



University of Essex



Speaker Code of Practice

Authors: Academic Registrar's office, Rachel A Brown
Publication date: 7 December 2021
Version: Final 1.0

Table of Contents

Speaker Code of Practice	1
<hr/>	
Background and Purpose	1
Speaker rights and responsibilities	1
External contributions to the work of the University	2
Risk Review and approval	3
Code of Practice Oversight and Review	5

Speaker Code of Practice

Background and Purpose

1. Academic freedom is a fundamental commitment at the heart of our mission at the University of Essex. Freedom of speech within the law is an essential part of academic and University life and flourishes where there is tolerance of, and respect for, a wide range of views and beliefs. We also strive to be an inclusive community for all our members, regardless of background or characteristics and to ensure that all members of our community feel welcome.
2. The University has a legal duty to promote academic freedom, freedom of speech and equality and diversity within the law. The University's [Policy on Academic Freedom and Freedom of Speech](#) affirms the University's commitment to promoting such freedoms within the law, as well as specifying circumstances in which these freedoms may need to be restricted.
3. Our Equality and Diversity Framework sets out our obligations under equalities legislation. In order to realise our commitment to inclusivity, we strive to go beyond the minimum standards required by law, wherever we can and where it is lawful to do so, to ensure that we recognise, respect and protect all members of our community.
4. This Code of Practice sets out the University's expectations for all individuals speaking and participating in University's activities. It is underpinned first and foremost by the requirement for the University to act lawfully and fulfil our statutory obligations, which are paramount. It is also rooted in the University's values and our commitment to be an inclusive community. The Code applies to all speakers participating in and contributing to all University activities, including all staff, students, visitors and those invited from outside the University community to contribute to our work.
5. External speakers and contributors play an important role in University life, giving staff and students an opportunity to have access to a broad range of views and beliefs and supporting our students to develop their own informed opinions. The Code outlines the proportionate and risk-based process the University operates to ensure that anyone invited from outside our community to participate and contribute to the work of the University is aware of our expectations to promote academic freedom and freedom of speech within the law.
6. The operation of the Code is supported by a range of guidance and material available for members of the University community to support the successful management of University activities related to the Code.
7. Support and training to ensure all members of the University community are aware of the requirements of the Code of Practice and their responsibilities are fundamental elements of the Code's operation. All members of the University community are required to adhere to the Code. All those responsible for arranging events, as an activity owner, must have completed the essential training required by the University so as to enable them to discharge their responsibilities as set out in this Code of Practice. Where there is evidence of non-compliance, action will be taken to prevent future occurrences and address barriers to compliance. Appropriate action may include additional support and training or following relevant conduct procedures.

Speaker rights and responsibilities

8. The University strives to be a mutually supportive community. All individuals speaking and participating in University activities are free to express views and to seek, receive and impart information and ideas of all kinds within the law, including those that may be considered to be offensive by some.

9. All speakers are required to recognise that freedom of speech, thought and expression come with responsibilities. When expressing ideas or planning activities where differing ideas are likely to be aired, those contributing are required to consider the potential impact on individuals or groups within the University community who may be affected by the subject matter, either directly or indirectly.
10. Support and advice should be sought and considered where appropriate in order to reflect the University's obligations under the Equality Act 2010 and the public sector equality duty which underpin the University's commitment to be an inclusive community where all members are treated with tolerance and respect.
11. All members of the University community are required to read and adhere to this Code of Practice.
12. University staff are required to read and adhere to the Code of Practice, which is embedded into training appropriately as part of induction and annual staff booster training.
13. All members of Students' Union (SU) Clubs and Societies are required to read and adhere to the Code of Practice before arranging activities. The University works in partnership with the Students' Union to ensure appropriate training is in place for students involved in SU activities that require it. The need to adhere to the Code is promoted to all students, particularly during Welcome and induction activities.

