KCLSU External Speaker Policy

**Brief description:** the KCLSU policy for approving external speaker at Union events on and off campus

**Approved by:** KCLSU Trustee Board

| Date of approval: 18 January 2016 | Date of next approval: 1 June 2017 |

Our External Speaker Policy
As a Students’ Union our Officers, Associations, Student Groups, and Student Council host several thousand events with external speakers every year and they play an important contribution to the vibrancy of University life at King’s. Our External Speakers Policy makes sure that we empower our students to make the most of their educational experience at University whilst following the charity and other legislation that we’re responsible for upholding.

1. The legal framework[^1] that we work within means that all external speakers at Union events on or off campus must be approved by KCLSU and the University before they can take place or be advertised.
2. An external speaker means anyone who is not a student or staff member of King’s College London, or KCLSU.
3. This policy applies to all events that use the KCLSU or name of a Union Student group, Association, Council whether in a KCLSU, King’s or external venue.
4. Student Leadership is fundamental to KCLSU. We are committed to empowering event organisers to make the most of the educational opportunities to explore, debate and challenge issues including those that may be considered controversial whilst support them in fulfilling their legal responsibilities.
5. Freedom of Expression and speech are basic human rights to be protected and are protected by law.
6. Open debate is central to the culture of academic freedom, the development of students’ ideas and understand and are protected by an act of parliament.
7. Student safety and welfare is at the heart of the KCLSU’s policies and practices.
8. KCLSU will to work with event organisers to ensure we can balance our responsibilities for upholding the freedom to express views with the need to secure freedom from harm for students and communities.

[^1]: Alongside charity legislation there are lots of laws that relate to our work as a Union, those most relevant to external speakers include:
- The Education (No. 2) Act 1986 S43
- Education Reform Act 1988 – Academic Freedom
- Terrorism Act 2000
- The Human Rights Act 1998
- Equality Act 2010 (s.10 relates to religion & belief as a protected characteristic)
- Discrimination Law – religion and belief
- Public Order Act 1986 – Violent, Threatening or Abusive Conduct and Speech
9. Where there is a potential for these rights to come into conflict, KCLSU is committed to collaboration that will allow the union to reach sound, evidenced judgements about the person in question and their associated organisation and the likely impact of them taking part in the event. Based on these judgements we do at times require additional support measures known as regulatory steps to be put in place to allow the event to take place legally and safely. On rare occasions we are required to refuse permission for a speaker to take part in an event, if this is the case we will explain our reasoning in full.

10. Any room booking with an external speaker involved must be made no later than 15 working days before the date of the event to give us time to work with event organisers and the University to make the right decision on whether a speaker can be approved and whether any regulatory steps are required as a condition of approval.

11. If this policy and procedure are not followed in full KCLSU reserves the right to cancel any event with an external speaker and refer the event organiser for disciplinary investigation.

12. Any complaints about decisions made in relation to External Speakers should be made under the KCLSU complaints policy.

13. The event organiser is responsible for the activities that take place within their events and for ensuring the external speaker agrees to the external speaker’s briefing (see appendix) and are aware of their responsibilities to abide by the law and the Union and University’s policies including that they:

   - Must not incite hatred, violence or call for the breaking of the law
   - Are not permitted to encourage, glorify or promote any acts of terrorism including individuals, groups or organisations that support such acts
   - Must not provide a platform for the expression or promotion of extremism or use radicalising materials as defined in the Charity Commission Guidance
   - Must ensure a framework of positive debate and challenge, upholding the KCLSU Safe Space Policy by not allow intimidation or harassment, resulting from prejudice or discrimination on the grounds of age, disability, marital or maternity/paternity status, race, religious beliefs, sexual orientation, gender identity, trans status, socio-economic status, or ideology or culture, or any other form of distinction, to avoid insulting other faiths or groups, within a framework of positive debate and challenge
   - Must follow the KCLSU Fundraising Guidance if they wish to raise or gather funds for any external organisation or cause.

