Code of Practice on Freedom of Speech and Academic Freedom

1. This Code of Practice sets out the University of Sheffield's approach to freedom of speech and academic freedom for the benefit of all students and staff of the University.
2. The Code applies to:
    (a) all members, staff and students of the University; *and*
    (b) visiting speakers and all other persons invited or otherwise lawfully on the premises including online events organised and hosted by the University.
3. This Code is divided into three parts as follows:

    Part 1: Statement of Principles;

    Part 2: Arrangements to secure Academic Freedom and Freedom of Speech;

    Part 3: Meetings and other activities on University premises; *and*

    Annex A: Visiting Speaker Approval Policy.

Part 1: Statement of Principles

1. The University of Sheffield is committed to securing, protecting and promoting freedom of speech and academic freedom within the law. It is freedom of speech and academic freedom – and the exchange of ideas which is part and parcel of these concepts – which enable our students and staff to test the truth of the ideas that shape society (including testing the truth of the ideas that they currently hold), to explain important social and natural phenomena, to challenge how the world around us is understood, and to deliver our charitable objects to advance education and research. The University is committed to ensuring that all of our policies, procedures and processes reflect our twin commitment to freedom of speech and academic freedom. Any permission, licence or contract for the use of University premises shall be subject to these Regulations.
2. The University has legal and regulatory duties to secure and promote the rights to freedom of speech within the law and (in relation to its academic staff) academic freedom within the law, and to have particular regard to, and place significant weight on, the importance of those rights, and tolerance for controversial views and opinions in an educational context or environment including in premises and situations where educational services, events and debates take place.
3. The rights to freedom of speech and academic freedom are subject to restrictions in criminal and civil legislation, and at common law, including through case law decisions and legal precedents. The exercise of the rights to freedom of speech and academic freedom within the law carries with it duties and responsibilities and may be subject to formalities, conditions, restrictions or penalties under this Code, staff or student contracts or the University's regulations, policies and procedures, but only to the extent that these are consistent with Article 10(2) of the European Convention of Human Rights, including the requirement that they are proportionate. In the event that any University policies or procedures, of staff or student contracts, contain wording which appears to contradict this Code of Practice and Annex, the provisions of the University's Charter, Statutes and Regulations and this Code of Practice will take precedence, with a presumption in favour of free speech and academic freedom within the law.

4. Definitions: for the avoidance of doubt, references in this Code, and in any relevant institutional policies and procedures, to words which have a specific statutory definition under relevant legislation shall be interpreted consistently with that legislation and applicable legal tests. For example, references to "harassment" shall be interpreted consistently with the definition of that term under the Equality Act 2010 or the Protection from Harassment Act 1997, including the applicable objective tests in those statutory provisions for determining whether harassment has occurred.

Freedom of Speech

5. The University is committed to creating an environment that secures promotes free speech within the law and the open exchange of a multitude of ideas and their critical evaluation. Freedom of speech means everyone has the right to hold opinions and to receive and impart information and ideas freely, without unwarranted interference. Freedom of speech is a vital part of the University's mission. It shapes how we conduct our teaching, research and innovation. Every day our students and staff challenge each other to think differently, and in new and creative ways, about all sorts of contested questions and topics. Our commitment to freedom of speech upholds these rights by encouraging the free exchange of ideas, including those with the capacity to cause discomfort. It also includes taking steps to ensure that diverse voices are heard in all debates, particularly voices from under-represented and marginalised groups.
6. Our commitment to proactively encouraging the free exchange of ideas, especially on contentious issues, recognises that free speech is not undermined but strengthened by the robust exchange of rival views through civil, respectful and peaceful debate. All students and staff should feel confident to study, explore and debate contentious questions in the knowledge that they will be treated respectfully.
7. Creating an environment conducive to free exchange of lawful speech does not mean that the University endorses the speech voiced pursuant to it. But it does mean that we will do all that we can to foster an environment where students and staff are encouraged to debate with each other with mutual respect, including and indeed especially on controversial questions.
8. As part of our commitment to proactively taking steps to secure and promote freedom of speech within the law, we recognise that lawful speech includes the right for our students and staff to hold opinions, to impart information and ideas, and receive information and ideas without unjustified interference from the University. We further recognise that freedom of speech consistent with the law extends to ideas and information that can shock and disturb or might be unpopular.
9. Our values – including our commitment to equality, diversity and inclusion; our belief in collaborative working inside our University; and our responsibility for our people and the wider world – shape how we believe freedom of speech is best exercised, namely respectfully, reflectively, and with a generous spirit defined by curiosity and the courage to learn. Nothing in our commitment to freedom of speech is an excuse for abuse, bullying, discrimination, harassment, victimisation, hatred, intimidation, violence or any act prohibited by law. As one of our key values, our commitment to freedom of speech includes creating the space for students and staff to critique and debate the University's values and the decisions taken in pursuit of them.

