

External Speaker Information and Process

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Freedom of Speech on our Campus

Freedom of Speech is enshrined in both Students' Union UCL's Memorandum & Articles of Association, Byelaws and in the UCL Code of Practice on Freedom of Speech. Our Parent institution is bound by Section 43 of the Education Act 1986, which places a direct obligation on Universities to 'take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers'.¹ Furthermore the Human Rights Act 1998 Articles 9, 20 and 11 enshrine the right to freedom of thought, conscience and religion; freedom of expression and freedom of assembly and association.²

The objects of the Union, as a Charity, are the advancement of education of Students at UCL for the public benefit by:

- » Promoting the interests and welfare of Students at UCL during their course of study and representing, supporting and advising Students;
- » Being the recognised representative channel between Students and UCL and any other external bodies;
- » Providing social, cultural, sporting and recreational activities and forums for discussions and debate for the personal development of its Students.

It is within this framework that the Union is committed to empower and support our clubs and societies to organise invitations for a variety of speakers that stimulate debate and further the non-academic development of our members. We will facilitate events where speakers are allowed the right to express their views and experiences, while differing, challenging and antithetical views are also heard and debated in a safe space.

There are limitations on this commitment set by UK Law that protects individuals and groups from intimidation, discrimination and the incitement of a crime. The Union is bound by a number of different statutes and regulations and must always ensure that freedom of speech is maintained within this legal framework. In order to maintain our duty of care for the health and safety of all staff, students and visitors in particular we will:

- » Do all that is reasonably practicable to protect our members from unlawful direct and indirect discrimination, harassment and victimisation.
- » Not allow communication which is threatening, abusive or intended to harass, alarm or distress.
- » Not allow communication which targets a person, or group of people based on their skin colour, race, nationality, ethnicity, religion, gender (sexual or identified), age, disability, marriage and civil partnership.
- » Reaffirm that it is a criminal offence to incite or encourage others commit a crime, including acts of terrorism.

External Speaker Process Briefing

External Speakers are defined as any non-UCL Staff or students invited to speak on campus. Our external speaker process aims to create a framework to empower students to create exciting, challenging and varied opportunities for debate, discussion and dialogue with the support and guidance of Students' Union staff. Necessarily this process is reflective of the regulations set out by UCL, our parent institution, and the statutes

¹ Education Act (2) 1986, <http://www.legislation.gov.uk/ukpga.1986/61>

² Human Rights Act 1998, <http://www.legislation.gov.uk/ukpga/1998/42/contents>

that those regulations are drawn from as well as obligations under charity law and our ongoing commitment to act in the best interests of our membership.

Ensure we protect the reputation of the Union in line with our charitable objectives.

The Union as a Charity

As a Charity, Students' Union UCL has certain duties and responsibilities which must be considered when facilitating external speaker events. As well as ensuring the Universities Code of Practice on Freedom of Speech is followed, the Trustees of the Union must ensure all events carried out by any affiliated student group do not place the Charity's endowments, funds, assets or reputation at risk. All activities must be carried out in line with our charitable objects and meet the 'public benefit requirement.'³ Equally, the Union must ensure that the right to freedom of speech is applied fairly and constantly to all groups with due regard for the legal framework as set out in various UK statutes.

Risk Management Considerations

When considering external speaker requests, we must take into consideration any potential risks associated with the speaker attending the event, so that we can work together to mitigate them. We will do all that is reasonable practicable to allow any external speaker to attend events on campus, and to support students in making this a reality. In order to do this we require that all external speaker requests are submitted no less than 10 working days before the event to give us time to consider how best to support the event and mitigate any associated risk.

Risks we have to take into consideration when approving a speaker include:

- » Anything that might affect student wellbeing, health and safety.
- » Reputational risk (for you, UCL, Students' Union UCL and our clubs or societies).
- » The history of the speaker and any media attention they have received previously.
- » Potentially controversial subject matter.
- » The reputation and potential motivations of any sponsor or partner agency.
- » UK law including those regarding discrimination, incitement and intimidation.
- » Ensuring that we are not perceived to be or are actually providing a platform for illegal activity.
- » Ensuring that the event can be carried out in a way which is in line with our charitable objectives and benefits 'students as students'.
- » The potential for the speaker's presence on campus to give rise to a breach of the peace.
- » The potential to breach the Universities Code of Practice on Freedom of Speech or limit any students, staff or public's right to legal free speech on campus.

Operational Management of External Speaker Process

The Management of the External Speaker Process is delegated to the Chief Executive with the operational management lead by the Societies and Media Manager. Staff ensure they follow the external speakers' process in an event handed and impartial way within the framework set by the Trustees.

Staff will rate events Low, Medium or High Risk, using the Trustee approved external speaker event Risk Categorisation Criteria which can be viewed here. At each risk rating a different level of authorisation and consultation with Senior Management, University Stakeholders and Trustees is required, as is outlined in the Speaker Process Flow Diagram, here. The Process of identifying and mitigating risk associated with external speaker events is dynamic and a number of regulatory steps may be deployed at any stage in the lead up to an

³ Public Benefit, Rules for Charities, as defined in Charities Act 2011, <https://www.gov.uk/guidance/public-benefit-rules-for-charities#the-public-benefit-requirement>

event as risk is continually assessed. These steps, are deployed to ensure events are safe, legal and that all of the Trustees legal duties are upheld.

