



University of St Andrews  
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| 1413 – 2013 |

# External Speakers and Events Protocol

## **1. Context**

- 1.1 Freedom of expression within the law is fundamental to University life. The University of St Andrews is committed to protecting academic freedom and freedom of speech whilst promoting and supporting a culture of mutual respect. For over 600 years, speakers have come to St Andrews to share their knowledge and insights in support of the University's mission to deliver academic excellence.
- 1.2 Section 26 of the Counter-Terrorism and Security Act 2015 places a duty on certain bodies, including the HE sector in Scotland, to have, *'in the exercise of their functions, due regard to the need to prevent people from being drawn into terrorism.'* The UK and Scottish Governments have published joint statutory guidance to support the sector in discharging its duty in this regard. A particular focus of the guidance relates to external speakers and events and the University therefore requires to strengthen its policies and procedures relating thereto.
- 1.3 The University of St Andrews, whilst ensuring compliance with various statutory and regulatory obligations, is also committed to protecting the welfare of students and staff. In addition to the statutory guidance referred to above, this document draws on the 'Good Practice Guide for Scottish HE Institutions' published by the Scottish Higher Education Prevent Working Group (SHEPWG) and the guidelines on 'External Speakers in HE Institutions' published by Universities UK.

## **2. Purpose**

- 2.1 This document sets out the procedures to be followed where any booking or potential booking for an event or external speaker gives rise to concerns that warrant further scrutiny and potential consideration by the University. Such scrutiny will be carried out by the University Compliance Group, the Terms of Reference for which are provided at Appendix 1.
- 2.2 The vast majority of events, including academic seminars and guest lecturers, are part of everyday life in the University, and will not require further scrutiny in terms of this protocol.
- 2.3 All staff members and students involved in the booking or organisation of events or speaker invitations should use this protocol only where they think there may be cause for referral.

## **3. Principles**

- 3.1 Freedom of thought and expression within the law is a fundamental right which the University of St Andrews recognises and upholds.
- 3.2 Where the University, having considered all available information, believes that there is a real and demonstrable risk that a speaker and/or those at an event may break the law or breach the University's statutory duties - including the need to prevent people being drawn into terrorism - and/or will pose a significant risk to the wellbeing of students,

staff or visitors, it may require that certain conditions are met or , in exceptional circumstances, it may refuse to allow an event to go ahead.

#### 4. Scope

- 4.1 This Policy applies to all staff and students of the University and to any other person in attendance at any event which is covered by this policy.
- 4.2 This Policy applies to any event:
- That is organized by students or staff at the University; *and*
  - That is held under the auspices of the University, regardless of location (e.g. Student Union).

#### 5. Responsibilities

- 5.1 The **Quaestor and Factor** (Chief Operating Officer) has ultimate responsibility for:
- Agreeing to the provision of University accommodation for a speaker or event; and/or
  - Granting permission for the University to be associated with an event, though he may delegate authorisation of events deemed to be low risk to the Head of Registry, the Director of Residential & Business Services, the Commercial Director of the University of St Andrews Student's Association, or managers of locally owned space.
- 5.2 The **University Compliance Group** is a sub-group of the University's Security Strategy Group and has responsibility for supporting the Quaestor & Factor through consideration of events or speakers deemed to be of risk in relation to the University's statutory duties.
- 5.3 The **Event Organiser** is responsible for assisting the University in its statutory duties by:
- Conducting an initial risk assessment – see Appendix 2;
  - Informing the University of an event they are organizing by submitting accurate and timely room booking requests to the relevant space owner;
  - Providing sufficient details of the event / speaker, as required by the University; and
  - Implementing any actions that may be required by the University Compliance Group in order to ensure the event runs peacefully and lawfully.
- 5.4 The Head of Registry, the owners of locally bookable space, the Director of Residential & Business Services and the Commercial Director of Student's Association are responsible for:
- Receiving room booking requests/event notifications;
  - Requesting further information from the Event Organiser as may be needed;
  - Where necessary, ensuring that the Event Organiser has complied with the Risk Assessment process before approving the Event; and
  - Referring higher risk events to the Security Manager for further consideration.
- 5.5 Persons in attendance at events are responsible for:
- Complying with the instructions of the event organizer.

