

## Guest Speaker Policy Standard Operating Procedure

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| <b>Summary</b> | This paper sets out the internal process to be used when assessing guest speakers in line with the Higher Education (Freedom of Speech) Act 2023 and managed under UR & RSU's Code of Practice – Freedom of Speech. |                       |               |
| <b>Version</b> | 0.1   | <b>Effective Date</b> | 1 August 2024 |

### 1. Overview

This document should be read in conjunction with: [Freedom of speech in universities, polytechnic and colleges](#)

The purpose of this document is to set out the process that staff members from RSU should go through to assess the risk associated with a proposed Guest Speaker request.

### 2. Principles

There are a number of principles outlined in the Union's Code of Practice – Freedom of Speech. For the purpose of assessing risk, and determining whether a Guest Speaker should be invited on to campus, the following principles are most relevant:

- i. We will approach all events on the basis that they should proceed, and that all individuals and groups will not be denied the use of premises or facilities on the basis of their beliefs, views, policy or objectives. The only exception to this are [proscribed organisations or speakers connected to these organisations](#) or who are likely to encourage support for these organisations.
- ii. RSU has other legal responsibilities, such as those relating to preventing discrimination, harassment and victimisation and other behaviour that is prohibited by the Equality Act 2010, as well as consideration for the health, safety and welfare of employees, students, visiting speakers and other visitors. Decisions made in respect of the principle above will also be made in this context.

### 3. Legal Framework

There is no universally accepted definition of hate speech but it is generally understood to describe forms of expression which incite violence, hatred or discrimination against other persons and groups, particularly by reference to their ethnicity, religious belief, gender or sexual orientation, language, national origin or immigration status.

Incitement can be carried out by making a speech, displaying a racist poster, publishing written material, performing a play or broadcasting in the media.

The elements to the offence of stirring up racial hatred differ from those for stirring up hatred based on sexual orientation or religion.

- i. **Racial hatred** requires threatening, abusive or insulting words or conduct and an intention to stir up hatred, or a likelihood of doing so.
- ii. **Religious or sexual orientation hatred** requires threatening words or conduct and an intention to stir up hatred. A specific defence protects freedom of expression by providing that neither criticising, insulting or ridiculing religious beliefs nor criticising sexual conduct or practices or urging restraint are offences of stirring up hatred.

The use of inflammatory language based on individual characteristics does not help promote constructive and informed dialogue and can cause personal distress and damage relations. However, communications that cause offence whether by discriminatory tweets, or online posts or publications will not constitute a criminal offence unless they meet the statutory conditions outlined above.

Restrictions on freedom of speech may be imposed for the following legitimate purposes:

- In the interests of national security or public safety (i.e. to prohibit hoax bomb claims)
- For the prevention of disorder or crime (i.e. to prohibit incitement to violence)
- To protect health or morals (i.e. laws against certain types of pornography)
- For the protection of the reputation or rights of others (i.e. as reflected in defamation law and the prohibition on harassment under the Equality Act 2010)
- For preventing the disclosure of information received in confidence (i.e. trade secrets)
- For maintaining authority and impartiality of the judiciary.

However, it is important to note that for each of the above any restriction must be lawful and it must be proportionate to the legitimate purpose that the public body is seeking to uphold.

#### 4. Procedure

All events organised by student groups affiliated with the Students' Union or Students' Union events involving external speakers should be reviewed by RSU, with higher risk events referred to the University Secretary.

##### 4.1. Timeline

Applications for events should be submitted to the Students' Union not less than 20 working days in advance of the event, with applications submitted to the University not less than 15 working days in advance of the event. This will allow for the Union's due diligence to be completed in time to enable the application to be referred to the University where required.

##### 4.2. Advertising and Promotion

No advertising or promotion of the event should be undertaken until permission for it proceed has been granted. For controversial events, the advertising or promotion strategy should be discussed with the University.

##### 4.3. Activity Organiser

Each event must have an identified Activity Organiser, who will be named member of the student group committee, who is accountable for the event and in charge of ensuring that it takes place in line with any controls agreed by the University.

