

External Speaker Policy and Code of Conduct

Document Control

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1. Purpose

- 1.1 This Policy and Code of Conduct establishes a framework to facilitate the booking of external speakers and for ensuring all speakers are free to speak and express views within the law. It sets out the University's expectations for all individuals booking, speaking, and participating in University's activities.
- 1.2 The University of Lincoln has a rich history as an academic institution that has regularly welcomed visiting speakers from around the world to its campuses. Such speakers have brought and continue to bring great diversity of experience, insight and opinion, enriching our events and activities and sparking discussion, debate and challenge among our students, staff and visitors alike.
- 1.3 This policy aligns with our values of encouraging knowledge sharing, vibrant debate and our clear commitment to securing freedom of speech and expression within the law. It also reflects the University's duty of care to our staff, students and external visitors by way of mechanisms which ensure that events take place safely.

2. Scope

- 2.1 'External speaker' refers to any individual or group that is not a member of staff or student of the University, who is to address a group at an event.
- 2.2 An event is any talk, public meeting, reception, conference, seminar, lecture or exhibition, either on or off the University's campuses (including online), which are organised by and/or come under the banner of the University of Lincoln.
- 2.3 This policy is not intended to apply to specialists contributing to the curriculum on professional programmes such as health and teacher education. It is expected that Schools retain records of such engagement, and apply this policy should there be any question as to the nature of any such engagement.

3. Roles and Responsibilities

- 3.1 Responsibility and accountability for all events held on the University of Lincoln's campuses ultimately rests with the University. Therefore, no event subject to this policy can be confirmed until authorised as per this policy.
- 3.2 The Chief Student Officer / Academic Registrar holds authority for approving events subject to this policy but may delegate authority as appropriate. The Chief Student Officer / Academic Registrar may also refer any relevant matter to colleagues where potential decisions may, for example, concern the University's wider responsibilities concerning freedom of speech, equal

opportunities, wider legal duties (such as health and safety) or potential breach of the peace.

- 3.3 The Event Organiser (normally a member of staff or a student) is accountable and has responsibility for ensuring their external speaker event is planned, managed and run in accordance with the University's values, policy documents and legal obligations. The Event Organiser is responsible for consulting with Estates on safety matters.
- 3.4 Members of staff or students may be subject to disciplinary action in cases where non-compliance with this policy is identified.

4. Booking An External Speaker

- 4.1 Anyone organising an event as described above must follow the External Speaker Booking Process detailed below **before** booking the speaker(s).
- 4.2 The majority of external speaker requests should be straightforward and can be handled entirely at a local (departmental) level. In these cases, following the steps outlined in the "Local assessment of proposed external speaker(s)" below will suffice.
- 4.3 However, some requests may be complex and may require referral for further consideration. The referral process will only apply in a minority of circumstances – to events or speakers deemed to be higher-risk.
- 4.4 Should the scope of the event change **after** booking the speaker that would make the event higher risk, it is the responsibility of the Event Organiser to relay this information to the Chief Student Officer / Academic Registrar without undue delay.
- 4.5 The University has the right to cancel the event should they become aware of information which would be in breach of policy.

5. Local Assessment of Proposed External Speaker(s)

- 5.1 Prior to the confirmation of any external speaker, the event organiser will be responsible for assessing the speaker against the following set of questions:

Question 1: Has the speaker previously been prevented from speaking at Lincoln, another University or similar establishment or previously been known to express views that may be in breach of the External Speaker Policy and Code of Conduct?

Question 2: Does the proposed title or theme of the event present a potential risk that views/opinions expressed by speaker(s) may breach the Code of Practice on Academic Freedom and Freedom of Speech, External Speaker Policy, or are otherwise unlawful?

Question 3: Is the proposed speaker/theme likely to attract attendance from individuals/groups that have previously been known to express views that may be in breach of the Code of Practice on Academic Freedom and Freedom of Speech, External Speaker Policy or are otherwise unlawful?

