

# Policy on the Engagement of External Speakers

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# Policy on the Engagement of External Speakers

## 1 Introduction

This Policy has been instituted in recognition of the Tavistock and Portman's role as a higher education institution, and as an organisation in which thought-provoking events and discussions are held.

The Trust has a long history of holding events, talks and discussions for members of the Trust's community and for members of the public. These events will often involve external speakers, who bring diversity of experience and views, therefore serving to enrich and enhance the discussions for members of the Trust community and for the public more widely.

The Trust's events activities are informed by the principles outlined in this policy.

## 2 Purpose

The purpose of this policy is to provide a framework for managing events with external speakers, to ensure that discussion and challenge are permitted, within the parameters of the law, while ensuring appropriate and respectful behaviour by those external to the Trust who are asked to contribute to events.

This policy will be used by the Trust's Events Group and aims to ensure that event organisers are aware of the framework we operate within when appointing external speakers, and the steps for supporting their event. It should be read in conjunction with the Trust's policy on Academic Freedom and Freedom of Speech, and the Guidance for External Speakers (included as Appendix B to this policy).

## 3 Scope

This policy applies to all events organised in the name of the Trust, or to take place at Trust premises, and applies to all guests involved in the participation and delivery of Trust activities. These activities include meetings, extra-curricular events or related activities delivered online or away from the Trust's buildings but linked to the organisation by use of its name or funding. The policy also applies to activities arranged at alternate centres of the Trust.

## 4 Definitions

### **Event**

An 'event' is any meeting or activity which is organised by the Events Group or any staff or student member of the Trust, where the activity does not form part of a recognised course of study, and where the activity is associated in some way with the Trust. The event may be taking place at the Trust's premises in London, at one of its National Centres, or at an external venue, and/or being streamed online.

### **External Speaker**

An 'external speaker' is any individual who is not a member of staff or visiting lecturer, and not a student registered at the Trust, who is engaged to contribute to an event associated with the Trust.

### **Event Organiser**

The Events Group or member of staff or student who is leading the organisation of an event. It is expected that events will be organised by the Events Group or that the Group will be consulted on a proposed event. Where the event is organised by an external organisation using Trust premises, the individual within the Trust who is the main point of contact for that event will be considered to be the principal organiser.

## 5 Policy Statements

External speakers and events play an important role at the Trust, enabling members of the Trust community to be exposed to a range of different ideas, beliefs and opinions.

Some speakers may express contentious, even inflammatory or offensive views. The Trust is committed to upholding academic freedom, while ensuring that any external speaker does not break the law or breach the lawful rights of others. While the law promotes and protects freedoms of speech and debate, the law also places reasonable limits on those freedoms.

The Trust has an obligation to provide a safe environment for all staff, students, visitors, and event attendees. The Trust is therefore committed to protecting speakers and event attendees from hate crimes, harassment, defamation, breach of human rights, unfair treatment, breach of the peace and behaviour likely to incite hatred or draw others into terrorism.

These provisions do not establish a right not to be offended. However, this policy has been created to ensure respectful behaviour towards our students, patients, staff and other attendees of events organised by the Trust, and to make sure that the Trust balances this need with its obligation to secure freedom of speech and academic freedom.

So that external speakers are aware of the principles outlined in this policy, Guidance for External Speakers has been created and is included as Appendix B.

## **6 Duties and responsibilities**

The ultimate responsibility for oversight of this policy sits with the Chief Executive Officer of the Trust, but in practice the operation and oversight of this policy is delegated to the Chair of the Events Group, currently the Director of Marketing and Communications, with Executive responsibility sitting with the Chief Education and Training Officer / Dean of Postgraduate Studies.

## **7 Procedures**

This policy is referenced in the Terms of Reference of the Events Group and any member of staff or student organising an event that involves an external speaker or speakers to be hosted by the Trust (at Trust premises, elsewhere or online) must ensure that this policy is followed. Events should be co-ordinated by the Events Group which will ensure that the organiser has:

- Undertaken a risk assessment of the proposed external speaker(s) (as set out in Appendix A). In order to complete the risk assessment, the organiser will need to undertake an internet search to ensure that there are no concerns regarding the speaker's suitability because of any extremist views which conflict with the Prevent duty. This search must be completed, no matter how well-known or eminent in their field the speaker may be.
- If there are any concerns, escalate the decision about whether to invite the speaker(s) as set out in the booking process;
- Ensured that this risk assessment and appropriate escalation take place in a timely fashion; typically at least one month ahead of the event taking place.
- Ensured that all speakers are provided with the Guidance for External Speakers.

### **External Speaker booking process and Risk Assessment**

Where an event is to be broadcast, streamed or made available as a recording, this must be put through the Events Group and advice should be sought from the Trust Communications team ([eventsdesk@taviport.nhs.uk](mailto:eventsdesk@taviport.nhs.uk)). This is to ensure that any reputational risks, and those associated with intellectual property, are taken into consideration in the planning of the event.

We expect external speaker requests to be channelled through the Events Group and to be straightforward and handled entirely at that level. However, some may be complex and may require discussion and/or referral for further consideration.