## 6. Definitions

- **Centrally Bookable University Space** – a collection of teaching, meeting and event spaces for which bookings, subject to approval by the relevant authorizing department, can be requested by all staff and students.
- **Event** – a planned academic, public or social occasion.
- **Event Organiser** – a current student or member of staff who is responsible for oversight and management of the planned event. *Note: Where the event involves a third-party booking, and the organiser is not from within the University community, there must be a nominated Event Organizer from within the University community, such as the member of staff from Conference & Group Services (Residential & Business Services) who handles the booking. An Event Organiser must be a named individual.*
- **External Speaker** – an individual who is invited to speak at a University event and who is *not* a current:
  - student;
  - member of staff;
  - member of University Court; or
  - holder of an honorary position at the University
- **Held under the auspices of the University** – an event is deemed to be held under the auspices of the University if:
  - Regardless of who is organising it, it takes place on University-owned premises (including premises leased to the Student's Association); or
  - It is organised in the name of the University or one of its departments, including University-supported groups such as student societies whether affiliated or not or sports clubs.
- **Locally Bookable University Space** – a collection of teaching, meeting and event spaces for which bookings, subject to approval by the relevant authorizing department, can be requested by staff and students associated/attributed to the department in question.
- **Owner of locally bookable Space**: the member of University staff with responsibility for authorizing use of that space by staff/students.
- **Statutory or Regulatory Responsibilities** – the University's responsibilities with regard to events and speakers are governed by a wide range of legislative requirements including:
  - The duty to have particular regard to the need to ensure freedom of speech, including its obligations under the Human Rights Act (1998);
  - The duty to protect academic freedom (Further and Higher Education (Scotland) Act 2005);
  - The duty to have regard to the risk of people being drawn into terrorism (Counter Terrorism and Security Act 2015);
  - The duty (Terrorism Act, 2000) not to arrange or assist in arranging a meeting in the knowledge that the meeting is to support the activities of a proscribed organisation, or

is to be addressed by a person who belongs or professes to belong to a proscribed organisation;

- The duty to eliminate unlawful discrimination against certain groups, and advance equality of opportunity between groups, (Equality Act 2010);
- Obligations under criminal law e.g. with regard to use of threats, incitement of violence, inflaming religious or racial hatred, creating disorder;
- Obligations under charities law, i.e. whether the proposed activity is consistent with the University's charitable objects; and
- A general duty of care to students, staff and visitors, including avoiding placing students, staff or visitors in situations that may expose them to risks to their welfare or health and safety.

## **7. Arrangements and Procedures**

- 7.1 The Event Organiser must give the University timely notice (at least 10 working days) of any event that will involve an external speaker or for which they require the use of centrally or locally managed University space. Notice is to be given through the relevant room booking processes in either:
- University Timetabling Team within Planning;
  - Conference & Group Services within RBS;
  - The University Library; or
  - The relevant manager of locally bookable spaces within Schools, Residences or any business unit.
- 7.2 Prior to making any booking, Event Organisers have a duty to comply with this protocol and be satisfied that there are no concerns arising from the initial risk assessment at Appendix 2, or the University's statutory duty outlined in Section 1 herein. Where there are no such concerns authorisation should be granted and the room booking confirmed. There is no need for any further approval by the University unless the circumstances of the event change (see below).
- 7.3 Where the Event Organiser becomes aware of changes to the event such that
- An external speaker is now to be invited and/or;
  - The external speaker(s) previously notified has / have changed; *and*
  - The Event Organiser, on further assessment, now believes that there is a risk that a speaker or event may break the law, breach the University's statutory duties and/or will pose a demonstrable risk to the wellbeing of students, staff or visitors they must follow the procedure outlined at 7.4.
- 7.4 Where the initial or further assessment by the Event Organiser suggests that an event may be higher risk, the event/speaker details must be forwarded to the University Security Manager for further assessment and potential consideration by the University Compliance Group.
- 7.5 The Event Organiser must ensure that all attendees are aware that any recording of the event including but not limited to live streaming, video capture, audio or video recording,

or any other medium by which the event can be recorded for live or future use, is prohibited except with the prior express written agreement of an authorised signatory of the University as set out in Appendix 1.