Our External Speaker Procedure

14. The event organiser asks for approval for an external speaker to take part in an event by completing this [form](#) in full. All requests for external speakers are then logged by KCLSU Student Centres.

15. The KCLSU Student Centre team will undertake an initial check by reviewing the form and undertaking a Google search of the speaker and the organisation(s) that they are associated with. They will review the information on the booking form and the first six pages of Google results and on the basis of those results determine:

   a. That the approval of the speaker to take part in the KCLSU event presents no or low risk to our Safe Space Policy, Health and Safety responsibilities or our wider legal obligations. The external speakers request will then be forwarded to the University for their approval. Click [here](#) for more information on the University’s policy on external speakers.

   Or

   b. That one or more of the criteria have been met for referral for a more detailed review.
The Student Centre Senior staff will monitor the external speaker logs twice a week to support Student Centre Staff in their implementation of this policy.

16. The criteria that will trigger a referral by the KCLSU Student Centres in their initial checks are:
   a) The event organiser has ticked yes to one or more of the questions:
      o The speaker or topic attracted controversy in the past
      o The event or speaker likely to attract media interest
      o The external speaker is on a speaker tour across a number of institutions or organisations
   And/or
   b) The Speaker is high profile as measured by:
      o That the Google search returns reports of mainstream media coverage (National, Regional or London) or
      o Social media (10,000+ Twitter followers), or
      o That the Google search returns reports that the speaker is on a speaker tour across a number of institutions or organisations.

If any member of the Student Centre Team needs guidance on whether or not to refer on the basis of the search results they will liaise with the Student Centre Manager or their nominee.

17. Following referral, the Chief Executive or nominee will undertake a short evaluation of risk relating to the speaker that, wherever relevant, takes representations from the event organiser related to the booking and from a wide number of concerned groups, university officials and external bodies. Risks will be identified as low, medium or high in relation to the following categories:

1) The speaker is linked to a proscribed organisation as defined in The terrorism Act 2000  

2) The likelihood of the speaker’s presence at the event resulting in a platform for the expression or promotion of extremism or radicalisation as defined in the Charity Commission Guidance  

3) The potential for the speaker’s presence to cause breach of the peace and or fear or alarm to students, staff or other members of the public.

4) The potential for the speaker’s presence at the event to cause the Union to be in breach of its Equal Opportunities Policy or Safe Space Policy.

5) The potential for the speaker’s presence to give concern for the health and safety of students, staff or other members of the public.

6) The Unions requirement to uphold freedom of speech as per the University’s code of practice in relation to the 1986 Education Act, as set out in our Memorandum of Understanding http://www.kclsu.org/pageassets/ourstructure/Memorandum-of-Understanding_KCL-and-KCLSU.pdf

7) The opportunities and risks to the Union’s reputation of the speaker’s presence at a KCLSU event.

8) The need for the Union to be seen to be and to be independent from party politics as defined in the guidance on campaigning and political activity by charities (CC9)  
9) Any other risk to the wider legal framework in which the Union operates.

This will be recorded on the KCLSU External Speakers log.

Recommendations:

After the investigation they may make one of the following recommendations to the Vice President Activities and Development (or nominee):

- to not permit the external speaker to speak at the event
- to permit the external speaker to speak at the event with no further regulatory steps
- to permit the external speaker to speak at the event subject to the implementations of regulatory steps designed to reduce risks.

When considering any regulatory steps designed to reduce risk, the potential of those steps to cause risk (for example, the sense of oppression felt by having security on the door) should be taken into account. KCLSU will also take consider any other requirement in order for to fulfil its legal requirements.

Examples of regulatory steps that may be required include:

- The event be filmed or recorded by an independent body or the University's lecture capture system
- The event is observed by Union, University or third party officials. The Union, University or third party officials reserve the right to stop events if any of KCLSU’s policies or legal duties are contravened before or during the event
- The event be stewarded by Safe space Marshalls or subject to security (or extra security) on the door
- Any high risk events promoting a particular view includes an opportunity to debate or challenge that view
- The chair to be agreed in advance
- Attendees to be restricted for example to Kings’ students only.
- A copy of all or part of a speech to be delivered by the speaker to be submitted to the Union in advance
- Where there is significant tension around a speaker or topic, to place limitations on promotional and or supporting materials to reduce risk of intimidation and uphold Safe Space Policy.

