

UNIVERSITY OF SALFORD STUDENTS' UNION

Policy on managing external speakers

This Policy document should be considered in conjunction with the University of Salford Freedom of Speech Policy

Preamble

1. Freedom of expression and speech are basic human rights to be protected and are protected by law.
2. 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.
3. That said, student safety and welfare is at the heart of the union's policies and practices.
4. As such, the freedom to express views can sometimes be tempered by the need to secure freedom from harm for students and communities.
5. Where there is a potential for these rights to come into conflict in relation to controversial speakers, this Union is committed to collaboration that will allow the Union to reach sound, evidenced judgements about the organisation or person in question and that allows the Union to meet its various legal obligations. This is in line with the University Freedom of Speech Policy which states there is a "Requirement to obtain permission to hold an Event on University premises where the views, opinions or beliefs to be expressed at the Event raise or are likely to raise issues that may be considered controversial".
<https://www.salford.ac.uk/sites/default/files/2021-11/210501%20Freedom%20of%20Speech%20Policy%20V2.5pdf.pdf>
6. The Chair of the Student Activity Group organising any event is responsible for the activities that take place within their Group's events.
7. 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.

Background

8. Student Activity 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 these procedures. An external speaker request form available via the Students' Union website is to be completed, this will be submitted to staff within the Union including the Student Activities Co-ordinator
9. No event involving any external speakers may be publicised until the speaker has been cleared through the appropriate procedures as provided in this policy.
10. 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.

Initial Process (Stage 1)

11. 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).
 - Provide declaration of any knowledge of controversy attracted by the speaker or topic in the past.
 - Confirm if the event and speaker are likely to attract media interest – if so why?
 - Confirm website details (where relevant) providing further information on the speaker.
12. All the above information is to be received by the Student Activities Staff at least 15 working days prior to the event. Notification will be made within 5 days of receipt of the application whether or not application is granted.
13. Any failure to disclose full speaker details may result in an event/booking being cancelled and could result in referral for Union disciplinary action.
14. The Student Activities staff will refer any speaker/events which appear to be controversial /sensitive to the Chief Executive (or their nominee).
15. The Students' Union will ensure that the University Secretary receives a summary of all External Speaker submissions with a recommendation by the University of Salford Students' Union

Referred Speakers (Stage 2)

16. Any events/speakers which have the potential to be controversial (see page 6) will be referred for decision by the Chief Executive on behalf of the Trustee Board. The University Secretary may also be consulted for a response.

17. They will conduct further research and consultation in relation to the speaker and the event that, wherever possible, takes representations from the students' society related to the booking and from any concerned student groups, university officials and external bodies.
18. In making recommendations they will assess risk on the following basis:
 - The potential for any decision to limit freedom of speech as per University policy
 - 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 speaker's presence on campus to give rise to breach of peace.
 - The potential for there to be reputational damage to the University of Salford Students' Union and or the University of Salford
19. They may make one of the following recommendation:
 - 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 the risk.
20. 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 Union, 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 Activity Group 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.
21. 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.
22. The Chief Executive who will make a decision that is routinely communicated to the Trustee Board. Consultation will also be sought from the University Secretary. Where members of the Trustee Board disagree with the decision they can call an extraordinary meeting in the usual