- 7.6 The University Security Manager may wish to meet with the Event Organiser to discuss the event and any concerns raised in order to fully inform any decision as to whether such concerns require to be referred the University Compliance Group.
- 7.7 Where it is found that there are no substantive concerns, the event booking will continue as originally planned.
- 7.8 Where there are substantive grounds for concern, the University Security Manager will refer the booking to the University Compliance Group, and gather any relevant information to assist the group in reaching a decision.
- 7.9 The Event Organiser will be notified of any referral to the University Compliance Group and, depending on timescales, the event may be temporarily suspended until a decision is reached by the group.

## **8. The University Compliance Group**

- 8.1 The University Compliance Group is a sub-group of the University Security Strategy Group and is chaired by the Chief Legal Officer or nominee; it comprises a number of key senior staff with specific knowledge / expertise in the relevant legal and philosophical issues. Membership of the Group is set out in in Terms of Reference at Appendix 1.
- 8.2 The Group, which may initially convene electronically if needed and will assess the information contained in the referral from the Security Manager / Event Organiser against a range of criteria set out in the terms of reference, including:
  - The University's commitment to freedom of thought and expression.
  - The University's statutory obligations.
  - The provisions of this policy.
- 8.3 Before reaching a decision the Group may request further information from the Event Organiser, and may also seek further information from other sources.
- 8.4 The Group may either:
  - Approve the event with no conditions;
  - Approve the event but with certain conditions which the Event Organiser must undertake to comply with; or
  - Refuse approval for the event.
- 8.5 The Chief Legal Officer or his nominee, will write to the Event Organiser with the final decision and details of any conditions.
- 8.6 Where conditions are imposed, these will be communicated in writing to the Event Organiser on behalf of the chair of the compliance group. The Event Organiser must ensure that the conditions are met in full, with support from University professional services such as the University Security Manager where needed.

## 8.7 Recording of decisions

All recommendations and decisions made by the University Compliance Group will be recorded, together with a summary of the reasons given. An annual report on numbers and types of decision taken will be submitted to University Court as part of the University's annual statement on compliance with the Counter Terrorism and Security Act 2015.

## 8.8 Right of appeal

Where the University Compliance Group has refused approval for an event, the Event Organiser may make an appeal against that decision to the Security Strategy Group. Any appeal must be made in writing to the Vice-Principal (Governance) no later than 10 working days after receipt of the original decision. The Vice-Principal (Governance) or his nominee will hear the appeal as soon as is reasonably practicable. The Vice Principal's (Governance) decision will be final.

## 9. Monitoring and review

9.1 This protocol will be reviewed periodically by the University Compliance Group.

## UNIVERSITY COMPLIANCE GROUP

### Terms of Reference

#### 1. Purpose

To have operational oversight of the University's obligations under the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people being drawn into terrorism ("the Prevent duty").

#### 2. Remit

- 2.1 To ensure a shared awareness and understanding of the risks of radicalisation within the University community;
- 2.2 To ensure that the statutory duty is addressed effectively; and
- 2.3 To advise the Vice-Principal (Governance) or his nominee, on sensitive matters that may arise in relation to the University's statutory duty under the Counter-Terrorism & Security Act 2015 or associated issues. Examples are:
  - Deciding what action to take where concerns are raised that a member of the University community may be vulnerable to being drawn into terrorism or;
  - Deciding whether to allow a controversial speaker to visit the University, and on what conditions, if any.

#### 3. Governance

- 3.1 Consistent with the guidance published by the UK and Scottish government, as well as the related Scottish HE Prevent Working Group Good Practice Guide, the Vice-Principal (Governance) has responsibility for oversight of the University's implementation of the Prevent duty.
- 3.2 The Compliance Group, as a sub-group of the University's Security Strategy Group, is also chaired by the Vice-Principal (Governance). The Group reports on its work to the University Security Strategy Group and subsequently, the University's Audit & Risk Committee, on an annual basis.

#### 4. Operation

- 4.1 The Group will meet once a year to review implementation and effectiveness of the University's planning and operations under the Prevent duty.
- 4.2 The Group will be convened at any other time when either:
  - A request from a member of the University community to hold an event or invite a speaker is believed to present a significant risk that the speaker or event may break the law; and/or
  - Breach the University's statutory duties; and/or
  - Will pose a demonstrable and significant risk to the wellbeing of students, staff or visitors; and/or
  - A member of the University community has raised concerns that a student or member of staff at the University is at risk of being drawn into terrorism.
- 4.3 Where several such requests are received over a short timeframe, the Group may consider several requests at the same meeting.



