



# ThinkSpace Education External Speaker Policy

Guy Michelmore, CEO, 06-09-21

1. ThinkSpace Education (TSE) and its university partners, the University of Chichester (UoC), are committed to academic freedom and welcome speakers from around the world to contribute to its online programmes.

## Purpose

2. The purpose of this policy is to set in place a framework for non-curricular events involving external speakers to ensure that in this institution, debate, challenge and dissent can continue, while safeguarding our institution and its staff and students. The policy outlines the context for the approval of external speakers and events.
3. This policy aims to ensure that event organisers are aware of the framework we operate within when facilitating external speakers and the measures that may be required to support their event. It should be read in conjunction with the associated External Speaker Code of Conduct and Referral Form. This policy applies to all staff, students and visiting speakers.

## Definitions

4. An external speaker' is deemed to be anybody who is neither a registered student nor a paid employee of TSE invited to take part in a live, non-curricular event. This does not apply to pre-recorded interviews.

An 'event' may be one that is hosted online or at another venue where the topic for discussion lies outside the normal curriculum ie music composition, songwriting, music technology, music or sound design for film, games or television.

# Organising an Event

1. Anyone organising an event that involves a speaker or speakers to be hosted by TSE must ensure that this Policy and associated procedure is followed. This includes external speaker events on external premises but associated with the name of TSE.

Anyone organising an event as described above must follow the External Speaker Booking Process detailed below.

The vast majority of external speaker requests will be straightforward and can be processed by the staff member organising the event.

Some requests may be more complicated and require referral to the course manager or CEO. The referral process will only apply to events or speakers deemed to be higher-risk.

## Self-Assessment of proposed External Speaker(s)

2. 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 TSE or another University or similar establishment or previously been known to express views that may be in breach of the External Speaker Code of Conduct?
- Question 2: Does the proposed title or theme of the event present a potential risk that views/opinions expressed by speakers may be in breach of the External Speaker Code of Conduct?
- Question 3: Is the proposed speaker/theme likely to attract attendance from individuals/groups that have previously been known to express views that maybe in breach of the External Speaker Code of Conduct?

If the answer to all three questions is NO:

*The event organiser can confirm the external speaker, having confirmed this has been assessed as low risk.*

If the answer to any of the questions is UNCLEAR or are YES:

*The event organiser must seek guidance from the PG Course Manager or CEO whose responsibility it will be to further review the speaker(s) against the questions above and decide on the most appropriate action.*

## Approval of an Event with an External Speaker

3. On receipt of a referral, the PG Manager and/or CEO will consider a range of actions. TSE reserves the right to cancel, postpone or request amendment to any proposed event should risks be identified and what mitigating actions may be put in place to reduce the risk. If the risk cannot be mitigated to an acceptable level, then the event should be cancelled or pre-recorded.
4. In the spirit of debate, TSE will normally seek to ensure that events or speakers identified as posing a risk will go ahead subject to the agreement of appropriate safeguards.
- 12 In deciding whether to approve an event, TSE aims to abide by all relevant legislation, with particular to its duties to ensure freedom of speech with reference to the Education Act 1982, its duty to prevent people from being drawn into terrorism with reference to the Counter Terrorism and Security Act 2015 and its obligation to prevent individuals from discrimination under the Equality Act 2010.
13. In accordance with its obligations as detailed in the Prevent Duty Guidance (<https://www.gov.uk/government/publications/prevent-duty-guidance>), TSE will report any major incidences of concern involving external speakers on campus to the Office for Students (OfS).

## Communication of a speaker/event decision

14. Decisions should be clearly communicated to the organiser of the event, normally within two weeks of the submission of any request.
15. Should conditions be required, these should be clearly stated at that point along with a requirement for written agreement before the event will be allowed to take place on campus.

## Complaints

16. Failure by a member of staff or student to comply with this policy will be treated seriously and may be subject to formal action under the TSE's normal disciplinary processes for staff and students.

In the event that a member of staff, student or visitor considers there to have been a breach of this Policy, they have the right to make a formal complaint by emailing TSE's CEO. ([guym@thinkspace.ac.uk](mailto:guym@thinkspace.ac.uk))



## ThinkSpace Education

### External Speaker Code of Conduct

Guidance and legal obligations relating to external speakers at TSE.

#### Introduction

1. This Code of Conduct exists to ensure that all speakers taking part in a TSE hosted or run non-curricular event or activity, act in accordance with TSE's External Speaker Policy. It applies to all staff, students, and visiting speakers.
2. It is the responsibility of the event or activity organiser to ensure that:  
  
this Code of Conduct 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

3. Freedom of speech is fundamental to TSE. The Education Act (No 2) 1986 requires the institution to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for its employees, students and visiting speakers. It is there required that all employees and students of TSE tolerate and protect the expression of opinions within the law whether or not these opinions are repugnant to them; this obligation is set out in the UoC's Freedom of Speech Code of Practice.
4. However, whilst the law 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.
5. TSE recognises that in this context 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.

## Legal Context

6. 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. Examples of some of the relevant areas of law are:
  - Human Rights – 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.
  - Criminal Law – Hate crimes, harassment, breach of the peace and 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 some duties under the Equality Act are captured under public law.

## Conduct

7. TSE expects external speakers to act in accordance with the law and not to breach the lawful rights of others.
8. During the course of the event at which he or she participates, **no speaker shall**:
  - Act in breach of the criminal law.
  - Incite hatred or violence or any breach of the criminal law.
  - Encourage or promote any acts of terrorism or promote individuals, groups or organisations that support terrorism.
  - Spread hatred and intolerance.
  - Discriminate against or harass any person or group on the grounds of their sex, race, nationality, ethnicity, disability, religious or other similar belief, sexual orientation or age.
  - Defame any person or organisation.
  - Raise or gather funds for any external organisation or cause without express permission of the TSE.
9. During the course of the event at which he, she or they participates, **all speakers shall**:
  - Comply with the UoC and TSE's Code of Practice on Freedom of Speech.
  - Comply with TSE's External Speaker Policy.
  - 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.