   In line with those values and principles, the University will apply, in relevant policies and procedures, a rebuttable presumption that students being exposed to any of the following is unlikely to amount to harassment:

(a) The content of higher education course materials, including but not limited to books, videos, sound recordings, and pictures.

(b) Statements made and views expressed by a person as part of teaching, research or discussions about any subject matter which is connected with the content of a higher education course.

Academic Freedom

10. The University is equally committed to academic freedom within the law, which is critical to our mission. This is related to but different from freedom of speech. Academic freedom means protecting the intellectual independence of academics to question and test received views and wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in danger of losing their jobs or privileges or reducing the likelihood of them securing promotion or different roles at the University. Therefore, our academic staff have the freedom, within the law, to test received understanding and expound controversial and unpopular ideas without jeopardising their jobs or other privileges at the University and without reducing their likelihood of securing promotion or other positions at the University. Academic freedom may also extend to students registered with the University who produce and/or disseminate original research.
11. Our commitment to academic freedom goes hand-in-hand with our commitments to academic rigour and integrity, which recognise that not all ideas are equally valuable, not all ideas are based on fact and evidence, and not all ideas are worthy of equal attention. We recognise in particular that some ideas that constitute lawful speech or the exercise of academic freedom do not withstand significant academic scrutiny. We differentiate between ideas which are and are not worthy of significant academic scrutiny through our academic staff exercising due rigour in their teaching and research, supported by peer review and by the University's wider work to maintain and enhance academic standards.

Part 2: Arrangements to secure Academic Freedom and Freedom of Speech

The University's commitment to academic freedom and freedom of speech is reflected in the following ways in its day-to-day operations.

University Programmes, Policies and Procedures

1. The University will ensure that its teaching, curriculum, policies and procedures reflect its duties to ensure, so far as is reasonably practicable, freedom of speech and academic freedom within the law.

   In particular:

   (a) its processes for programme development and approval, quality assurance and academic assessment will respect the rights of freedom of speech and academic freedom;
   (b) its processes for facilitating research will respect the rights of freedom of speech and academic freedom; *and*
   (c) its disciplinary and other such processes will respect freedom of speech and academic freedom.

Funding

2. The University is aware that the terms of certain funding, including funding from endowments, gifts, donations, research grants and contracts, and educational or commercial partnerships may present a risk to freedom of speech and academic freedom. Therefore, the University has processes in place to identify and appropriately manage such risks, including processes to meet its legal duties, and the requirements of the OfS, with respect to overseas funding.

Steps Taken to Ensure Freedom of Speech and Academic Freedom

3. The University will:
   (a) ensure that this Code of Practice is brought to the attention of new students at registration and new staff during induction;
   (b) draw the attention of students to the code annually;
   (c) ensure that all staff are supported to understand and exercise their responsibilities towards freedom of speech and academic freedom, recognising that some such roles may require additional training and support;
   (d) utilise the National Student Survey and staff survey to secure student and staff views on whether freedom of speech and academic freedom at the institution are being adequately protected and take the findings into account;
   (e) ensure that there are adequate measures in place to raise concerns about freedom of speech and academic freedom;
   (f) ensure that when new policies and procedures are introduced consideration is given to their impact on freedom of speech and academic freedom;
   (g) monitor any concerns that have been raised about freedom of speech and academic freedom to ensure that they are addressed so far as is reasonably practicable and that any lessons learned are incorporated into a review of relevant policies, practices and procedures. Its processes for programme development and approval, quality

assurance and academic assessment will respect the rights of freedom of speech and academic freedom.