- 4.4 The Group is quorate when at least 4 members are present including the Convenor or their nominee.
- 4.5 The Group may meet electronically if needed.
- 4.6 The Vice-Principal (Governance) will normally decide on any request in respect of an event or speaker at the meeting of the group but may also defer any decision where it is appropriate to do so.

## **5. Composition**

- The Chief Legal Officer - (Convenor)
- The Vice Principal (Education)
- The Director of Student Services
- The Student's Association Director of Wellbeing or another sabbatical officer
- The PA to the Chief Legal Officer (Secretary)
- The University Equalities Officer
- The University Security Manager or Deputy Security Manager
- The Director of Human Resources – (where the referral involves a member of staff)
- The University Chaplain – (or his nominee) (where the referral involves a faith issue)

Where the referral relates to an external or event issue, the individual (staff member or student) responsible for organising the event may be invited to attend where this is felt to be appropriate.

## **6. Assessing the risk relating to Events / Speakers**

- 6.1. Responsibilities and Expectations of Group Members
  - Members are expected to recognise the University's profound and long-standing commitment to freedom of thought and expression.
  - There should be a presumption in favour of allowing events / speakers, with conditions if necessary, unless there is strong evidence to suggest that the speaker or event will contravene the law / the University's statutory duties and no mitigating actions can be imposed.
  - In assessing the risks of allowing the event to proceed, members will have regard to criteria, which are aligned with the guidance issued by Universities UK on External Speakers in HEI's.<sup>1</sup> These are set out in Appendix A and may be revised from time to time in light of any changes to the University's statutory obligations.
  - All members must be familiar with the provisions of the University's Policy on External Speakers and Events.
  - Where necessary, the Group may seek further information and/or advice from the individual organising the event, relevant professional bodies, from public sector agencies and organisations, from other Universities or from the University's lawyers, before making a recommendation.

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<sup>1</sup><http://www.universitiesuk.ac.uk/highereducation/Documents/2013/ExternalSpeakersInHigherEducationInstitutions.pdf>

- Notwithstanding the above, the Group should seek to assess and return a decision to the Event Organiser within 48 hours of a concern being raised with the Group.
- 6.2 Imposing conditions on events
- The Group, having assessed an event / speaker against the established criteria, may recommend that the event may proceed but that certain conditions must be met and/or restrictions complied with, to meet the University's statutory obligations.
- 6.3 Right of appeal
- Event organisers may appeal to the Principal or, in his/her absence, the Senior Vice-Principal, against a decision to impose conditions or to cancel an event. The Principal's decision will be final.

## **7. Data Protection**

If it is decided that information on a student or member of staff is to be shared, the Group will record:

- what information was shared and for what purpose
- who it was shared with and by what means
- when it was shared
- the justification for sharing
- whether the information was shared with or without consent of the subject

## **8. Records**

All recommendations made by the University Compliance Group will be recorded, together with a summary of the reasons given. An annual report on numbers and types of recommendation made will be submitted by the Secretary of the Group to the University Security Strategy Group as part of the University's annual statement on compliance with the Counter Terrorism and Security Act 2015.

Approved by:

Date approved:

Further information:

**University of St Andrews  
External Speakers & Events**

**Initial Risk Assessment**

1. Has the speaker attracted controversy on the proposed or other topic in the past?
2. What is the focus of the event and might the subject matter or title be controversial or cause distress? (religious, political themes)
3. Will both sides of the argument be represented at the event, i.e. are there opposing speakers?
4. Who is chairing the event and are they sufficiently experienced to ensure the smooth running of the event?
5. Does the proposed speaker have known links to or represent a proscribed terror group or organisation as designated by the UK Government?  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/472956/Proscription-update-20151030.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/472956/Proscription-update-20151030.pdf)
6. Will hosting the event pose a reputational risk for the University?

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If the response to any of these questions gives you cause for concern, please contact the Security Manager ([securitymanager@st-andrews.ac.uk](mailto:securitymanager@st-andrews.ac.uk)) for further discussion.

# External Speakers Decision Flowchart