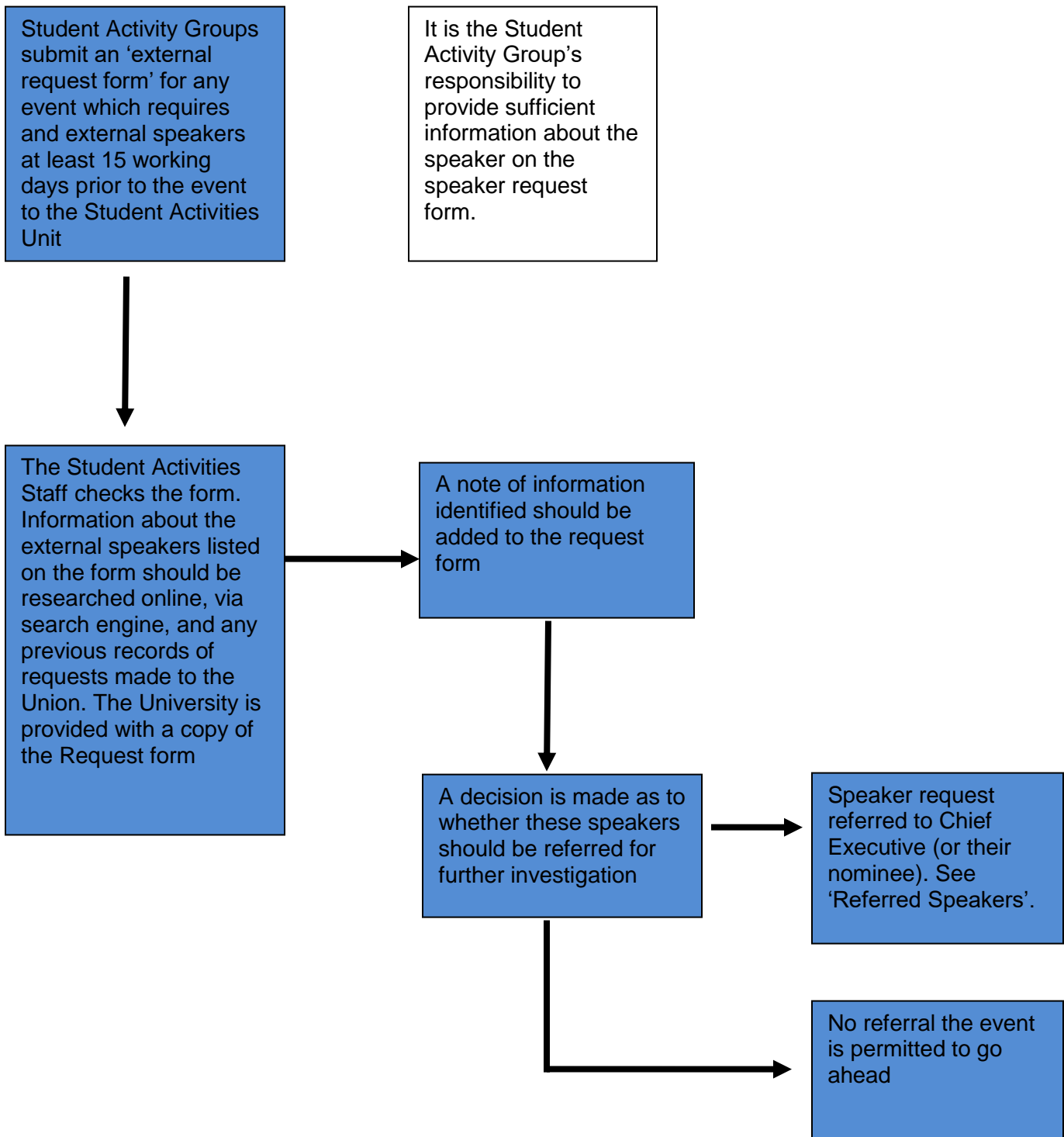
way. Where the society in question disagrees with the decision made they shall have the right to appeal which will be considered by the President.

23. The Chief Executive's recommendation and details of the investigation will be communicated to the University Secretary. Any decision made by the University on the matter will be final and appeal should be sought through the Freedom of Speech Policy.
24. An annual report on referred speakers will be produced by the Student Activities Manager for consideration by the Trustee Board.

UNIVERSITY OF SALFORD STUDENTS' UNION

Internal processes for managing external speakers

Stage One: All Speaker Requests



Stage 1: When should speakers be referred?

It can be difficult to make decisions about potential risks of an external speaker based only on the information provided by an internet search. This section therefore seeks to help make decisions about particular speakers.

- Have I/we collected the appropriate/correct information?
- What if there is no information about this individual/ organisation online?

What is controversial/sensitive and what constitutes 'hate speech' - Who decides?

NUS encourages students' unions to consider each external speaker request individually. Each external speaker or organisation should be considered on a case by case basis. Controversy and hate speech will occur at different times in different situations.

Assessment should be made of the risk of each situation individually, and make an evidenced and reasoned judgement.