Measures in Place to Consider Complaints about Academic Freedom and Freedom of Speech

4. Any formalities, conditions, restrictions or penalties on free speech or academic freedom that the University deems it necessary to apply shall reflect applicable rules in legislation or at common law and the University's regulatory obligations or shall be consistent with Article 10(2) of the European Convention of Human Rights, including the requirement that they are proportionate. Where the University receives a complaint about the exercise of academic freedom or freedom of speech or where it has received a complaint about a possible infringement or departure(s) from the procedures set out in this Code, there will be an initial investigation in accordance with our student and staff procedures. Subject to the outcome of the initial investigation, such allegation may lead to further investigation in accordance with the University's disciplinary procedures, which could be under the Disciplinary Policy and Procedure for staff or the Student Disciplinary Procedure, or the University's grievance or complaints procedures. If any action involves infringements of the criminal law which are being pursued by the police or other civil authorities, University procedures will normally be suspended pending the outcome of such procedures and the University will assist the prosecuting authorities to implement the process of the law. Any complaints about visiting speakers should be directed to the University Secretary. The University Secretary will report to the University Council on the circumstances of any significant infringements of, and departures from, the provisions of the Code.

Governance, Review and Monitoring

5. The University Council promotes the importance of freedom of speech and academic freedom.
6. The operation of this Code of Practice will be periodically reviewed and monitored by the University Secretary, who will (where necessary) update the Code.
7. Any concerns regarding the implementation of this Code of Practice or the actions of the University in respect of it should be raised in the first instance with the University Secretary.

Non-Disclosure Agreements

8. The University does not enter into non-disclosure agreements related to complaints about sexual abuse, sexual misconduct, bullying or harassment. A 'non-disclosure agreement' (sometimes also known as a confidentiality clause) refers to any agreement which prevents complainants from publishing or sharing information about or talking about their complaint and/or how the University had dealt with it.

Part 3: Meetings and Other Activities on University Premises

1. **In line with its commitment to freedom of speech and academic freedom and its legal duties, the University has a general expectation that all visiting speakers will be facilitated to speak on campus to share their views, ideas and opinions.**
2. This includes ensuring that, so far as is reasonably practicable, and having regard to the particular importance of freedom of speech, no premises of the University shall be denied to any individual or body on any grounds connected with:
    (a) the ideas or opinions of that individual;

(b) the policy or objectives of that body or the ideas or opinions of any its members

This shall be without prejudice to the other legal obligations of the University which may require it to have regard to what is said on its premises.

3. The University recognises that, having particular regard to the importance of freedom of speech, there may be some exceptional circumstances where further measures are required to ensure that certain visiting speaker do not break the law or breach the lawful rights of others.

4. It shall be reasonable to refuse consent where the University reasonably believes (from the nature of the speakers or from similar activities in the past whether held at the University or otherwise) that:

   (a) the views likely to be expressed by any speaker are contrary to the law;
   (b) the intention of any speaker is likely to be to breach the law, incite breaches of the law or to intend breaches of the peace to occur;
   (c) the event will include or is likely to include the denial of the right to hold or to express an opposing opinion;
   (d) the speaker and/or the organisation they represent advocates or engages in violence or non-violent extremism in the furtherance of their political, religious, philosophical or other beliefs;
   (e) the views likely to be expressed by any speaker are for the promotion of any illegal organisation or purpose, including organisations listed on the government's list of proscribed terrorist groups or organisations;
   (f) it is in the interest of public safety, the prevention of disorder or crime or the protection of those persons lawfully on premises under the control of the University, that the meeting does not take place.

5. Where the University is reasonably satisfied that the otherwise lawful expression of views at a meeting on University premises is likely to give rise to disorder or threats to the safety of participants or the wider University community, the University shall consider what steps it is necessary to take to ensure the safety of all persons and the security of the premises controlled by the University. These may include but are not limited to: requirements as to the provision of security/ stewards, the speaker being part of a panel or ensuring that a member of staff is in attendance. The University may impose such conditions and requirements upon the organisers as are reasonably necessary in all the circumstances, while ensuring that the conditions and requirements go no further than is necessary to address the risks it has identified.

6. Where the University reasonably concludes that imposing conditions would not be sufficient to prevent serious disorder within premises subject to their control, a serious threat to health and safety or other breaches of the law or legal obligations, it may decline to permit the meeting to proceed.

