Risk assessments are in place for all events where external visitors have been booked;
- Where appropriate, there is a partnership approach to any event organised by the university which is open to Centre students;
- All staff are aware of their responsibility to foster academic freedom and free lawful speech as part of the students' learning;
- Students and staff know to whom concerns should be raised.

4. Roles and Responsibilities

The following responsibilities have been assigned to ensure safety in relation to external speakers:

4.1. All Staff

Any staff members who are organising an external speaker are responsible for ensuring that:

- They are aware of the requirements of the *Equality Act 2010* and the *Prevent Duty* pertaining to external speakers and freedoms of debate/speech by undertaking appropriate training;
- They have read the *Free Speech Code of Practice for Staff and Students*;
- All external speakers are checked (where reasonably possible) for links with extremism with support of the DSL;
- All events involving an external speaker are appropriately risk assessed and mitigations put in place with the external speaker being made aware of their responsibilities;
- All events involving external speakers are approved by the Centre Director or in their absence the local Prevent Lead.

4.2. Academic Staff

In addition to the responsibilities listed above, academic staff members are also responsible for ensuring that:

- Whilst in the classroom (online or face-to-face), students have an opportunity to express and debate their ideas within a culture of respect and tolerance;
- Suitable challenge or opposing opinion is facilitated during lessons as appropriate;
- They seek advice and guidance from the Designated Safeguarding Lead (DSL) as the nominated local Prevent Lead when required.

4.3. Centre Director

The Centre Director or delegate is responsible for:

- Reviewing and signing off all risk assessments relating to external speakers;
- Liaising with the Designated Safeguarding Lead as local Prevent Lead when concerns are raised in accordance with the *Safeguarding Policy*;
- Seeking advice from the Central Student Wellbeing team as appropriate.

4.4. Local Prevent Leader

The Designated Safeguarding Lead or Local Prevent Lead if different is responsible for:

- Signing off the risk assessment as Centre Director delegate;
- Providing advice and guidance related to the external speaker requirements of the *Prevent Duty*;
- Making appropriate referrals when a concern is raised about an external speaker;
- Seeking advice from the Director of Compliance, UK as the Study Group Prevent Lead as appropriate.

Please refer to the *Safeguarding Policy* for further information on raising concerns.

5. Preparation and Planning

External speakers must not be booked without the express permission of the Centre Director.

5.1. Due Diligence

Once an external speaker has been identified, reasonable steps to research their background must be taken. Checks are required to ensure that the prospective external speaker is not likely to incite hatred, violence or call for the breaking of the law and is not linked to any organisation advocating extremism. Evidence of the checks should be added to the mitigations section of the risk assessment. Checks can include:

- Internet searches – with the website links and any comments added to the risk assessment;
- Social media searches – with the social media address link and any comments;
- Reference and/or discussions with the relevant university partner where a speaker is recommended – with notes of who was contacted, dates and any comments on the risk assessment;
- Copy of the speaker's CV if appropriate;
- Sight of the speaker's DBS certificate, if appropriate.

5.2. Criteria Applied to Give Approval for an External Speaker

A review of event content must also be completed, and the material must:

- Not be considered unlawful harassment or discrimination under the *Equalities Act 2010*;
- Not incite hatred, violence or law breaking;
- Not glorify, encourage or promote acts of violent extremism, terrorism;
- Ensure audiences are aware of alternative views, opinions, providers and outcomes.

Consideration must be given to booking another speaker to counter the views of the original speaker, where appropriate.

5.3. Risk Assessment

All events involving external speakers must be risk assessed using the template in Appendix 1. The risk assessment must include an assessment made against the principles of the *Prevent Duty* and, where appropriate, adhere to the *Study Group H&S Policy*.

5.4. Authorisation

Authorisation must be sought from the Centre Director at least 10 working days prior to booking any external speaker. Where relevant, these risk assessments should be agreed by the DSL, or local Prevent Lead if different, as per local procedures.