In terms of regulation under the Charity Commission it is important to demonstrate an assessment of the risk of an external speaker through a reliable and rational process. At times the wrong decision may be made, but what is important is that you can demonstrate that you undertook a process of assessing potential risks. Time when you might consider referring a speaker to stage 2 include:

- When the information provided on the speaker request form is not sufficient or incomplete
- When there is no consideration given to the potential risks by the society in the form
- Where previous risks or tensions have arisen from a similar event organised by the society or where the same/similar speaker has attended before

What might be controversial and/or high risk?

- A speaker tour
- Talks by organisations generally considered to be extremist
- Speaker who is known to have spoken previously at another institution on a topic that has caused fear or intimidation of students or staff
- Accepted in mainstream as being highly controversial (and may require challenge)
- Is known to/or likely to cause harm to a specific group of students at your institution

Stage 2: Assessing risk of referred speakers

Once a speaker has been referred the Chief Executive (or other SMT member) further information about the external speaker should be collected as well as consideration of the possible risks using the table on page 8.

Making a decision

In making a decision you should consider the points below and in the following table (on page 8).

Conduct of meeting

How will the chair:

- Deal with hecklers or any disturbance (specifying the circumstances in which the chair would ask stewards or security staff to intervene, and to what effect)
- Allow the expression of alternative views (for example in a debate format)
- Select individual members of the audience to put points or ask questions
- Ask individuals (speakers or audience members) to leave the event
- Terminate the meeting in the event of material disorder

Audience Safety

Have the organisers

- Made arrangements for First aid and Fire safety?
- Have stewards to the event been briefed on their role and responsibility?
- Are the organisers and stewards discussed when and how to liaise with University security?
- Are the arrangements for audience admission appropriate for the type of event?

Cameras, press and publicity

- Will the event be filmed or recorded? And if so, by whom?
- Will members of the press be in attendance?

Outside the venue (during the event)

- What arrangements have been agreed with University Security (and if necessary the Police) for crowd control and public order immediately outside the venue (for example, in the event of there being a number of protestors or groups who have been denied access to the venue).

After the event

- Events should be evaluated by the organising society or students' union as this will help highlight issues and tensions as well as possible risks associated with similar events held in the future. For example, an event might be assessed as low and go ahead, but turns out to be highly controversial (during or after the event). Evaluation of events will help the students' union understand why this event was controversial or challenging and this record will add to knowledge for assessing future events that are similar

Responsibility of University and/or Students' Union	Statutory legislation	Issues/questions to consider	Issues/questions to consider
Encouraging divergent views and debate	Education (No.2) Act 1986 (The duty is indirectly applied to Students and SUs through the institutions required Code of Practice and rules and practices adopted to support and implement the section 43 duties.) Education Reform Act 1988(duty imposed on Commissioners, and relevant to academic staff only)	<ul style="list-style-type: none"> What is the format of the event? Will there be a Q & A session, or similar? Is this a sole speaker at the event? Are alternative views being presented? Will there be a strong chair? 	Section 43 is a positive and proactive legal duty, obligating universities to do all that is reasonably practicable to ensure that freedom of speech is secured for all participants in university life – members, students, staff and visiting speakers. The Education Reform Act 1988 refers to Academic Freedom - Students and visiting speakers are not covered and cannot invoke a legal right of "academic freedom"
Freedom of expression of all members of the University community	Freedom of Expression & Speech under Human Rights Act 1988 (SUs are not directly covered by this duty)	The speaker likely to impart ideas or information that will affect the rights, freedom and/or safety of staff/students on campus?	Freedoms under the Human Rights Act can be restricted for the protection of the reputation or rights of others and for the prevention of disorder and crime
Promoting good race relations	Race Relations Act 1976 (and Amendment Act 2000); Equality Act 2010	Does the speaker's presence campus and likely content of speech breach the University's duty to promote good race relations?	
Protection against racial and/or religious hatred	Public Order Act 1986; Racial and Religious Hatred Act 1986; Equality Act 2010	<ul style="list-style-type: none"> Is the speaker likely to incite racial or religious hatred? How will the speaker engage in incitement? 	
Protection against discrimination and/or harassment	Race Relations Act 1986; Protection from Harassment Act 1997; Employment Equality (Religion or Belief) Regulations 2003; Equality Act 2010	<ul style="list-style-type: none"> Is the speaker's attendance likely to discriminate against staff or students and/or lead to an intimidating or offensive environment? Is it likely to cause others to fear for their own safety? How is this likely to manifest itself? 	
Maintenance of public order and safety	Public Order Act 1986	<ul style="list-style-type: none"> Is the speaker's attendance likely to cause public disorder on campus? What steps could be taken to mitigate risk of protests/ counter-protests threatening public safety? Have concerns of staff and students been collated and addressed? 	