7. Where any person or body to whom this Code applies is seeking to hold an event involving a visiting speaker, the University Visiting Speaker Approval Policy set out in Annex A shall be followed.

8. Everyone who organises, speaks at or attends an event at the University, or an externally held event organised by the University is required to observe good order. Good order includes, but is not limited to, refraining from the following: preventing participants from accessing events; preventing speakers from being heard clearly; chanting or using foul or abusive language, including racial abuse; refusing reasonable requests from an event chair, or other University staff involved in managing an event; using intimidating, abusive or threatening language via

communications, placards, banners, posters, or other means; acting in any other way which is threatening or abusive, or which denies to others their right to legal free speech.

9. Other than in exceptional circumstances, the costs of security (whether in whole or part) relating to use of University premises by or in connection with a visiting speaker who has been invited by the University (or some part of it) to speak at an event in order to provide or disseminate their views, ideas or opinions shall not be passed to the person or organisation arranging the event. Whether the circumstances are exceptional in this context shall be determined by the Chief Operating Officer or University Secretary acting reasonably and taking into account the factors in paragraph 11 below. The Students' Union will cover the costs of their events.

10. In assessing the costs of security and whether exceptional circumstances exist, the following will not be taken into account so far as is consistent with the law:

    (a) in relation to an individual speaker, their lawful views, ideas or opinions;

    (b) in relation to an external organisation, their policies or objectives or the lawful views, ideas or opinions of its members;

    (c) in relation to an event itself, the lawful ideas, opinions or information likely to be expressed.

11. In considering whether exceptional circumstances exist, regard will be had to the following:

    (a) that the costs of security will exceed £100,000, being a level which the University has reasonable grounds to believe will rarely, if ever, be exceeded;

    (b) the need to engage additional security staff to ensure the proper conduct of an event, including but not limited to ensuring the health and safety and wellbeing of participants and attendees and the prevention of crime and disorder;

    (c) the need for the University to take additional measures to ensure that its teaching and research activities are not disrupted notwithstanding that the event is taking place.

12. Where exceptional circumstances are found to exist, the University will bear the costs of security up to the value of £100,000 and pass on the residual costs to the event organisers. Where it is reasonably practicable to do so the calculation of security costs will be provided to the event organisers who shall have the right to appeal the calculation to the Chief Financial Officer or Financial Controller.

Annex A: Visiting Speaker Approval Policy

1. Introduction and Scope

1.1 This Visiting Speaker Policy should be read and applied in light of the Statement of Principles in Part 1 of the Code of Practice. This means that, **in line with its legal duties, the University has a general expectation that all visiting speakers will be facilitated to speak on campus to share their views, ideas and opinions**. The University recognises that academic freedom and freedom of speech within the law are essential to its own staff and students. This policy is specifically written to ensure that appropriate processes are in place for hosting speakers visiting to the University, including in University hosted online events. The University recognises that, having particular regard to the importance of freedom of speech, there may be some exceptional circumstances where further measures are required to ensure that certain visiting speakers do not break the law or breach the lawful rights of others. The University must have regard to its other legal responsibilities

including, but not limited to, preventing discrimination, harassment and victimisation and ensuring the health and safety of students, staff, visitors and visiting speakers.

1.2 The University may take action to facilitate the inclusion of diverse voices in a debate, particularly voices from underrepresented and marginalised groups.

1.3 This policy applies to:

- visiting speakers invited by Schools/Departments, Faculties or Research Offices to the University under the remit of the normal academic curriculum (teaching and research);
- any other event, including a Students' Union society event, that involves a visiting speaker and which will be hosted on University premises or hosted by the University on other premises or associated with the University of Sheffield on other premises. The Students' Union is a separate legal entity to the University. Students' Union events hosted on University premises are overseen by University security and the decision making regarding those events lies with the University. The Visiting Speakers' Approval Policy also applies to Students' Union events held on premises leased by the Students' Union from the University or on non-University premises but the decision making (which is reflected in this policy) resides with the Director of the Students' Union as designated by the Chief Executive;
- events, commercial or otherwise, involving visiting speakers to be held on premises of the University where space is managed by Accommodation and Commercial Services (ACS), I.T. Services, the Libraries and to external clients hosting an event on University premises, booked with the Universities Room booking or Conferences and Events team; *and*
- unless otherwise specified, events held or hosted by the University online.

