

The University of Sheffield External Speaker Approval Procedure

1.0 Introduction and Scope

1.1 The University has a duty to secure academic freedom, in accordance with the Education Reform Act 1988, which must be balanced with the duty of care to staff, students and visitors. Whilst most speakers are not controversial, some may express contentious, inflammatory or offensive views. The purpose of this External Speaker Procedure is to protect the rights and academic freedoms of students, staff and visitors, and to ensure that this is balanced with statutory obligations.

1.2 This Procedure applies to:

- Any event that involves an external speaker to be hosted on University premises or hosted by the University on other premises.
- External speakers invited by Departments or Faculties to the University under the remit of the normal academic curriculum (teaching and research). See Section 2.0 to 2.4 for further information.
- Events commercial or otherwise involving external speakers to be held on premises of the University where space is managed by ACS, CIC's, the Libraries and to external clients hosting an event on University premises, booked with the Universities Conferences and Events team.

See Appendix A for Speaker Risk Assessment Process flow diagram.

1.3 All such events involving external speakers, whether arranged for internal groups or for external clients, must comply with the University's statutory obligations, as set out in this Procedure.

1.4 Events might include, but are not limited to, public lectures, student society events, meetings, debates and conferences.

1.5 Formal approval by the University must be obtained, in advance, for any event to be held on the University's premises or to be hosted by the University, where it is expected, or reasonably foreseeable, that the event will raise controversial issues which may risk infringement of or non-compliance with the University's Code of Practice on Freedom of Speech.

1.6 Examples include, but are not limited to, meetings or gatherings where the topics to be covered include social, political or religious issues which are known or can be reasonably expected to invoke fiercely opposing views.

1.7 Key legislative issues that are relevant to this Procedure are:

- Criminal legislation, including the Counter Terrorism and Security Act 2015
- Education (No.2) Act 1986 & Education Reform Act 1988 – Academic Freedom
- Human Rights Act 1998
- Equality Act 2010
- Data Protection Act 1998
- Charities Act 2011

1.8 The following University governance documents should also be considered and complied with when organising an event on University premises involving an external speaker:

- Freedom of Speech Code of Practice
- Data Protection Act Policy
- Estates & HR procedures, such as Fire Procedures, Health & Safety Procedures, etc.

2.0 External Speakers Invited as Part of the Academic Curriculum

2.1 Where an external speaker is invited to be involved in a University event under the remit of the normal academic curriculum, either for teaching and research purposes, the external speaker must comply with the University's Code of Practice on Freedom of Speech.

2.2 Departments and Faculties must keep a local record of all external speakers that are invited to be involved in an event under the remit of the normal academic curriculum.

2.3 Where it is expected, or reasonably foreseeable, that the external speaker will raise controversial issues which may risk infringement of or non-compliance with the University's Code of Practice on Freedom of Speech, then the event organiser must seek approval of the external speaker in advance of the event through the External Speaker Approval Procedure, outlined in point 3 below.

2.4 In the case of any doubt as to whether a proposed external speaker might require approval under this procedure, the Event Organiser shall consult the Head of Security at the earliest opportunity for their view on whether the approval procedure should be followed.

3.0 External Speakers' Approval Procedure: Key Roles and Responsibilities

3.1 Event Organiser

3.2 The Event Organiser oversees the External Speaker Approval Procedure, conducting an initial risk assessment, referral to the Head of Security as necessary and is responsible for recording and communicating speaker approval decisions.

3.3 The Event Organiser must be a current member of University staff or a current student. The Event Organiser shall, so far as it is reasonably practicable, ensure that both the audience and any speaker act in accordance with the law during the event and that the Code of Practice is observed. In particular, in the case of unlawful conduct or any failure to observe the Code of Practice, the Event Organiser is required to give appropriate warnings and, in the case of a continuing lack of order, either to require the withdrawal or removal of persons concerned by security personnel or to bring the event to a close.

3.4 The Event Organiser shall ensure that nothing in the preparation for or conduct of the event involving the external speaker infringes criminal or civil law.

3.5 The Event Organiser shall be responsible for meeting any costs involved in organising and holding the event, even if the event is cancelled/not permitted as a result of the application of this Procedure.

3.6 All Event Organisers are required to submit the Approval of an External Speaker Application Form indicating that they have read the University's Freedom of Speech Code of Practice and confirm that they will ensure their event speaker will adhere to the Code. Where an Event Organiser refuses to submit the form, the University will not permit the event to take place on University premises, nor on premises with an association with the University.

3.7 In the case of any doubt as to whether a proposed external speaker might require approval under this procedure, the Event Organiser shall consult the Head of Security at the earliest opportunity so that the correct procedures can be followed.

3.8 The Event Organiser must comply with all conditions associated with the approval and any instructions issued by the University in relation to the location and management of the event including marketing of the event, stewarding, control over proceedings and ensuring adequate supervision of those attending.

4.0 Stage 1: Submission of Request

4.1 To seek formal approval for an external speaker, the Event Organiser must complete the Approval of an External Speaker Application Form found [here](#).

4.2 Following completion of the Form, it should be submitted for the approval procedure at least 3 weeks prior to the event taking place to allow sufficient time for consideration of the request.

4.3 If any of the information submitted on the Approval of an External Speaker: Application Form changes prior to the event then the Central room booking office must be notified by phone or email.

5.0 Stage 2: Initial Risk Assessment

5.1 On receipt of the Approval of an External Speaker: Application Form, the Head of Security shall review the information on the Form and conduct an initial risk assessment to determine whether the proposed event would be either: low risk or medium/high risk.

