**External Speaker Policy**

**Updated September 2023**

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**Introduction**

Warwick Students’ Union (WSU) is an organisation committed to creating an environment where everyone is treated with dignity and respect and where diversity of people and opinions is promoted, valued, and celebrated.

As a charity, the objects of the Union, as laid out in our Memorandum and Articles of Association, are the advancement of education of Students at University of Warwick for the public benefit by:

* promoting the interests and welfare of Students at University of Warwick during their course of study and representing, supporting and advising Students;
* being the recognised representative channel between Students and University of Warwick 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.

Open debate is central to the culture of academic freedom, the development of student’s ideas and understanding and is protected by an act of parliament relating to freedom of speech and academic freedom on campus. Therefore, it is within this framework that we facilitate student-led events to broaden the scope of discussion at events and empower our clubs and societies and individual members to invite external speakers to hold open and challenging debates for the benefit of our students.

WSU encourages open dialogue, critical thinking, and the exchange of diverse perspectives at all external speaker events. The Union recognises that by promoting free speech, it creates an environment that values intellectual freedom, encourages innovation, and fosters social progress.

**Purpose**

The purpose of this policy is to set in place a framework for facilitating events with external speakers that permits the Union to be compliant with its legal duties and responsibilities to uphold lawful Freedom of Speech.

Freedom of expression and speech are basic human rights to be protected and are protected by law; and the Union will ensure it creates an environment that facilitates and promotes lawful Freedom of Speech for all its members.

This policy sets out the procedures and processes relating to the use of external speakers at WSU events both on and off campus organised by student clubs and societies, as well as individual members or WSU staff. It aims to ensure that staff and students are aware of the process and measures that may be required to support their event and the procedure for approval of all external speakers.

The Union will ensure that the right to freedom of speech is applied fairly to all groups with due regard for the legal framework as set out in various UK statutes. In the future, this policy should be read in conjunction with the Union’s Code of Practice which is currently in development to uphold new legislation.

**Definitions**

An **external speaker** is defined as any individual who is speaking or presenting who is not a student or staff member of the University of Warwick (UoW) or WSU. For the avoidance of doubt, it also includes any individual who is a student or staff member from another institution or Students’ Union.

An **event** is a publicised or organised activity (either to club or society members, the Warwick Community, or the General Public) where there are people speaking to the group of students. This can be in person or online and events organised both in and outside of a WSU building or property.

A **member** means any student who has opted in to become a member of the Union or a staff member of WSU.

**Freedom of Speech** means the freedom to hold opinions and to receive and impart information and ideas without interference, subject only to formalities, conditions, restrictions, and penalties prescribed by law and in the proportionate pursuit of a legitimate aim necessary in a democratic society, including but not limited to the protection of the rights of others.

A **Club or Society** is a student group that is affiliated with WSU.

**Principles**

The policy aims to:

* Provide an environment where freedom of expression and speech are promoted and protected; balanced with the need to ensure that our community is free from harm and that incitement to hatred is never acceptable.
* Provide a supportive, inclusive, and safe space for students.
* Provide clearly defined and effective procedures to ensure that the law is upheld.
* Collaborate with others to reach sound, evidenced judgements about proposed external speakers ensuring that WSU and the University can meet their legal obligations.
* Encourage and provide a balance of opinion for discussion or debate.
* Communicate to all members, volunteers, staff and visitors, that it is our mutual responsibility to comply with anti-discrimination, anti-bullying or anti-harassment legislation and that both WSU and the individual can be held liable if they contravene the law.
* Challenge behavior and change practice that directly or indirectly result in discrimination.

**Process and Responsibilities**

WSU must be notified of any events that involve external speakers (as defined above) and approval is needed before any events are publicised.

The following process will be enacted for ALL external speaker events:

(1) Individuals, clubs or societies must complete an [External Speaker Form](https://warwick.ac.uk/services/community-safety/events/externalspeaker) and accompanying risk assessment.

All forms must be submitted a minimum of three weeks (21 days) before the event takes place. This allows sufficient time for due diligence checks to be carried out, to ensure that the risk assessment is considered, and to ensure any mitigating measures to keep people safe are agreed and arranged; as well as allowing time for alterations to the event if necessary.

(2) Any request made outside of this timeframe may result in a postponement, unless there are extreme extenuating circumstances.

(3) Any failure to disclose the speaker’s details in full may result in an event being postponed until the content can be reviewed.

(4) WSU Student Activities staff will provide support and guidance and work with clubs, societies and individuals if required in relation to completing risk assessments, with the support of University Community Safety if necessary.

(5) It is the responsibility of individual(s) organising the event to ensure that the event will proceed in accordance with the principles set out in [Regulation 29](https://warwick.ac.uk/services/gov/calendar/section2/regulations/meetings/) of the University Regulations.

(6) On receipt of the forms, WSU will carry out a risk assessment based on the information provided. It will check speakers’ details, group links and other connections in conjunction with the University Community Safety team.