Any request for authorisation must include a resume for the external speaker, a copy of all research checks made plus a copy of the completed risk assessment.

Please refer to Appendix 1 for *External Speakers Risk Assessment* template.

5.5. Escalation

If a risk assessment identifies the need for significant mitigations attached to an external speaker with known extremist views or links to extremist organisations, the Centre Director must escalate to the Central Student Wellbeing Team for final decision. Where a speaker is not approved, it will be recorded on the Prevent return form for the Office for Students (OfS).

6. External Speaker Conduct

Study Group recognises that external speakers can contribute positively to student learning and academic freedom. Study Group expects external speakers to:

- Show mutual respect and tolerance of those with different cultures, faiths and beliefs;
- Use lawful speech;
- Respect the protected characteristics of others;
- Understand the importance of identifying and combatting discrimination and harassment;
- Not incite students to participate in unlawful acts, violence or extremism.

All events involving external speakers must follow these core principles and any event that fails to do this will result in either cancellation or cessation of the event.

Please refer to the *Safeguarding Policy* for further information.

6.1. On Arrival and During the Event

Where external speakers are visitors to the Centre, this must be managed in accordance with the *Study Group H&S Policy*. They must be supervised at all times.

External visitors who are delivering exclusively online must be managed as per the *Safeguarding Policy* and accompanied by staff.

6.2. Record Keeping

Records must be kept for all events where external speakers have been invited including instances where external speakers have been refused, and why this decision was made.

Please refer to the *Safeguarding Policy* and the *Study Group Data Protection Policy* for further information.

6.3. Cancellations and Replacements

If an External Speaker fails to attend as scheduled and sends a replacement instead then the event should be cancelled unless there is at least 3 working days' notice.

During this time, all checks and approvals need to be completed for the replacement speaker as per this policy.

7. Raising Concerns

In the event a concern is identified with an external speaker, this should be raised with the Designated Safeguarding Lead as soon as possible.

Please refer to the *Safeguarding Policy* for further information.

8. Complaints

Students, staff and visiting speakers may use the *Study Group Complaints & Appeals Policy and Procedure* if they believe they have been restricted from expressing lawful free speech.

9. Appendix 1: External Speakers Risk Assessment Template

Site Location:				External Speakers Risk Assessment				Date Assessment carried out:				
Assessment carried out by:				Issue Date:				*Review Date:				
External Speaker Risk Assessment												
Overview of Event and requirements for external speaker:												
Name of external speaker:				Date of Event:				Due Diligence Checks:				
People Affected:	Study Group Employees	✓	Students	✓	External Speakers/ visitors	✓	Contractor or Agency staff	X	Other (please State)	N/A	17-25	High Risk
											9-16	Medium Risk
											1-8	Low Risk
Ref	Hazard	Risks associated i.e. External speaker shares extreme viewpoints I						Actions and controls required to manage risk to an acceptable and tolerable level.		Risk Rating with controls Likelihood x Severity		
										L	S	RR
1.												
2.												
3.												
Event Leader:								Authorised by Centre Director:				

Risk = Likelihood x Severity

5	10	15	20	25
4	8	12	16	20
3	6	9	12	15
2	4	6	8	10
1	2	3	4	5

Severity

RESIDUAL RISK RATING		ACTION REQUIRED
VERY HIGH (VH)	Strong likelihood of radicalisation/sharing of extremist viewpoints	<u>The activity must not take place at all.</u> You must identify further controls to reduce the risk rating.
HIGH (H)	Extreme views that can be offset with additional speakers and free debate	You must identify further controls to reduce the risk rating. Seek further advice, e.g. DoS
MEDIUM (M)	Some extreme views which can be debated in the classroom	If it is not possible to lower risk further, you will need to consider the risk against the benefit. Monitor risk assessments at this rating more regularly and closely.
LOW (L)	No likelihood of extremist ideas being shared	Monitor



Title	External Speakers Policy
Version	1.4
Date	30 July 2024
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Owner	Ali Baines, Student Experience Director

Student Experience Directorate