Prior to the confirmation of any external speaker, the principal organiser will be responsible for assessing the speaker/event, using the assessment outlined in Appendix A.

If the answer to all questions on the risk assessment is NO – the event is deemed to be LOW RISK. The event organiser can confirm the external speaker to speak at their event. It is required that the external speaker be sent a copy of the Guidance for External Speakers; Appendix B. No further action is required.

If the answer to any of the questions is 'yes', the event organiser should in the first instance notify the Chair of the Events Group. It is the responsibility of the event organiser to submit the risk assessment to the Chair of the Events Group, currently the Director of Marketing and Communications, for a decision. The Director of Marketing and Communications may:

- Approve the request;
- Return the request to the principal organiser seeking further information;
- Require a discussion to take place with at the Events Group or with the membership by email;
- Approve the request with conditions, including (but not limited to):
  - The appointment of an independent Chair to oversee the event;
  - Specified arrangements governing health, safety and security for the event;
- Decline the request.

The declining of a request or the withdrawal of permission will only occur in exceptional circumstances. These circumstances include (but are not restricted to):

- Failure to submit the request within the required time frame;
- A risk of public disorder such that the health and safety of staff, students and visitors is put at risk;
- A risk of damage to Trust property;
- A serious and legitimate concern that the law will be broken by those speaking at or attending the event;
- A significant risk of major disruption to the operation of the Trust's activities;
- A serious and legitimate concern that views expressed or likely to be expressed would constitute hate speech or extremist views that risk drawing people into terrorism.

Where after the risk assessment has been completed, there are concerns that one or more of the proposed speakers for the event might express views that are prohibited by law, including those that can be constituted as hate speech or extremist views that risk drawing people into terrorism, then advice should be sought from the Trust's Adult Safeguarding and Prevent lead, or for a DET event, the Operations Director for Education and Training, as the designated educational contact for the Trust's Prevent Duty. A

decision will then be made as to whether the concerns need to be shared with other relevant organisations. Where a referral to external organisations is deemed necessary, it will be made by the Trust's Adult Safeguarding and Prevent lead, or for a DET event, the Operations Director for Education and Training.

### **Appealing a decision**

Where an event organiser wishes to appeal the decision of the Chair of the Events Group in relation to an external speaker or event, they should contact the Chief Executive Officer to request a review of the decision. The Chief Executive Officer will consider the request and will provide a decision within 10 working days of the submission of the appeal. The Chief Executive Officer's decision shall be final with no further route for appeal.

### **Onward reporting**

Information on the number of external speaker events approved and declined will be collected by the Events Group, for onward external reporting, for example to the Office for Students as part of the Trust's PREVENT duty.

### **Complaints**

If an individual feels that there has been a breach of this Policy, they may put their case in writing to the Chair of the Events Group. A breach might include being prevented from arranging, attending, or speaking at an event that has been approved by the Events Group under this Policy; or it may be believed that an external speaker has contravened, or is likely to contravene, the principles outlined in this Policy. Complaints from students will be investigated under the Student Complaints Procedure, and complaints from external event attendees or speakers will be investigated under the Trust Complaints Procedure.

The complainant should include any relevant evidence in their submission. Evidence or testimony may be sought from others during the investigation. The complainant will be notified of the outcome in writing as soon as possible.

## **8 Training Requirements**

This policy is publicly available on the Trust's website. It will be communicated to staff and students registered with the Trust.

## **9 Process for monitoring compliance with this policy**

The Chief Education and Training Officer/ Dean of Postgraduate Studies is responsible for ensuring that the policy is implemented and monitored through the operational structure of the Directorate of Education and Training.

## 10 References

This policy has been created with reference to the Trust's main collaborative partner the University of Essex, and its policy on Academic Freedom and Freedom of Speech, and with reference to the statutory guidance for Higher Education Providers on the Prevent duty, 2021:

- Education Reform Act 1998;
- Higher Education and Research Act 2017;
- Equality Act 2010,
- Counter Terrorism and Security Act 2015 and the Prevent Duty Guidance 2015
- Public Sector Equality Duty from the Equality Act 2000



## 11 Equality Analysis

<b>Completed by</b>	<b>Will Fitzmaurice</b>
<b>Position</b>	<b>Director of Education, Operations</b>
<b>Date</b>	<b>March 2023</b>

<b>The following questions determine whether analysis is needed</b>	<b>Yes</b>	<b>No</b>
Does the policy affect service users, employees or the wider community? The relevance of a policy to equality depends not just on the number of those affected but on the significance of the effect on them.	X	
Is it likely to affect people with particular protected characteristics differently?	X	
Is it a major policy, significantly affecting how Trust services are delivered?		X
Will the policy have a significant effect on how partner organisations operate in terms of equality?		X
Does the policy relate to functions that have been identified through engagement as being important to people with particular protected characteristics?	X	
Does the policy relate to an area with known inequalities?		X
Does the policy relate to any equality objectives that have been set by the Trust?	X	
Other?		X

If the answer to *all* of these questions was no, then the assessment is complete.