1.4 All such events involving visiting speakers, whether arranged for internal groups or for external clients, must comply with the University's statutory obligations, as set out in the Code of Practice and this policy.

1.5 Events might include, but are not limited to, public lectures, student society events, meetings, debates, protests (see guidance for students[1]), vigils, careers fairs and conferences including those held online.

1.6 Where required under this policy, formal approval by the University in accordance with the Visiting Speakers' Policy must be obtained, in advance, for any event to be held on University premises or hosted by the University.

1.7 University policies, in addition to the Code of Practice, should be considered and complied with when organising an event on University premises involving a visiting speaker, including:

- Fire Risk assessments;
- Health & Safety Procedures.

2. Visiting Speakers Invited as Part of the Academic Curriculum

2.1 Where a visiting speaker is invited to be involved in a University event under the remit of the normal academic curriculum, either for teaching or research purposes, the Event Organiser shall conduct an initial risk assessment to determine whether there is a risk:

[1] https://students.sheffield.ac.uk/university-regulations/protest-guidance

- to the safety of visiting speakers, attendees and/or members of the public or the University community and they may be at risk of physical harm or threats, harassment and/or intimidation;
- there could be a real risk of damage to university buildings or property and/or disorder or crime; *and/or*
- that the views likely to be expressed by any speaker are contrary to the law:
    - the intention of any speaker is likely to be to breach the law, incite breaches of the law or to intend breaches of the peace to occur;
    - the event will include or is likely to include the denial of the right to hold or to express an opposing opinion;
    - the speaker and/or the organisation they represent advocates or engages in violence or non-violent extremism in the furtherance of their political, religious, philosophical or other beliefs;
    - the views likely to be expressed by any speaker are for the promotion of any illegal organisation or purpose, including organisations listed on the government's list of proscribed terrorist groups or organisations;
    - it is in the interest of public safety, the prevention of disorder or crime or the protection of those persons lawfully on premises under the control of the University, that the meeting does not take place.

2.2 Where it is expected, or reasonably foreseeable, that one of the events set out in paragraph 2.1 could occur, then the Event Organiser must inform their Head of School and seek approval for the visiting speaker in advance of the event in accordance with the Visiting Speakers' Approval Policy set out below. Otherwise, the Event Organiser must inform their Head of School about the event and may proceed.

2.3 If the Event Organiser is in any doubt as to whether a proposed visiting speaker might require approval under the Visiting Speakers' Approval Policy, the Event Organiser shall consult the Head of Security within the Security Management Team at the earliest opportunity for their view.

2.4 If there are any changes which affect the risk assessment carried out by the Event Organiser prior to the Event, they should contact the Security Management Team immediately.

2.5 Schools and Faculty Research Offices must keep a local record of all Visiting Speakers that are invited to be involved in an event under the remit of the normal academic curriculum.

3. Visiting Speakers' Approval Policy: Key Roles and Responsibilities

3.1 **Visiting Speaker:** a speaker invited to attend an event in order to share or otherwise disseminate their views, ideas or opinions and who is not a University of Sheffield (UoS) staff member or part of the UoS student body.

3.2 **Event Organiser:** the person responsible for the event involving the Visiting Speaker. The Event Organiser is responsible for applying for approval under this Visiting Speakers' Approval Policy and should consider at the outset of organising the event and before any invitation is issued whether any of the criteria set out below are likely to apply:

(a) the views likely to be expressed by any speaker are contrary to the law;
(b) the intention of any speaker is likely to be to breach the law, incite breaches of the law or to intend breaches of the peace to occur;
(c) the event will include or is likely to include the denial of the right to hold or to express an opposing opinion;

(d) the speaker and/or the organisation they represent advocates or engages in violence or non-violent extremism in the furtherance of their political, religious, philosophical or other beliefs;
(e) the views likely to be expressed by any speaker are for the promotion of any illegal organisation or purpose, including organisations listed on the government's list of proscribed terrorist groups or organisations;
(f) it is in the interest of public safety, the prevention of disorder or crime or the protection of those persons lawfully on premises under the control of the University, that the meeting does not take place.