Regulatory steps

Regulatory steps should only be used to reduce risk, and where otherwise the event would need to be cancelled. Consultation would need to be made with the University Secretary when making this decision. Notably this guidance seeks to support students to self organise events safely and consider the potential risks to the union and university. Therefore in some cases regulatory steps will support events to go ahead, by mitigating the risk. Importantly though, when considering regulatory steps you should take into account their potential in and of themselves to cause risk during and after an event. Some suggestions are:

- Requiring that the event is chaired by an experienced chair (from the students' union or university)
- Requiring that the event be filmed by an independent body
- Requiring that the event be observed by union, 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 beforehand

Remember all events should comply with the unions policies such as equality and diversity policies and statements on eliminating/preventing discrimination or harassment. Event Chairs should be familiar and able to uphold these policies by challenging anyone in an event who undermines a policy/procedure.

If the Chief Executive (on behalf of the trustees) and in conjunction with the University Secretary decides the event can go ahead but requires some regulatory steps to mitigate against potential risks, they also need to consider the associated risks to implementing these regulatory steps.

For example having security at an event may make the audience members feel more insecure or under scrutiny. You may need to consider communicating the need for security to the audience at the start of an event (or beforehand).

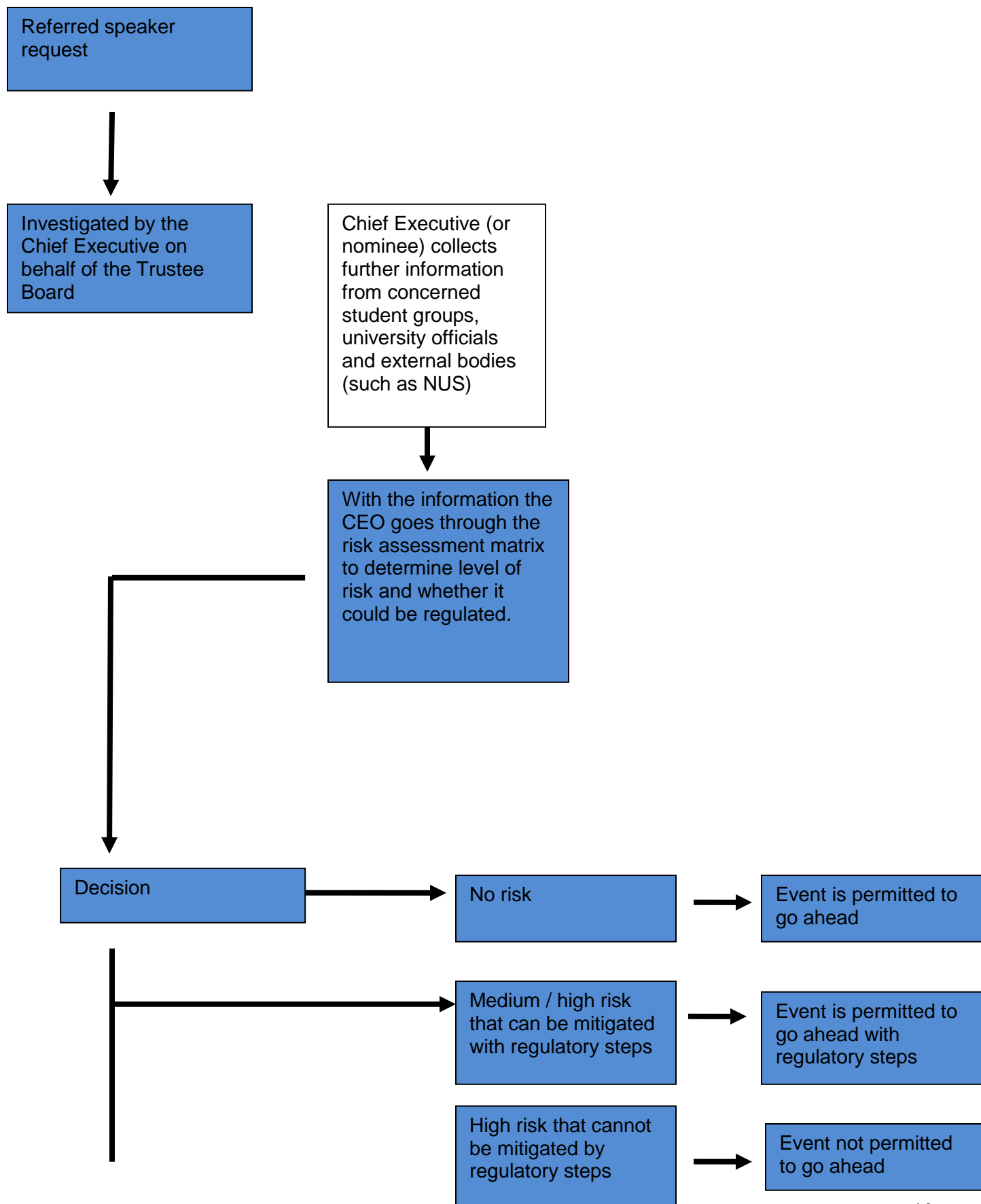
Disciplinary action for societies and officers who infringe union policy