Information on all referred speakers will be communicated to the Trustee board by the Head of Operations in the quarterly reports. Any decisions related to speakers assessed as high risk will be reported to the Trustee Board within one working day of such decision being taken. Where members of the Trustee Board disagree with the decision they should consider whether to meet as a Trustee Board or otherwise use their powers as Trustees to review such a decision.
Referred Speakers Flow Chart

Referred speaker request

Forwarded to Chief Executive or nominee to be investigated on behalf of the trustee board

Chief Executive or nominee undertakes an evaluation of risk, if relevant collection further information from concerned groups, university officials and external bodies.

With this information the Chief Executive or nominee goes through the risk assessment matrix and any associated regulatory steps, to determine level of risk and makes recommendation to the VPAD.

VPAD Decision

No or low risk

Event permitted to go ahead

Medium/high risk that can be mitigated with regulatory steps

Event permitted to go ahead with regulatory steps. Board notified of high risk events

High risk that cannot be mitigated by regulatory steps

Event not permitted to go ahead. Board notified of decision

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Appendix 1 - KCLSU’s External Speaker Briefing

Welcome, and thank you for agreeing to speak to our students at a KCLSU event. We welcome the events hosted both in King’s and KCLSU venues and elsewhere, but we have to make sure that our students feel safe at all of these events. A number of our societies choose to fulfil these objectives by inviting in speakers to broaden the scope of discussion and debate at events and we are grateful to those who volunteer their time to contribute to the extra-curricular development of our students.

In allowing speakers to attend KCLSU events we approve them based on the understanding that they act within the law and the regulations set by the College and the statutes that those regulations are drawn from. The use of KCL and KCLSU premises for events that involve external speakers is regulated by Kings Room bookings with external speaker’s policy:
http://www.kcl.ac.uk/governancezone/Students/Room-Bookings-Its-Your-Campus-Policy.aspx
All events that take place in a King’s room must be approved by King’s College London. KCLSU will inform Kings of all events with an external speaker and the KCLSU decision, Event organisers can only proceed with an event (including starting to advertise) once they have received approval from Kings.

It is our duty to act within the law and protect the safety of our students and staff. Our objective to promote Freedom of Speech is limited only by statute laws. These statutes forbid communication which is hateful, threatening, abusive or insulting and is intended to harass, alarm or distress. Communication which targets a person based on their skin colour, race, nationality, ethnicity, religion, gender or sexuality is forbidden. It is also a criminal offence to incite or encourage others to break the law. All speakers, as well as event attendees, must be respectful of the beliefs and opinions of others.

If there are concerns raised at any point in the lead up to the event regarding the safety of attendees such as a breach of the peace or a criminal offence the Union will inform the University Head of Security, in line with the University Code of Practice, and conditions may be made before the external speaker is able to speak at the event. KCLSU will also take consider any other requirement in order for to fulfil its legal requirements.

Examples may include:

- the event be filmed or recorded by an independent body or the University’s lecture capture system
- The event is observed by Union, University or third party officials. The Union, University or third party officials reserve the right to stop events if any of KCLSU’s policies or legal duties are contravened before or during the event
- The event be stewarded by Safe space Marshalls or subject to security (or extra security) on the door
- Any events promoting a particular view includes an opportunity to debate or challenge that view
- The chair to be agreed in advance
- Attendees to be restricted for example to Kings’ students only.
- A copy of all or part of a speech to be delivered by the speaker to be submitted to the Union in advance
• Where there is significant tension around a speaker or topic, to place limitations, on
organisers and the audience, on promotional and or supporting materials to reduce risk of
intimidation and uphold Safe Space Policy.