Procedures and Instructions

You must seek approval for ALL External Speakers from the Union. You may not publicise your event or your speakers until they have been approved. You may face disciplinary action and your event being cancelled or postponed if you break this rule.

Step One:

Once you have decided you would like to invite an external speaker(s) to an event, please send them our 'Briefing for External Speakers' text provided within this document and online.

You will need to confirm with your chosen speaker in writing that they agree to comply with this policy while being hosted at one of our events, and note this on the external speaker approval form.

Step Two:

Submit an External Speaker Request Form, answering the following questions and providing any other relevant information. The form must be submitted at least 10 working days before the date of the event by emailing a copy of the form to su.activities-reception@ucl.ac.uk

We ask that you provide the following information on the form submission:

- » Date of event
- » Start and end time
- » The room you have booked/will book
- » Is security required? Yes/No
- » The speakers' religious/political/other affiliation.
- » Has the event been sponsored by any government or other organisation?
- » Has the speaker been given and agreed to the Students' Union UCL speakers briefing? (see below)
- » Does this event have co-host, partner agency or sponsor either formally or informally agreed?
- » Full details of the meeting/talk/speech – what will be covered, main topics, agenda, format.
- » Website link and general information on your speaker.
- » Will your function attract media interest?
- » In the past, has this speaker or topic generated any controversy?
- » Is the event open to members only, to the public or by invitation only?
- » What is the expected attendance numbers?
- » Is there anything you would like to make us aware of?

Please be as thorough as possible as it helps us process the request more quickly. If the form is submitted incomplete or in not enough detail we will send the form back to you to be updated. Submitting an inadequately completed form could cause the postponement of your event until it can be processed and approved.

Step Three:

When we receive the form the Student Activities Team will log your submission. The Societies and Media Manager will review the information provided and conduct research into the chosen speaker.

Considering the guidance in Section One and Two of this document, an assessment of the level of risk the event might have will be made:

- » If the event is categorised as Low Risk, the speaker will be approved by the Societies and Media Manager or one of the Activities team with no conditions and an email confirmation sent.

We aim to respond within 5 working days.

- » If the event is categorised as Medium Risk, the Societies and Media Manager, or a member of the team, will contact you and support you to make sure the event run smoothly and safely. There may be some conditions on how the event is run.

We will aim to approve the event within 7 working days.

- » If the event is categorised as High Risk, we will need to consult with various stakeholders and escalate the decision to senior Union and UCL Staff including the Vice Provost (Operations) who will collectively make the decision on if/how the event should proceed. The Societies and Media manager will contact you to discuss the process and how we can mitigate any potential risk. We might also apply a number of conditions to the event before approval, however we will do what we can to allow the event to take place. In exceptional circumstances the Police, Local Authority.

We will aim to respond within 9 working days, although depending on the scale/risk of the event this may not always be possible.

We will do our best to respond to requests as soon as possible but it can take longer in certain circumstances, including exceptionally busy periods, university holidays and if the speaker requires further scrutiny.

Step Four:

Once we have sent you a confirmation email and you have agreed to any conditions stipulated, you can start to advertise your event. On all publicity, including emails, newsletters, website, social media and other formats, you must include our Freedom of Speech Notice below:

“Students’ Union UCL is committed to providing a forum that facilitates Freedom of Speech while providing a safe space for our members and the public. We support events that contribute to the non-academic development of students while requesting that all speakers and attendees are respectful of the beliefs and opinions of others, as well as the law that protect individuals and groups from intimidation, discrimination and harassment. By attending a Union event you are agreeing to uphold our policies regarding Freedom of Speech. Any breach of the Union Policies and procedures may result in your event and speech being curtailed and referred as appropriate for further action to be taken.”

Extraordinary External Speaker Approval Procedure

Students' Union UCL wants its members to be able to hear about and debate relevant and topical major national and international events. We are aware that the 10 day processing time for this procedure does not easily allow Clubs and Societies, and Union Officers, to set up and respond with certain events in a timely fashion. Therefore if your event requires an external speaker to attend to highlight a significant local, national or international event then the Union will do what we can to assist.

If your event is responding to a proven local, national or international event or crisis then please send in the same speaker form and mark it as a 'Priority' and email directly to the Student Activities Team (csc@ucl.ac.uk), CC'ing the Societies and Media Manager (c.salton-cox@ucl.ac.uk) and the Activities Officer (a.officer@ucl.ac.uk). Providing relevant staff are on site and available to assist then we will do all we can to help facilitate your event.

Please note you should not advertise your event until we have approved the external speaker.

Please also note Clubs and Societies, and Officers, seeking to circumvent the standard external speaker procedure using this method without due reason will be assessed for disciplinary action.