Where Student Activity Groups repeatedly avoid submitting external speaker request forms (or don't undertake the requirements of this policy in other ways). The union's disciplinary procedures will be invoked.

Managing relationships with students and student groups

The Union seeks to create a positive relationship between Student Activity Groups and itself. It wants to ensure that Student Activity Groups feel supported to invite external speakers to their events and not made to feel policed by the Students' Union administration. The information will be communicated to Student Activity Groups that this is a normal part of ensuring the safety of all students and the reputation of the Students' Union.

Stage Two



Briefing for University of Salford Students' Union Student Activity Group committee members - outside speakers and freedom of speech on campus

The University of Salford Students' Union has policy and procedures regarding external speakers in order to enshrine our commitment to Freedom of Speech while ensuring we act in the best interests of our students and in a socially responsible manner. We are committed to facilitating debate and discussion to further the extra-curricular development of our students. Constitutionally, The University of Salford Students' Union is committed to Freedom of Speech and to support Student Activity Groups in inviting external speakers to their events to contribute to the dialogue.

The Students' Union also has to ensure that as trustees of a charity to: *"always act in the best interests of their charity. They must act reasonably and prudently and they must ensure that the charity's funds, assets and reputation are not placed at undue risk, and that it is complying with the wider legal framework."*

When approving external speaker requests, it is important that we take into consideration any risks associated with the speaker attending the event so that we can work with you to mitigate them. This may require additional support and resources so the more time we have to prepare the better. Risks we have to take into consideration when approving a speaker include student wellbeing and health and safety. We also consider the history of the speaker and any media attention they have received previously. Laws regarding discrimination, incitement and intimidation are taken into account when reviewing the history of the speaker to ensure that we are not perceived to be providing a platform for illegal activity. We will also consider any particular student groups that may take offence at the invitation of the speaker to an event and will encourage you to contact them in advance to discuss their concerns.

The form you need to complete to request permission for an external speaker can be found in the Student Activities section of our website. It is important that you include as much information as possible to speed up the checks we have to perform on the speaker. If the form is submitted incomplete or we feel that you have not been thorough enough, we will send the form back to you to be updated. You need to leave us two weeks to carry out our approval process from the date of submission of a complete and appropriately detailed form, so submitting an inappropriately completed form risks having your event postponed.

This 'Briefing For External Speakers' document provided on our website must be circulated to all speakers in advance of submission of the form. You then need to confirm with them that they agree to comply with The University of Salford Students' Union policy while being hosted at one of our events, and note this on the form.