As part of our process for approving who speaks on campus we assess all our external speakers and
their topic of discussion to assess the risks that they present to our policy and legal responsibilities.
We’re committed to working together with event organisers and the external speakers themselves
to make sure that we reach a judgement that is reasonable, informed and within the law.

All events that take place in a Kings room must be approved by Kings College London. KCLSU will
inform Kings of all events with an external speaker and the decision reached by KCLSU. Event
organisers can only proceed with an event (including starting to advertise) once they have received
approval from both KCLSU and Kings.

KCLSU reserves the right to cancel, prohibit or delay any event with an external speaker if our
policy is not followed or if regulatory steps are not met.

Useful Links

• Terrorism Act 2000
• The Education (No. 2) Act 1986 S43
• Education Reform Act 1988 – Academic Freedom
• The Human Rights Act 1998
• Equality Act 2010 (s.10 relates to religion & belief as a protected characteristic)
• Discrimination Law – religion and belief
• Public Order Act 1986 – Violent, Threatening or Abusive Conduct and Speech
• KCL Policy on harassment, bullying and discrimination for students
• KCL Maintaining good relations in the College community
• KCL Policy and procedures in respect of permissible activities
• KCL KCLSU Room Booking Policy and Procedure
• KCLSU Safe Space Policy
• Protecting Free Debate
• KCL Room bookings with external speakers policy
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<th>Control Measure</th>
<th>What this means</th>
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<td>Open to those with valid King's ID / student ID / Public</td>
<td>The group understand that those attending will have to show some form of student ID to enter the event. If it's King's then it will be only a valid King's ID. All students means they have a valid student ID from any institution. If the event is open to the public there will probably be a need for it to be ticketed and public to purchase those tickets. Photo ID will be asked for on entry as well so make your attendees know this.</td>
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<td>Larger venue to be found to accommodate larger crowd</td>
<td>If your crowd estimation goes above room capacity then KCL venues may have to move you to another room that can accommodate your numbers. This may be on another campus at another time in order for your event to proceed</td>
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<td>Event to be ticketed using KCLSU Tickets and designated named person from student group to check names in to the event. Committee members to be ticketed as well. List to be passed to KCL Security by 4pm on the day of the event</td>
<td>KCL have requested that all events that are rated Medium / High in terms of risk are to be ticketed using the KCLSU ticketing system. KCLSU will set up the tickets and send you a link that you must post on your social media. Only those who have booked a ticket will be allowed entry. This may also be in conjunction with a Valid ID if necessary.</td>
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<td>KCL Security ordered and in attendance to manage capacity and crowds – only students with valid ID (ULU or other external) allowed to enter / Public ID checks</td>
<td>KCL security are there to make sure the event runs safely and smoothly for all involved. They will check the list of names at the door and make sure that any person attending the event has a corresponding photo ID. If the event is for KCL students only, then only KCL ID will be accepted. For any other university students, standard Uni ID cards will do. If the event is open to the general public they will have to bring Passport / Drivers licence or any other photo ID.</td>
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<td>Control measures on attendance e.g. King’s students only</td>
<td>KCLSU risk assess events where the external speaker has hit the trigger criteria. KCL also do a number of checks and assessments. Being a union, we have to action any requests our parent institution might give us with regard to any of the points in this list, but more relevantly area relating to reducing crowd numbers, stipulating an event must only be open to students.</td>
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<td>KCLSU to monitor social media gauge if any external groups or organisations plan on attending or if threats of violence</td>
<td>Our groups are very active, engaging and vocal on all forms of social media which is fantastic to see. However, there may be occasions where there are undesirable messages exchanged or threats from external parties against our students. KCL and KCLSU will therefore monitor any ages or groups where this can be found and will investigate and act upon any threats or information given to them.</td>
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<td><strong>Student Group to ensure that the event is chaired / presented / compared and that it is kept on topic</strong></td>