- 5.2 If the answer to all three questions is **NO**, the event organiser can confirm the external speaker and 'book' them to speak at their event or activity in the normal way. (It is required that the external speaker be sent a copy of this policy).
- 5.3 If the answer to any of the questions is **UNCLEAR**, the event organiser must seek guidance from their line manager, Head of School or Department, whose responsibility it will be to further review the speaker(s) against the questions above.

- 5.4 If the answer to any of the questions is **YES**, it is the responsibility of the event organiser to submit a referral to the Chief Student Officer / Academic Registrar. **NO** speaker(s) can be confirmed / booked prior to the event organiser receiving authorisation from the Academic Registrar or their nominee.

6. The Referral Process

- 6.1 To make an external speaker referral submission, Event Organisers should complete the External Speaker Referral Form – see Appendix 1 - ensuring all sections of the form are populated with as much detail as possible. Completed forms should be submitted at least 15 working days before the event, to the Chief Student Officer / Academic Registrar and emailed to externalspeaker@lincoln.ac.uk.
- 6.2 As per the University's Code of Practice on Academic Freedom and Freedom of Speech, the University will not deny access to its campuses or premises to any student, member of staff, visitor, or any individual or group/body invited to the premises of the University by a student or member of staff, on any grounds relating to an individual's ideas, views, beliefs or either a group/body's policies, objectives or its members' ideas, beliefs or views, except where it is legally entitled or required to do so (i.e. the individual or group/body belongs or professes to a proscribed organisation).
- 6.3 The Chief Student Officer / Academic Registrar will make a decision on the referral submissions, assessing the level of risk and making enquiries as they deem relevant.

7. University of Lincoln Students' Union

- 7.1 The Students' Union will be responsible for enacting the University's external speaker booking process, and ensuring compliance with the University External Speaker Policy, for all events managed by them (including clubs and societies), and that are held in the University owned premises, including any Students' Union leased premises.
- 7.2 The Students' Union Trustees will be responsible for implementing a system to support all student events with proposed external speakers. They will undertake the local assessment with/on behalf of individual students, clubs, or societies. In the event that a referral is required, The Students' Union Chief Executive (or their nominated Deputy), on behalf of the Trustees, will be responsible for making the submission with/on behalf of the student, club or society.
- 7.3 The University recognises that the Students' Union is a registered Charity and as such regulated by the Charity Commission. The Students' Union have their own policy and procedures to ensure compliance with Charity Law in regards to events and external speakers. The Students' Union policy and procedures are enacted before this policy is subsequently followed.

8. Related Policies

- 8.1 The External Speaker Policy sits alongside the University's other policies and procedures including those relating to free speech, employment, events, health and safety, Prevent and room booking which Event Organisers must comply with.
- 8.2 Where external speakers are to be reimbursed for engagement a 'Right to Work' check must be completed ahead of the engagement taking place. This is in line with the University's duty under the provisions of the Immigration, Asylum and Nationality Act (2006) to verify, prior to the commencement of employment/engagement, that any individual undertaking work for the University has the right to work in the UK. This check provides the University with a statutory excuse against a civil penalty (up to £60,000) in the event that it employs someone who is

prevented from carrying out the work in question, by reason of their immigration status.

Appendix A

External Speaker Code of Conduct

Introduction

This code of conduct exists to ensure that all speakers taking part in a University of Lincoln hosted or run event or activity, on its campuses or elsewhere, act in accordance with the University's External Speaker Policy.

It is the responsibility of the Event Organiser to ensure that:

- The External Speaker Policy and this Code of Conduct are communicated to all external speakers (once approved and confirmed via the External Speaker Booking Process)
- The Code of Practice on Academic Freedom and Freedom of Speech is communicated to all external speakers (once approved and confirmed via the External Speaker Booking Process)
- That all reasonable steps are taken to ensure that the requirements within it are upheld during the running of the event or activity.

Freedom of speech

Freedom of speech is fundamental to a University. This requirement of the Education (No 2) Act 1986 is enshrined in the University's Articles of Government, and the Board of Governors is committed to ensuring that members of the University have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy or losing their jobs or any privileges they may have at the University.