The Freedom of Speech Rider we have included in the Student Activity Development Pack is aimed at increasing awareness of our policy amongst all attendees at your event, including those not classified as speakers. With that in mind, you must copy and paste this rider on to the bottom of emails you send out inviting people to your event, for example on your Student Activity Group mailing list, as well as the event pages you set up on the internet, for example on Facebook. It is essential that this be circulated as due to the nature of some events, even those that are not classified as speakers will be voicing their opinions and contributing to discussions. While we realise that the bureaucratic burden of forms is not insignificant, we hope you understand that the information you provide is important for us to be able to fairly assess each speaker and make a decision that is in the best interests of the students and of The University of Salford Students' Union Overall, responsibility for all Union activity, including Student Activity Group events, lies with the Union's Trustee Board. For more information please refer to the Freedom of Speech policy that is included in the Student Activity Group Development Pack. If any questions remain, please contact the Student Activities Coordinator,

Thank you.

External Speaker Agreement

Welcome, and thank you for agreeing to speak to our students at a University of Salford Students' Union [Student Activity Groups] event. The University of Salford Students' Union exists to 'provide for the intellectual, cultural, social and physical recreation of our members' as well as to 'foster and encourage the freedom of speech, expression, assembly and association amongst members'. A number of our societies choose to fulfil these objectives by inviting in speakers broaden the scope of discussion and debate at events and we are grateful to those who volunteer their time to contribute to the extra-curricular development of our students.

In allowing speakers to attend Union events we approve them based on the understanding that they act within the law and the regulations set by the University and the statutes that those regulations are drawn from.

The use of union premises for events that involve external speakers is regulated by the University of Salford Freedom of Speech Policy and these rules are therefore adopted by the Union in line with our use of their premises for our events.

From the University Freedom of Speech Policy relevant areas include:

- *"The University shall uphold the fundamental rights of freedom of speech and expression and academic freedom so far as that is reasonably practical within the realms of the law. The University has a duty to maintain safety and good order on its premises and to ensure that the articulation of beliefs, points of view and opinion do not lead to the commission of an offence or otherwise constitute incitement to riot or incitement to racial or religious hatred".*
- *"All persons to whom this Policy applies are required to observe the principle of freedom of speech and expression while on University Premises and shall show respect and tolerance towards the 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".*

Our objective to promote Freedom of Speech is limited only by statute laws that protect individuals and groups of individuals from hate speech. These statutes forbid communication which is hateful, threatening, abusive or insulting and is intended to harass, alarm or distress. Communication which targets a person based on their skin colour, race, nationality, ethnicity, religion or sexuality is forbidden. It is also a criminal offence to incite or encourage others to break the law. All speakers, as well as event attendees, must be respectful of the beliefs and opinions of others.

The University Freedom of Speech Policy is located at <http://www.salford.ac.uk/about-us/corporate-information/governance/policies-and-procedures/browse-by-theme/2>

If there are concerns raised at any point in the lead up to the event regarding the safety of attendees such as a breach of the peace or a criminal offence the Union will inform the University Secretary and the University of Salford Head of Security, in line with University Policy, and conditions may be made before the continuation of the event/event approval. These may include:

- Requesting submission of the speeches in advance of the meeting
- Limitation on attendees
- Declaration of attendees in advance of the meeting
- Stewards to be provided by the organizers
- Presence of Officers of The Union to ensure good order

- Limitation on what attendees may bring to the event, which may include banning food or drink or anything that could be used as a missile
- No banners, flags, placards or similar items being allowed in to the building
- Alteration of the conduct of the meeting or its facilitation.

Organisers would be consulted on these conditions in advance of the event and all speakers notified of the outcome. An event may also be cancelled if there are concerns that the event would risk student safety, violation of health and safety requirements or if the event risked violating the aforementioned laws regarding hatred, discrimination or incitement. The University and the Union reserves the right to cancel or postpone any event should they have any concerns. We also reserve the right to perform spot checks on events being hosted by the Union's Student Activity Groups. If there are breaches of the Union or University policies at our event the matter will be referred for disciplinary or legal action.

This briefing document has been provided to ensure all of our speakers are aware of the framework we operate within when facilitating external speakers and the measures that may, rarely, be required to support Freedom of Speech at our events. Again, we thank you for agreeing to speak at one of our events and if you have any questions regarding any of the information in this document please contact us. Email our Student Activities Coordinator.