<td>We will ask you to make sure that the event has an experienced person chairing the event, who can move conversation on, stop the topic descending in to something it shouldn't be, cultivate debate and make sure things happen in the parameters of the safe space policy. We will ask you for the name of this person and also how they are connected to you and your groups and if you have worked with them before.</td>
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<td><strong>KCLSU Safe Space Policy will be in place during the event and the student group is fully aware of their responsibilities in implementing it</strong></td>
<td>All our events must take place within these policy parameters: <a href="https://www.kclsu.org/pageassets/policyzone/KCLSU-Safe-Space-Policy.pdf">https://www.kclsu.org/pageassets/policyzone/KCLSU-Safe-Space-Policy.pdf</a></td>
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<td><strong>Ensure that KCLSU Safe Space Marshalls attend and monitor the event and to ensure KCLSU Safe Space Policy is not breached</strong></td>
<td>In order to make sure the event takes place safely we may ask our Safespace marshals to attend the event to make sure our Safespace policy is not infringed in any way. KCL may also ask our marshals to attend the event.</td>
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<td><strong>Ensure that the lead KCLSU Safe Space Marshall meets / briefs the Chair &amp; Speaker prior to the event starting to ensure that their all fully aware of their responsibilities in ensuring that the KCLSU Safe Space is not breached</strong></td>
<td>If our marshals are at the event they will want to speak to the organiser and the speaker to make sure the policy is set out, that people understand it and that everyone is happy to proceed.</td>
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<td><strong>Proactive &amp; Reactive Comms prepared by both KCLSU and KCL</strong></td>
<td>Both KCLSU and KCL may want to release statements before or after an event and we may prepare these beforehand so we can get them out as quickly as possible. We may ask you for information to help us with this.</td>
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**Other terms you might need to know** | **What this means** |
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<td><strong>Breach of the peace</strong></td>
<td>Disturbing the peace, also known as breach of the peace, is a criminal offense that occurs when a person engages in some form of disorderly conduct, such as fighting or threatening to fight in public, causing excessively loud noise, by shouting, playing loud music, or even allowing a dog to bark for prolonged periods.</td>
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<td><strong>Public Order Act 1996</strong></td>
<td>An Act to abolish the common law offences of riot, rout, unlawful assembly and affray and certain statutory offences relating to public order; to create new offences relating to public order; to control public processions and assemblies; to control the stirring up of racial hatred; to provide for the exclusion of certain offenders from sporting events; to create a new offence relating to the contamination of or interference with goods; to confer power to direct certain trespassers to leave land; to amend section 7 of the Conspiracy and Protection of Property Act 1875, section 1 of the Prevention of Crime Act 1953, Part V</td>
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<td><strong>Affray</strong></td>
<td>of the Criminal Justice (Scotland) Act 1980 and the Sporting Events (Control of Alcohol etc.) Act 1985; to repeal certain obsolete or unnecessary enactments; and for connected purposes.</td>
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<td><strong>Affray</strong></td>
<td>A person is guilty of affray if he uses or threatens unlawful violence towards another and his conduct is such as would cause a person of reasonable firmness present at the scene to fear for his personal safety.</td>
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<td><strong>Article 11 – right to protest</strong></td>
<td>Everyone has the right to freedom of peaceful assembly. This is a right closely linked to the right to freedom of expression. It provides a means for public expression and is one of the foundations of a democratic society. The right applies to protest marches and demonstrations, press conferences, public and private meetings, counter-demonstrations, ‘sit-ins’, motionless protests etc. The right only applies to peaceful gatherings and does not protect intentionally violent protest. There may be interference with the right to protest if the authorities prevent a demonstration from going ahead; if they halt a demonstration; take steps in advance of a demonstration in order to disrupt it; and store personal information on people because of their involvement in a demonstration. The right to peaceful assembly cannot be interfered with merely because there is disagreement with the views of the protesters or because it is likely to be inconvenient and cause a nuisance or there might be tension and heated exchange between opposing groups. There is a positive obligation on the State to take reasonable steps to facilitate the right to freedom of assembly, and to protect participants in peaceful demonstrations from disruption by others.</td>
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