If the answer to *any* of the questions was yes, then undertake the following analysis:

	<b>Yes</b>	<b>No</b>	<b>Comment</b>
Do policy outcomes and service take-up differ between people with different protected characteristics?	X		There is the potential for continued debate on Trust activities that are the subject of debate in wider society. These discussions might cause offense to some members of the Trust community and the public, if

			not handled appropriately. The risk assessment should provide reassurance to people with protected characteristics that we are balancing academic freedom with safety and wellbeing.
What are the key findings of any engagement you have undertaken?			The policy states that discussion and challenge are permitted, within the parameters of the law, while ensuring appropriate and respectful behaviour by those external to the Trust who are asked to contribute to events.
If there is a greater effect on one group, is that consistent with the policy aims?	X		
If the policy has negative effects on people sharing particular characteristics, what steps can be taken to mitigate these effects?			Appropriate promotion of the policy and in particular the need to behave respectfully when challenging beliefs – including those relating to particular characteristics.  In addition, debates on controversial topics will need to be managed in a way to ensure that any provocative views allow a chance for responses to be given, to ensure appropriate balance, and all those participating have the opportunity to contribute.
Will the policy deliver practical benefits for certain groups?	X		Reassurance that views can be freely expressed, so long as this is done respectfully and professionally and within the law. Reassurance for those with protected characteristics that we have assessed external speakers to minimise the chance of hate speech occurring

Does the policy miss opportunities to advance equality of opportunity and foster good relations?		X	The policy is designed to balance academic freedom with the safety and wellbeing of those at risk of being victims of extremism or hate speech, and so fosters good relations between communities.
Do other policies need to change to enable this policy to be effective?		X	
Additional comments			

If one or more answers are yes, then the policy may unlawful under the Equality Act 2010 –seek advice from Human Resources (for staff related policies) or the Trust’s Equalities Lead (for all other policies).

## Appendix A: External Speaker Risk Assessment

Name of proposed event:.....

Name of proposed speaker(s): .....

Date of proposed event:.....

Internet search conducted by: .....

Question	Yes	No
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 Guidance for External Speakers?		
Has the speaker previously been prevented from speaking at the Trust or another similar establishment, or previously been known to express views that may be in breach of the Guidance for External Speakers?		
Is the subject matter or the speaker likely to attract protest or otherwise be a potential threat to the reputation of the Trust?		
Is there any possibility that people will experience hate speech, harassment, intimidation, verbal abuse or violence, or that those in attendance might be incited to engage in harassment, intimidation, verbal abuse, terrorism, or violence directed at others?		

If the answer to any of the questions is 'yes', the event organiser should in the first instance discuss the event with their line manager or head of service. It is the responsibility of the event organiser to submit a referral, counter-signed by their line manager or head of service, to the Chief Education and Training Officer/Dean of Postgraduate Studies for a decision ([deansoffice@tavi-port.ac.uk](mailto:deansoffice@tavi-port.ac.uk)).

Name of event organiser:..... Date: .....

Signature of Chair of the Events Group..... Date:.....

## Appendix B: Guidance for External Speakers

This guidance has been created to ensure that all speakers taking part in an Event associated with the Trust's Policy on the Engagement of External Speakers. It is the responsibility of the event organiser to ensure that this Guidance is communicated to all external speakers.

As a Higher Education Provider registered with the Office for Students, the Trust is required 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. All staff and students registered with the Trust are expected to 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 Trust's Academic Freedom and Freedom of Speech Policy.

While 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. Examples of some of the relevant areas of law are given below.

- People are entitled to protection from harassment, defamation and unlawful breach of their human rights, as well as from unfair treatment under equality law.
- Hate crimes, harassment, breach of the peace and terrorism all come under criminal law.
- Civil legislation and local Council bylaws governing public meetings, public processions/assemblies and public order may be of relevance, including legislation governing health and safety.

Set out below are some examples of the Trust's expectations. Please note that this is not intended to be an exhaustive list of unacceptable conduct. The Trust 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 Trust's Policy on the Engagement of External Speakers or any breach of the law. In the unlikely event of concerns regarding a potential breach of the law and/or a concern regarding hate speech or extremist views that risk drawing people into terrorism, the Trust has duties under the Prevent agenda which will require us to share concerns with other relevant external organisations.

During the course of a Trust event, all speakers shall:

- Comply with the Trust's Policy on the Engagement of External Speakers;
- Present ideas and opinions, in particular those that may be contentious or potentially offensive, within appropriate context, and in the spirit of academic discussion, being open to challenge and question.
- Follow the Trust's policy on and instructions relating to security, health and safety.

During the course of the event, 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 within the UK or abroad.
- Spread hatred and intolerance on the basis of protected characteristics as defined by the Equality Act (sex, gender identity, race, nationality or state of origin, ethnicity, disability, religion and belief (including non-belief), sexual orientation or age).
- Discriminate against or harass any person on the basis of protected characteristics as defined by the Equality Act.
- Defame any person or organisation.
- Raise or gather funds for any external organisation or cause without express prior permission of the Trust.

If you have any questions or concerns in relation to the event or this guidance, please contact the event organiser in the first instance.