Students' Union UCL retains the right of VETO as detailed in detailed in the speaker flow diagram on all Club and Society, and Officer, external speaker events on campus.

Briefing for External Speakers at Students' Union UCL Events

Thank you for agreeing to speak to our members at Students' Union UCL event. The Union aims to be the heart of the student community at University College London, ensuring our college is a place in which a diversity of people and opinions are not only accepted but celebrated. We exist 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.'⁴ We therefore actively seek to facilitate student lead events where speakers are invited to broaden the scope of discussion and debate at events and we are grateful to those who volunteer their time to contribute to the academic and non-academic development of our members.

Our agreement allows speakers to attend events on campus rests on the understanding that they act within the law and the regulations set by UCL (our parent institution) and the statutes that those regulations are drawn from. The use of UCL premises for events that involve external speakers is regulated by the 'UCL Code of Practice on Freedom of Speech' and these rules are therefore adopted by Students' Union UCL:

From UCL's 'Code of Practice on Freedom of Speech', relevant clauses include:

So far as is reasonably practical, the use of the premises (UCL) will not be denied to any individual or body of persons on the ground connected with:

- » The beliefs or views of that individual or any member of that body; or
- » The policy or objectives of that body.
- » It is essential to the purposes of UCL that opportunities for free and open discussion within the law should be safeguarded. Members of UCL and all other persons attending meetings held on the premises must behave in a lawful manner and avoid taking any action or using language which is offensive or provocative.⁵

There is also a Students' Union UCL Freedom of Speech Policy which can be found on our website (www.studentsunionucl.ac.uk). It highlights our commitment to Freedom of Speech and the non-academic development of our members through dialogue and debate, to which external speakers make significant contributions.

It is also our responsibility to act within the legal framework set out in various pieces of UK Legislation to ensure protection of Freedom of Speech within the law. In order to maintain our duty of care for the health and safety of all staff, students and visitors in particular we will not allow:

- » Unlawful direct and indirect discrimination, harassment and victimisation.
- » Communication which is threatening, abusive or insulting, or intended to harass, alarm or distress.
- » Communication which targets a person or group of people based on their skin colour, race, nationality, ethnicity, religion, gender (sexual or defined), age, disability, marriage and civil partnership.
- » We also reaffirm that it is a criminal offence to incite or encourage others to commit a crime, including acts of terrorism.

We ask that all speakers and event attendees are respectful of the beliefs and opinions of others.

⁴ Students' Union UCL Memorandum & Articles of Association and Byelaws – <https://uclu.org/student-union/mem-and-arts.php>

⁵<https://www.ucl.ac.uk/srs/compliance/prevent-ucl/external-speakers>

If there are concerns raised at any point in the lead up to the event regarding the safety of attendees or potential legal issues the union will liaise with relevant stakeholders, in line with the UCL Code of Practice and the Unions External Speakers Process,⁶ and conditions may be made before the continuation of the event/event approval. These may include:

- » Limitations on what attendees may bring to the event including food, drink or anything that could be used as a missile.
- » An agreed number of event stewards present for the duration of the event.
- » SIA Security booked for the duration of the event.
- » Presence of Students' Union UCL staff observers
- » Presence of University College London staff observers
- » Limitation of number of attendees
- » Making the event 'private' or restricting attendance to UCL Students only.
- » Postponement of event until satisfactory measures are put in place
- » An advanced Risk Assessment with Students' Union UCL sign off
- » Alteration of the format of the meeting
- » Request a copy of the speakers' speech before approval granted to deliver it
- » Declaration of names of attendance in advance of the meeting
- » Restriction on banners, placards, flags or other items around the venue
- » Movement of venue at the advice of UCL Security.
- » Enactment of Union official chairing guidelines.
- » Union approved and trained Impartial Chair employed to lead event.
- » An official and accurate audio recording of the event taken by Students Union UCL to ensure accurate and transparent reporting of the speaker event. The recording will be used for no other purpose.
- » A specific documented agreement between Students Union UCL and invited speakers outlining the agreed topic, format and any specific conditions on the content of the event.

Organisers are 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 safety concerns that the event would risk member safety, violation of health and safety requirements or if the event risked violating the aforementioned laws regarding hatred, discrimination or incitement. Students' Union UCL reserves the right to put additional conditions on an event after initial approval as the 'risk' of an event is continually assessed and can cancel or postpone any event should they have concerns that cannot be addressed adequately. The Union may also require for additional clauses to be added to the speaker agreement where concerns are highlighted. We also reserve the right to perform spot checks on events being hosted by our members. If there are breaches of the Union or UCL Policies at our events, the matter will be referred for disciplinary or legal action.

This briefing document has been provided to ensure all speakers are aware of the framework we operate within when facilitating external speakers and the measure that may be required to support Freedom of Speech at our events. 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 by emailing the Society and Media Manager, Carl, on c.salton-cox@ucl.ac.uk.

⁶ C20: Code of Practice on Freedom of Speech – <https://www.ucl.ac.uk/srs/compliance/prevent-ucl/external-speakers>