External contributions to the work of the University

14. For the purposes of this Code of Practice, those from outside the University community speaking or making discussion contributions to University activities are defined as External Speakers.
15. Any member of the University who wishes to invite an External Speaker to contribute to any activity is required to undertake an External Speaker Risk Assessment (hereafter known as the risk assessment) to determine the level of oversight and approval required before the activity may proceed. The risk assessment is based on a set of areas for consideration related to the nature of the activity and those invited to participate and contribute.
16. Where a room has been booked in advance to support an activity, either individually or as part of a block booking, all provisions in this Code must be completed in full. Approval of a room booking does not signify approval for an External Speaker to participate in an activity.
17. All activities involving an External Speaker must have a named activity owner, who is usually a member of staff or a student, who is accountable and has responsibility for ensuring that these activities are organised, managed and run in accordance with the University's values, policies and legal obligations.
18. Activities related to the delivery of a teaching module are exempt from the requirement to undertake a risk assessment. The module leader is automatically responsible for ensuring that these activities are organised, managed and run in accordance with the University's values, policies and legal obligations. Without exception, the module leader is the activity owner and accountable for all aspects of activities related to the module.
19. Activities related to the procurement of goods and services by the University are exempt from the requirement to undertake a risk assessment. The relevant named member of staff leading the procurement process for contracts is automatically responsible for ensuring that these activities are organised, managed and run in accordance with the University's values, policies and legal obligations.
20. As a minimum, in preparing to run an activity, all activity owners are required to provide to all External Speakers the University Speaker Code of Practice along with the University's Policy on Academic Freedom and Freedom of Speech and policies contained in the University's Equality and Diversity Framework.
21. Where there is doubt about whether an activity requires a risk assessment, an assessment must be done.
22. External Speakers must not be confirmed until the requirements of the Code of Practice are completed in full.
23. For all University-led activities where a risk assessment is deemed necessary, the activity owner is required to:

- have completed the essential training required by the University for this role prior to commencing actions as an activity owner so as to enable them to discharge their responsibilities as set out in this Code of Practice.
 - complete and submit the online notification form and risk assessment.
 - where the risk is deemed low in light of the risk assessment outcome, take full responsibility for the organisation, management and running of the activity in accordance with the University's values, policies and legal obligations, supported by relevant training and guidance.
 - where the risk is deemed high in light of the risk assessment, refer the activity for a risk review (see paragraphs 30 to 38).
 - where the risk is deemed high and approved to proceed, take full responsibility for the organisation, management and running of the activity in accordance with the University's values, policies and legal obligations, taking into account any conditions attached to the approval decision, supported by relevant training and guidance and drawing upon other sources of support from within the University as necessary.
 - where the outcome of a risk assessment is unclear or borderline, refer the activity for a risk review.
24. Students' Union-led activities are risk reviewed by the Students' Union, who will determine if the activity is deemed low or high risk. High risks activities are referred by the Students' Union for a risk review (see paragraphs 30 to 38).
25. Individual students undertaking activities are required to follow the process under paragraph 23 through their academic department or school.
26. It is recommended that all risk assessments are conducted at least 15 working days before the event is due to take place. The recommendation ensures that there is adequate time for a risk referral to be undertaken if necessary and for support arrangements to be identified and implemented where required. Where adequate notice is not provided that enables appropriate arrangements to be put in place, it may mean an activity cannot proceed on the specified date (see paragraph 29).
27. The circumstances relating to the external contribution to an activity may change at any point up until it takes place and following completion of the requirements of the Code of Practice. It is the responsibility of the activity owner at all times to report any changes through the online system and to undertake a revised risk assessment to determine whether the risk level has changed and the activity should be referred for risk review.
28. For activities deemed high risk or that have undergone a risk review, no substantive changes may be made to the activity without referral to the Compliance Manager (Safeguarding) or nominee. Examples of substantive changes that could occur include removing an invitation to an external party to participate, cancelling the activity or inviting participation from additional speakers or contributors. Following any referral in relation to changes, recommendations may be made to the Academic Registrar or nominee in their absence, who is the decision-maker.
29. Regardless of the risk assessment outcome and risk review decision, where the circumstances require it and/or relevant information comes to light that may affect the safety of the University community or the University's legal obligations, any activities may be cancelled or revised arrangements put in place before or during the activity. Recommendations to cancel an activity or to make substantive changes are made to the Academic Registrar or nominee in their absence, who is the decision-maker.