5.2 The initial risk assessment conducted by the Head of Security may include:

- An internet search on the external speaker and the subject matter of the proposed event;
- A search on social media on the external speaker;
- Consultation with appropriate academic staff or staff within professional services;
- Consultation with external parties, for example: the Police, the Regional Prevent Lead, officers at other universities.

5.3 Low Risk Events

5.4 If the Head of Security determines that the event proposal is low risk, the event involving the external speaker should be approved and the decision communicated to the Event Organiser, via the room booking team as quickly as circumstances allow. The decision and the information used to inform the decision (including links to relevant websites/social media) are recorded by the Designated Officer on the Central External Speakers Database.

5.5 Medium/High Risk Events

5.6 If the Head of Security determines that the event involving the external speaker is medium/high risk, then further information and intelligence will be obtained

5.7 The Head of Security will gather intelligence on the proposed external speaker and subject matter of the event. In addition to the initial investigations undertaken in 5.2, this will include:

- a review of the proposed content of the speech if this is known;
- a check as to whether the speaker is associated with an organisation on Home Office's list of proscribed groups and organisations;

- if necessary consulting any relevant external parties (for example: the Police, the Regional Prevent Lead, officers at other universities);
- Completion of a formal risk assessment if deemed necessary.

5.8 In determining whether to approve an external speaker to be involved in an event on the University's premises, consideration shall be given to:

- The outcomes of the intelligence gathered;
- The safety of persons attending the event and persons on the University's premises who might foreseeably be put at risk;
- The security of the University's premises;
- The reputation of the University.

5.9 The Head of Security shall review the gathered intelligence and decide whether the external speaker is either:

- Approved.
- Approved with Conditions.
- Refused.

5.10 Reasonable grounds for refusal include, but are not limited to, that the external speaker may:

- incite those attending to commit a criminal act;
- lead to the unlawful expression of views for example, using threatening or abusive language or behaviour or causing incitement to hatred or violence;
- be in direct support of an organisation which is proscribed or whose aims and objectives are illegal;
- be likely to give rise to a breach of the peace or other public disorder that disrupts social and community harmony; or
- undermine the University's reputation or its values, or compromise its ability to comply with its legal and regulatory obligations as a charity and as a higher education institution.

5.11 Where an external speaker is approved by the Head of Security with conditions imposed, examples of such conditions include, but are not limited to, the following examples:

- Provision of a transcript of the speaker's talk to the Designated Officer in advance;
- Appointment of an experienced Chair for the event, who has the authority to terminate the event should there be a breach of this Procedure or the Freedom of Speech Code of Practice;
- Appointment of a member of University staff to be a note-taker at the event;
- Inviting a speaker with opposing views to ensure that discussion is balanced;
- Implementing specific conditions for the arrival, departure and itinerary of the external speaker.

5.12 The Head of Security shall provide written confirmation of the decision to the Event Organiser and/or Liaison Officer where applicable, as quickly as circumstances allow. Where the application is "Approved with Conditions" or "Refused", the reasons for the decision will also be communicated to the Event Organiser and/or Liaison Officer, along with information about how to appeal the decision.

5.13 The Head of Security's decision and the information used to inform the decision (including links to relevant websites/social media) will be recorded on the Central External Speakers Database.

6.0 Objections to External Speakers Raised by Stakeholders

6.1 Should an internal or external stakeholder submit a complaint or raise an objection about an external speaker that has been approved via this process, in advance of an event taking place, then the Head of Security shall re-investigate and thereafter either decide to: continue with the event, cancel the event, or refer the decision to the President & Vice-Chancellor/Provost & Deputy Vice-Chancellor.

7.0 Appeal

7.1 If the application is "Approved with Conditions" or "Refused", the Event Organiser shall be entitled to submit an appeal against the decision.

7.2 An appeal must be submitted in writing to the Head of Security, stating the reasons for the appeal and accompanied by the original application form.

7.3 The decision of the Vice-Chancellor having reviewed the information considered by the Head of Security shall be final and there shall be no further mechanism for appeal within the University.

8.0 University Statement on Compliance and Enforcement at Events

8.1 The University reserves the right to monitor any event on its premises, particularly in terms of compliance with the specified conditions attached to the approval of the external speaker, and for compliance with this Procedure and other relevant University policies and procedures.

8.2 In cases where it is reasonable for the University to assume that disruption may occur at an event, whether at the approval request stage or at any time thereafter in the run-up to the event, the University may consult with the relevant external parties (for example: the Police, the Regional Prevent Lead, security advisors) as to the measures necessary to prevent or minimise any such disruption. These measures could, in certain circumstances, include cancellation or police presence throughout.

8.3 While an event is in progress, the University shall have the right to require the Event Organiser to terminate the event if the conduct of the event gives rise to concerns for the University that the safety of persons attending cannot be reasonably guaranteed, or that a breach of the law or a material breach of this Procedure or any of the conditions imposed is likely to occur. In such instances whereby the University may close an event, all persons or external visitors may be asked to leave University premises.

8.4 All events must comply with the room booking code of practice and the booking contract.

8.5 In refusing an external speaker request, the University shall have no liability for any costs or other obligations incurred by the Event Organiser in connection with the proposed event involving the external speaker.

8.6 Any members of the University who fail to ensure that the Procedure or the provisions of the Freedom of Speech Code of Practice are adhered to may be liable to disciplinary action in accordance with University Regulations and Policies, in addition to any possible prosecution for breach of the law.

9.0 Implementation and Review

9.1 The Prevent Duty: The External Speaker Procedure and the Approval of an External Speaker: Application Form have been reviewed (June 2017) to reflect the statutory 'Revised Prevent Duty Guidance for England and Wales' and 'Prevent Duty Guidance for Higher Education Institutions in England and Wales'.