The Event Organiser must consult their Head of School about the event and shall ensure that they apply for approval with enough notice to allow this procedure to be completed. The Event Organiser is responsible for entering details into the School visiting speaker's register including recording and communicating speaker approval decisions.

The Event Organiser must be a current member of University staff, Students' Union Staff or a current student. Current students should receive advice from their Head of School in relation to University events or the Students' Union in relation to Student Union events.

Where the Event is being sponsored by, hosted by or organised by a campus trade union, the Event Organiser will be the relevant Branch Secretary (or if they are on leave/absent via a named alternate member of the Branch Executive) and relevant forms submitted directly to Security Services for approval. It is noted that some of the administrative activities supporting any application may be undertaken by a Branch Administrator who is employed directly by the relevant trade union, rather than as a University staff member.

The Event Organiser is responsible for leading engagements with the Visiting Speaker before and during an event, including ensuring that the Visiting Speaker is aware of any conditions attached to the approval, their own obligations under the law, and what will happen if there is a breach during the event. The Event Organiser shall, so far as it is reasonably practicable, ensure that both the audience and any Visiting Speaker act in accordance with the law during the event and that the Code of Practice is observed. In the case of unlawful conduct or any failure to observe the Code of Practice or any conditions attached to the event, the Event Organiser is required to give appropriate warnings and, in the case of a continuing lack of order, either to require the person to leave or seek support from the University's Security Services or the police or to bring the event to a close. The Event Organiser and/or chair should have the ability to remove speakers and attendees from the online meeting environment or to end the session.

The Event Organiser should report any breaches of the Code of Practice to the Security Management Team and include them in the School register of visiting speakers.

3.3 **Security Management Team:** the University team responsible for carrying out a risk assessment and mitigating the risks associated with events hosted on University premises or hosted by the University on other premises or associated with the University of Sheffield on other premises.

3.4 **Chief Operating Officer (COO) or University Secretary:** makes the final decision about whether a University hosted event can proceed if it is deemed by the Security Management Team to be high risk.

3.5 A **Director of the Students' Union** as designated by the Chief Executive of the Students' Union makes the final decision about whether a student union event can proceed on premises leased by the Students' Union from the University or on non-University premises. The Students' Union will carry out their own risk assessment and the Chief Executive may

request additional advice from the University's Head of Security for events considered high risk. The Director of the Students' Union must keep a local record of all visiting speakers that are invited to be involved in an event.

3.6 **Head of School:** must keep a local record of all Visiting Speakers that are invited to be involved in an event in their School. They are responsible for ensuring that this procedure is being followed in their School.

3.7 **President & Vice-Chancellor:** acts as the point of appeal for the Visiting Speaker should the COO or University Secretary decide that the event should not take place on University premises.

4. Stage 1: Submissions of Request

4.1 A submission of request applies to i) visiting speakers invited as part of the curriculum where there is deemed to be a medium or high risk of one of the events occurring as listed in Part 3, paragraph 4 of the Code of Practice and ii) any other event as outlined in paragraph 1.3 of this Policy.

4.2 To seek formal approval for a Visiting Speaker, the Event Organiser must complete the Application Form. For events in rooms managed locally by Schools the form is here[2]. Please also use this form for virtual events being held by the School. For events in rooms from the central pool of bookable spaces the form is here[3]. Please also use this form for virtual events that take place outside the School and for any in-person events being held at a venue off campus.

4.3 Following completion of the Application Form, it should be submitted for the approval procedure. The Event Organiser should submit the Application Form with as much notice as possible so that the relevant decision makers have sufficient time to consider and put in place appropriate conditions, if necessary.

4.4 Situations may change rapidly and if any of the information submitted on the Application Form changes or any additional information becomes apparent that increases risk prior to the event then the Central room booking office and the Security Management Team must be notified immediately by phone or email to reassess the event.

5. Stage 2: Initial Risk Assessment

5.1 On receipt of the Application Form for University Events or Students' Union events hosted on University premises, the Security Management Team shall review the information and conduct an initial risk assessment to determine whether the proposed event would be either: low risk, medium risk or high risk. **This risk assessment will be conducted solely for the purpose of determining the likelihood that a visiting speaker may break the law or breach the lawful rights of others, as set out in Part 3, paragraph 4 of the Code of Practice**, and in order to ensure that the University has due regard for its other legal responsibilities including, but not limited to preventing discrimination, harassment and victimisation and ensuring the health and safety of students, staff, visitors and visiting speakers.