The Activity Organiser should get in touch with RSU via our online booking form at least 20 working days in advance of the event, and have approval granted before the event is advertised in any form. They must let us know:

- the day, time and place of the meeting or method if the event is virtual
- the name of the speaker
- the subject of the address
- a summary of its purpose
- the intended audience - whether the meeting is to be for society members only, open to all students, and/or open to the general public
- whether there is space within the event for an alternative view point / speaker to attend

They must also include a completed risk assessment with their request.

#### 4.4. Background Checks

A brief background check will be conducted by an RSU staff member into the Guest Speaker's history. This can be as simple as a Google search. The purpose is to establish if any of the following risks may be associated with inviting the Guest Speaker:

- The potential for the event going ahead to cause reputational risk to the Union and the associated potential for the event not going ahead to cause reputational risk to the Union.
- The potential for the speakers' presence on campus to cause harassment, alarm or distress to members of the student body or staff.
- The potential for the event going ahead to cause the Union to fail in its wider legal duties (i.e. health & safety and/or unlawful discrimination)
- The potential for the speaker's presence to give rise to a breach of peace.

The following checklist will help the Activity Organiser, Students' Union and University to consider how to mitigate any risks the speaker's attendance might bring, and ensure that the event can be managed appropriately.

|   | No | Yes |
|---|----|-----|
| <b>Section One: Legal Considerations</b>  |    |     |
| Are there any concerns about unlawful content or content that might encourage terrorism or violent extremism? If you are unsure, please e-mail <a href="mailto:societies@roehampton.ac.uk">societies@roehampton.ac.uk</a> for advice. |    |     |
| Are they representing an organisation <a href="#">proscribed by the UK Government</a> ?   |    |     |
| Are they likely to breach UK laws on Hate Speech  |    |     |
| Are they likely to raise concerns under the Prevent duty guidance in terms of encouraging violent extremism or terrorism, or drawing people into terrorism?   |    |     |

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| Under the Equality Act 2010, gender segregation at meetings and events is not normally permissible. Please indicate whether the proposed meeting, event or activity is to be segregated by gender.<br><br>[Note: if the answer is Yes, the Principal Organiser should consult with the University's Legal Department to establish whether a sufficient basis exists for exemption from the Act.] |  |  |
| <b>Section Two: About the Event</b>  |  |  |
| Is the subject of their talk or the organisation they represent likely to mobilise significant opposition such that there might be a risk to safety of the public or members of the University/Student Union community?  |  |  |
| Is there any evidence that this has been the case on other occasions?  |  |  |
| Does the speaker, or the organisation they represent, have a controversial profile in the media?   |  |  |
| Is the event likely to attract a heightened media interest?  |  |  |
| Is the event likely to attract unusual interest or unusually large numbers?  |  |  |

Once this background check has been fulfilled you should be able to answer 'Yes' or 'No' to the following questions:

#### 4.5. Green Events

Where all questions in Sections 1 and 2 are "No", the event is assessed as Green. The next steps are:

1. Where it is deemed that there is no risk to the event a member of staff will get back to the group as soon as possible to confirm the proposal or, if required, to arrange a meeting to discuss the proposal in more detail.
2. The background checklist should be stored alongside the event request on SharePoint for record keeping purposes.
3. The event will normally proceed without further scrutiny.

#### 4.6. Amber or Red Events

Where any question in Section 1 and 2 is answered "Yes", the event is assessed as Amber or Red. The next steps are:

1. The request will be escalated to the RSU senior management team and sabbatical officer group where certain conditions may be attached to the event, or the event request may be rejected.
2. Depending on the guest speaker and the event, it may be necessary for us to apply certain conditions to the event to ensure the health, safety and wellbeing of our members as well as that of the guest speaker. For example, we may ask that tickets are issued when a meeting is open to the public; or that an adequate number of security

stewards must be provided by the organisers, or that members of the University's security staff must be present to help in keeping order.

3. Where RSU deems a guest speaker to be high profile, a senior manager will be alerted and this will be flagged to relevant University staff to ensure a collaborative and joined-up approach is taken
4. Following this, the senior management team will consider additional measures and mitigation, in consultation with the University Secretary and the Head of Security.
5. Where it is deemed that there is too much risk associated with the event and it should not go ahead a senior manager and sabbatical officer will liaise with the University to make them aware of this decision before a response to the organiser is made.