Risk Review and approval

30. Where an activity includes an External Speaker and the risk assessment determines that the activity is deemed high risk or the outcome of the risk assessment is unclear or borderline, the activity owner is required to refer it for a risk review through the online system.

31. The activity owner is required to include in the referral all information about the planned activity to the best of their knowledge to support the review.
32. As a condition of submitting the activity for review, the activity owner is asked to sign a declaration, which includes confirmation that:
- They have provided the correct information as part of the referral so that any risks associated with the activity can be considered properly.
 - They understand that conditions may be determined in order to enable the activity to take place.
 - They have read this Code of Practice and the Policy on Academic Freedom and Freedom of Speech and any associated guidance and that they will share them with all participating External Speakers prior to their arrival at the event so that they are aware of our policies and arrangements.
 - If, before a decision is reached or the review determines that the activity may proceed, there is a change of topic or speaker, they will notify through the online system and any replacement activity or speaker will be subject to a new risk assessment.
33. In order to allow sufficient time for the referral to be reviewed and a decision to be taken, it is recommended that all risk review referrals are made at least 15 working days prior to the activity taking place. The purpose of the notice period is to ensure there is adequate time for support arrangements to be identified and implemented where an activity is permitted to proceed.
34. The risk review is normally conducted by the Compliance Manager (Safeguarding) or nominee, who considers the possible risks associated with the planned activity. In determining whether an activity may take place, consideration is given to conditions that may be attached to support its success and to identify arrangements that may be appropriate to support our other legal obligations and commitment to inclusivity.
35. Where the initial review by the Compliance Manager (Safeguarding) or nominee concludes that the proposed activity poses a significant risk, they will refer it to the Academic Registrar or nominee in their absence for final decision and to determine any conditions. Legal advice may be taken in complex cases where it is deemed to be warranted.
36. Conditions imposed to support an activity to proceed may include, but are not limited to, the following:
- Specific support arrangements that are required or to be explored and identified in consultation with those members of the University community who may be affected by the activity.
 - Provision is made for diverse voices to be heard on particular issues. This might be achieved by considering the appropriate composition of a panel of speakers, ensuring that there are additional single speaker events at which an alternative view is expressed or providing assistance for counter-speech or protest to be expressed appropriately, safely and peacefully.
 - The activity is recorded using the University's 'Listen Again' facility or appropriate online platform, noting the need both for permission to record it from the External Speaker and for notification to any audience or participants prior to recording.
 - The activity is referred to the Head of Security & Campus Safety to enable further security requirements to be arranged and to provide support to the activity owner.
 - Specific guidance is provided to the External Speaker by the activity owner.
 - The appointment of a specific Chair for the activity, whose knowledge and experience is relevant to the topic or requirements.
 - The activity is ticketed using a recognised ticketing mechanism, such as Eventbrite (public) or essexstudent.com (current students only).
 - Written confirmation is required from any External Speaker that they have received, understand and agree to the conditions and the University's legal obligations and wider policies and commitments.
 - Although it will be a rare outcome, the activity may proceed but without the proposed External Speaker.

37. The outcome of the review will normally be communicated to the activity owner within 5 working days of the referral, either that the activity has been (i) approved to proceed or (ii) approved to proceed with conditions; or
(iii) the activity has not been approved to proceed on the basis of the risks identified.
38. The activity owner may appeal the review outcome by submitting a detailed explanation for the grounds of appeal by email to: speaker@essex.ac.uk. The Registrar & Secretary will identify an appropriate member of University staff not previously involved to undertake a review of the activity and make a final decision.

Code of Practice Oversight and Review

39. On behalf of the University Council, the Academic Registrar is responsible for ensuring that the Code of Practice operates effectively and is reviewed appropriately and remains fit for purpose in meeting its aims and supporting the University's mission.
40. On behalf of the Academic Registrar, the Compliance Manager (Safeguarding) co-ordinates all aspects of the administration and operational delivery of the Code of Practice, providing a focal point for its operational management and a first point of contact.
41. The operation of the Code of Practice is reviewed regularly and at least annually by the Safeguarding Advisory Group to ensure it continues to meet the University's legal obligations and strategic and operational requirements and sooner if circumstances require it, with changes considered and approved by Senate and Council as appropriate.