5.2 The initial risk assessment conducted by the Security Management Team may include (without limitation):

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[2] https://shef.topdesk.net/tas/public/ssp/content/serviceflow?unid=2c7c9fcaa58d47628c13f59458a3d20c&

[3] https://shef.topdesk.net/tas/public/ssp/content/serviceflow?unid=4757a3fd9e46408487621762a4483927&

- a check as to whether the speaker is associated with an organisation on Home Office's list of proscribed groups and organisations;
- an internet search on the Visiting Speaker and the subject matter of the proposed event;
- a search on social media on the Visiting Speaker;
- consultation with appropriate academic staff or staff within professional services; *and/or*
- consultation with external parties, for example: the police, the Regional Prevent Lead, officers at other universities.

5.3 If the Security Management Team determines that the event proposal is low risk, the event involving the Visiting Speaker should be approved and the decision communicated to the Event Organiser, via the room booking team as quickly as circumstances allow. The decision and the information used to inform the decision (including links to relevant websites/social media) are recorded by the designated officer within the Security Management Team on the Central External Speakers Database.

5.4 If the Security Management Team determines that the event involving the Visiting Speaker is medium/high risk, then further information and intelligence will be obtained.

5.5 The Security Management Team will gather further intelligence on the Visiting Speaker and subject matter of the event. In addition to the initial investigations undertaken in 5.2, this will include:

- a review of the proposed content of the speech if this is known and a detailed discussion with the Event Organiser and other colleagues as required; *and*
- if necessary, consulting any relevant external parties (for example: the police, the Regional Prevent Lead, officers at other universities).

5.6 The Security Management Team shall review the gathered intelligence and make a decision to approve or approve with conditions medium risk events and the decision will be communicated to the Event Organiser, via the room booking team as quickly as circumstances allow. The decision and the information used to inform the decision (including links to relevant websites/social media) are recorded by the Security Management Team's designated officer on the Central External Speakers Database.

5.7 In the case of high-risk University events, the Security Management Team will make a recommendation to either the COO or the University Secretary for University Events or Students' Union events hosted on University premises. The COO or University Secretary for University events will decide whether the Visiting Speaker is either:

- Approved.
- Approved with Conditions.
- Refused. There is an appeals procedure.

5.8 On receipt of an Application Form for Students' Union events on premises leased by the Students' Union from the University or on non-University premises, the Director of the Students' Union as designated by the Chief Executive will decide whether a Visiting Speaker is:

- Approved.
- Approved with Conditions.
- Refused. There is an appeals procedure.

5.9 Reasonable grounds for refusal are listed in Part 3, paragraph 4 of the Code of Practice.

5.10 Where a Visiting Speaker is approved by the COO, University Secretary or Director of the Students' Union with conditions imposed, such conditions will go no further than is necessary to address any risks identified. Examples of such conditions include, but are not limited to, the following examples:

- Event Organiser to obtain details of the areas which the speaker's talk will cover in advance or a copy of the speaker's notes or other material to be used by the speaker at the event;
- require coordination with representatives from communities likely to raise concerns about the speaker to put in place mitigation measures;
- appointment of an experienced Chair for the event, who has the authority to terminate the event should there be a breach of this Procedure or the Code of Practice;
- appointment of a member of University staff to be a note-taker at the event;
- inviting a speaker with opposing views to ensure that discussion is balanced, where necessary in accordance with Prevent guidance;
- providing additional security staff, conducting bag searches or checking invited or pre-authorised guests;
- implementing specific conditions for the arrival, departure and itinerary of the Visiting Speaker;
- delaying/postponing the event to facilitate further planning;
- changing the event location to ensure public safety; *and/or*
- imposing restrictions, such as numbers able to attend, pre-booking (ticket only entry) and/or identity verification.