The University therefore promotes a culture that values courteous language and behaviour, robust expression of views, tolerance of disagreement, openness to challenge to one's own beliefs, and academic rigour in exploring ideas and constructing arguments, as long as these are lawful. Members of the University may not obstruct the expression of ideas they disagree with – even if they consider those ideas offensive, unwise, immoral or wrong-headed – but they may openly and vigorously contest such ideas within the context of free and open debate.

Whilst the law (and University) promotes and protects freedom of speech, it also places limits on those freedoms in order to maintain public order and safety and to ensure that there is no breach of the law. The University recognises a conflict exists between the laws which promote freedom of speech and those which restrict it and consequently acknowledges that it has a legal responsibility to create a balance between minimising the possibility that extremism or unlawful conduct will arise on campus and ensuring that it meets its legal obligations in relation to securing freedom of speech.

The University has published a Code of Practice on Academic Freedom and Freedom of Speech.

Legal Context

Universities operate in a complex legal environment and so it is vital that all individuals involved in the external speaker process, including the speakers themselves, understand the legal framework and context that governs this area.

Individuals have private rights and people are entitled to protection from harassment, defamation and unlawful breach of their human rights, as well as from unfair treatment under equality law. Health and safety law, data protection and contract law may also be relevant in this context.

Hate crimes, protection from harassment, breach of the peace and anti-terrorism all come under criminal law. There is also legislation around public meetings, public processions/assemblies and public order which may be of relevance.

Public law – Freedom of Speech and duties under the Equality Act are captured under public law.

Conduct

The University expects external speakers to act in accordance with the law and not to breach the lawful rights of others. Set out below are some examples of the University's expectations. Please note that this is not intended to be an exhaustive list of unacceptable conduct by external speakers. The University reserves the right to not permit an external speaker to speak at or attend an event, to refuse to permit an event and/or to halt an event at any time if it reasonably considers there may be a breach of the External Speaker Policy or of any legal obligation. During the course of the event at which they participate, no speaker shall:

- Act in breach of the criminal law;
- Incite hatred or violence;
- Encourage or promote any acts of terrorism or promote individuals, groups or organisations that support terrorism;
- Discriminate against or harass any person or group on the grounds of age, disability, ethnicity gender reassignment, marital or civic partnership status, nationality, pregnancy or maternity/paternity status, race, religion or belief, sex, or sexual orientation or.
- Defame any person or organisation;
- Raise or gather funds for any external organisation or cause without express permission of the University.

During the course of the event at which they participate all speakers shall:

- i. Comply with the University's External Speaker Policy.
- ii. Comply with the University's Code of Practice on Academic Freedom and Freedom of Speech.
- iii. Present ideas and opinions, in particular those that may be contentious or potentially offensive, in the spirit of academic debate, being open to challenge and question.
- iv. Follow the University's policy on and instructions relating to health and safety.

Segregation

Universities have duties under the Equality Act 2010 as education providers, employers and service providers; thus they must not unlawfully discriminate against students, employees and other individuals to whom services are provided.

Segregation, including on grounds of gender, is not permitted in any academic meetings or at events, lectures or meetings provided for students, or at events attended by members of the public or employees of the University or the Students' Union.

Segregation is therefore not permissible for any event covered by the External Speaker Policy and this Code of Conduct; this includes segregated seating within events.

The only exception to this is events that are for the purpose of collective religious worship.

Appendix B

University of Lincoln External Speaker Referral Submission Form

Part 1

Event Organiser Details:

Name:

School/Department:

Contact Details (telephone number and e mail):

Part 2

Proposed Event Details:

Event Title:

Event Date:

Proposed/Booked Venue:

Event description (max 100 words):

Part 3

Target Audience (profile and size)

Please indicate and give details if you believe the event will attract any groups or individuals that are or have previously been known to express views that may be in breach of the External Speaker Code of Conduct?

Part 4

Proposed External Speaker(s)

Please provide details, including links to biographical information; and clearly explain your concerns, including if you believe that any of your proposed speaker(s) have previously been prevented from taking part in an event at the University of Lincoln or an event/activity at another University or similar establishment. (Please add attachments with details where available)

When complete, please save and submit to the Chief Student Officer / Academic Registrar via externalspeaker@lincoln.ac.uk.