(7) Following the initial assessment there are two outcomes:

1. Speaker approved.
2. Speaker referred for further consideration.

(8) Individuals will be notified if the speaker has been approved or referred. If approved all speakers must be made aware of their responsibilities to abide by the law, the University, and the Union’s policies, including that they:

* must not incite hatred, violence or call for the breaking of the law.
* are not permitted to encourage, glorify, or promote any acts of terrorism including individuals, groups or organisations that support such acts.
* must not spread hatred and intolerance in the community and thus aid in disrupting social and community harmony.
* must seek to avoid insulting other faiths or groups, within a framework of positive debate and challenge.
* are not permitted to raise or gather funds for any external organisation or cause without express permission of the WSU Board of Trustees.

(9) If there is cause for a referral then the speaker details will be sent to the Director of Membership for further guidance. Referral will be based on the Unions wide ranging and varied statutory legal obligations and consideration will be given, but not limited to:

* Breaches of Criminal Law
* Charity Law
* Equality Act 2010
* Counter Terrorism and Security Act 2015 s.26(1), the “Prevent Duty”
* Education (No.2) Act 1986,
* Human Rights Act 1998

Due regard will be given to providing a space that promotes and facilitates Freedom of Speech whilst also putting the welfare and safety of our members at the forefront of any decision making.

Where there is a potential for these rights to come into conflict, the Students’ Union is committed to collaborating with event organisers to reach a sound, evidence-based decision about the organisation or person. At all times, the the Students’ Union must ensure it meets its various legal obligations and the final decision for event speakers rests with the Chief Executive acting on behalf of the Trustee Board. Furthermore, all events must be carried out in accordance with the charitable objects of the Union.

**Responsibility for the Policy**

Responsibility for the implementation of this policy is as follows:

**The Trustee Board**, as a group, has overall responsibility for ensuring the Union operates within its legal obligations.

The **VP Societies** is responsible for supporting student societies in planning their events with day-to-day operational responsibilities being led by the Student Activities team.

**VP Welfare and Campaigns** is charged specifically with duties relating to equality and diversity and is accountable to the members to ensure the policy is implemented in full in the delivery of services.

The **Director of Membership** and the **Student Activities Team**, have responsibilities both to implement the policy, to inform student groups with which they interact of the policy and to provide adviceto students on the policy and related matters if required.

The **Senior Management Team** and the **Full Time Officers** are responsible for the implementation of the policy across all services, ensuring staff and volunteers receive appropriate training and for the continual development and monitoring of the policy and reporting to the Trustee Board.

**Managers** are responsible for ensuring that their staff team are aware of and support the policy.

**Staff** have a collective responsibility to inform the Student Activities team of any activities they become aware of during their normal duties that may fall under the remit of this policy.

**Members** are expected to support and uphold the principles contained in this policy.

**Breaches to this Policy**

All complaints relating to breaches of this policy will be investigated and appropriate action taken. Breaches will result in disciplinary action. Refer to WSU’s Disciplinary Regulations in Bye-Law 10.

Any member of the public, partner, contractor or visitor wishing to raise a concern in relation this Policy should direct this to complaints@warwicksu.com. For further details on how complaints are dealt with, please see <http://www.warwicksu.com/contact/complaints/>

Comments or questions about the External Speakers Policy should be sent to the Deputy Student Activities Manager studentactivties@warwicksu.com

Comments or questions about the Equality and Diversity Policy should be sent to the People Team peopleteam@warwicksu.com

**Useful Additional References**

More information on the law and on the University of Warwick and Warwick Students’ Union policy and procedures relevant to freedom of speech, room booking, Dignity at Warwick can be found within the following websites and documents:

[Warwick Students’ Union Governing documents](https://www.warwicksu.com/your-union/how-the-su-works/governingdocuments/)

[Higher Education (Freedom of Speech) Act 2023](https://bills.parliament.uk/bills/2862)

[Counter Terrorism and Securities Act 2015](http://www.legislation.gov.uk/ukpga/2015/6/contents/enacted)

[Terrorism Act 2000](http://www.legislation.gov.uk/ukpga/2000/11/section/1)

[The Education (No. 2) Act 1986 S43](http://www.legislation.gov.uk/ukpga/1986/61/section/43)

[Education Reform Act 1988 – Academic Freedom](http://www.legislation.gov.uk/ukpga/1988/40/contents)

[The Human Rights Act 1998](http://www.legislation.gov.uk/ukpga/1998/42/contents)

[Equality Act 2010 (s.10 relates to religion & belief as a protected characteristic)](http://www.legislation.gov.uk/ukpga/2010/15/contents)

* [Discrimination Law – religion and belief](https://equalityhumanrights.com/en/advice-and-guidance/religion-or-belief-discrimination)
* [Public Order Act 1986 – Violent, Threatening or Abusive Conduct and Speech](http://www.legislation.gov.uk/ukpga/1986/64)
* [Protecting Free Debate (NUS Briefing)](https://www.nusconnect.org.uk/resources/protecting-free-debate)
* [Managing the Risks Associated with External Speakers July 2011](https://www.nusconnect.org.uk/resources/managing-the-risks-associated-with-external-speakers-england-and-wales)
* [EHRC Guidance on Gender Segregation at UK Universities and SU's](https://www.equalityhumanrights.com/en/publication-download/gender-segregation-events-and-meetings-guidance-universities-and-students)
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