5.11 The Security Management Team shall provide written confirmation of the decision to the I.T.S Room Bookings team where applicable, as quickly as circumstances allow. Where the application is "Approved with Conditions" or "Refused", the reasons for the decision will also be communicated to the Event Organiser along with information about how to appeal the decision. The Security Management Team will also inform Communications and External Relations .

5.12 The COO, University Secretary or Director of the Students' Union's decision and the information used to inform the decision (including links to relevant websites/social media) will be recorded on the Central External Speakers Database.

6. Objections to Visiting Speakers Raised by Stakeholders

6.1 Should an internal or external stakeholder submit a complaint or raise an objection about a Visiting Speaker that has been approved via this process, in advance of an event taking place, then the Security Management Team shall re-investigate and thereafter make a recommendation for a decision to either the University Secretary (where the COO made the initial approval) or the COO (where the University Secretary made the initial decision). Any complaints or objections should be made to the Chief Executive of the Students' Union where it involves a Students' Union event on premises leased by the Students' Union from the University or on non-University premises.

6.2 Irrespective of the outcome of the re-investigation, the University shall use reasonable endeavours to reach a satisfactory solution with relevant internal and external stakeholders to minimise the potential damage to good relations on campus and to facilitate free speech for the widest group, with particular regard to those from underrepresented and/or marginalised groups. This could include arranging alternative spaces on campus where opposing views can be expressed and/or exploring other ways

for different groups of students and staff to work together to promote good relations. Any formalities, conditions, restrictions or penalties restrictions on free speech or academic freedom that the University deems it necessary to apply shall reflect applicable rules in legislation or at common law and the University's regulatory obligations or shall be consistent with Article 10(2) of the European Convention of Human Rights, including the requirement that they are proportionate.

6.3 Where the decision has been made to approve the Visiting Speaker notwithstanding the concerns received at 6.1, the University will consider the potential harm to individuals and relations between groups and will explore appropriate mitigations. This could include signposting internal stakeholders to relevant support services, such as the Student Welfare team.

7. Appeal

7.1 If the application is "Approved with Conditions" or "Refused", the Event Organiser shall be entitled to submit an appeal against the decision.

7.2 An appeal must be submitted in writing to the University Secretary, stating the reasons for the appeal and accompanied by the original Application Form. The appeal decision will be taken by the President & Vice-Chancellor or designate. The designate cannot be either the COO or the University Secretary if they have been involved in an earlier decision about the event. In the case of Students' Union events then appeals will be decided by the Chief Executive of the Students' Union.

7.3 The decision of the President & Vice-Chancellor having reviewed the information shall be final and there shall be no further mechanism for appeal within the University. The President & Vice-Chancellor shall report to Council any decision to withhold permission for an event. The decision of the Chief Executive of the Students' Union is final for Student Union events on premises leased by the Students' Union from the University or on non-University premises and there will be no further mechanism for appeal.

8. University Statements on Compliance and Enforcement at Events

8.1 The University reserves the right to monitor any event on its premises, particularly in terms of compliance with the specified conditions attached to the approval of the Visiting Speaker, and for compliance with this procedure and other relevant University policies and procedures.

8.2 In cases where it is reasonable for the University to assume that disruption may occur at an event, whether at the approval request stage or at any time thereafter in the run-up to the event, the University may consult with the relevant external parties (for example: the police, the Regional Prevent Lead, security advisors) as to the measures necessary to prevent or minimise any such disruption. These measures could, in certain circumstances, include postponement, enhanced security arrangements and/ or police presence throughout.

8.3 While an event is in progress, the University shall have the right to require the Event Organiser to terminate the event if the conduct of the event gives rise to concerns for the University that the safety of persons attending cannot be reasonably assured or that a breach of the law or a breach of any of the conditions imposed on the event is likely to occur. In such instances whereby the University may close an event, all persons or external visitors may be asked to leave University premises.

8.4 All events must comply with the Code of Practice and the booking contract.

8.5 In refusing a Visiting Speaker request in accordance with this procedure, the University shall have no liability for any costs or other obligations incurred by the Event Organiser in connection with the proposed event involving the Visiting Speaker.

8.6 Any members of the University who fail to ensure that this procedure or the provisions of the Code of Practice are adhered to may be liable to disciplinary action in accordance with University Regulations, Policies and Procedures, in addition to any possible prosecution and/or claim for breach of criminal and/or civil law.