

Huddersfield Students' Union

Document Title	
Freedom of Speech and External Speakers Policy	
Document Author and Department	Responsible Person and Department
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Approving Body	Date of Approval
Executive and Management Committee	January 2026 06a
Version No	Review Date
7	August 2026
Policy Number	Date of Issue
10	January 2024

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1. Key Terms used in this Policy

- 1.1. **Freedom of speech** the right of a person to articulate opinions, information and ideas within the law. This includes both verbal and written communication, images and the freedom of artistic expression.
- 1.2. An **event** is any gathering (which would include meetings, events and other activities) conducted, hosted, or sponsored by the Students' Union including those organised or managed by other organisations that is linked with the Students' Union.
- 1.3. The person, society or group who takes responsibility for organising an event will be referred to as the **Event Organiser**.
- 1.4. An **External speaker event** is any event that involves an external speaker addressing a group, including workshops, guest lectures, panel sessions, learning courses, conferences or similar extra-curricular activity. This does not include meetings held in the normal course of the Students' Union administration or management, provided that (with the exception of the external speaker) they are attended exclusively by Trustees or staff of the Union.
- 1.5. An **external speaker** is anyone who is not a member of the University community and who is invited to speak at an event to provide or disseminate their views, ideas or opinions on a given topic. For example, a guest lecturer, member of a discussion panel, those giving religious addresses or prayer leaders would be an external speaker, a trainer who leads a fitness class would not usually be an external speaker.
- 1.6. **Office for Students** the independent regulator of higher education in England.
- 1.7. A Responsible Person is a member of Students' Union staff who has delegated authority from the CEO.

2. What is this Policy for?

- 2.1. This policy is to ensure that the Students' Union meets its legal requirements under the Higher Education (Freedom of Speech) Act 2023.
- 2.2. It will provide guidance on how freedom of speech is secured and promoted with the Students' Union and that of its societies.
- 2.3. The Policy will support the process of inviting external speakers to events held by the Students' Union or that of its societies and who is responsible for ensuring this policy is followed.
- 2.4. The policy will provide guidance to ensure events are safely managed and remain compliant with other aspects of the law including the Equality Act.
- 2.5. This policy will compliment with the Universities Policies and Procedures.

3. Who does this Policy apply to?

- 3.1. This policy applies to all staff, students, volunteers, trustees, ratified Sports Clubs, ratified Student Societies, partners, contractors, and visitors of the Students' Union.
- 3.2. The policy applies, but is not limited to:
 - 3.2.1. Physical events that take place on campus or off campus.
 - 3.2.2. Virtual or digital events delivered live or on-demand on any platform.
 - 3.2.3. Events organised by Societies, Sports Clubs, Student Networks, Academic Reps or any other group of students supported by the Students' Union.
 - 3.2.4. Events that are co-hosted or promoted by the Students' Union.
- 3.3. Written communication materials whether printed or digital such as posters or social media posts.

4. What will this Policy achieve?

- 4.1. This policy sets out our approach with four key principles in mind:
 - 4.1.1. Freedom of speech and academic freedom is protected by law with both the University and the Students' Union having responsibility to ensure it is promoted to students, staff and visiting speakers.
 - 4.1.2. Huddersfield Students' Union is committed to empowering student led events inviting a variety of speakers that enrich extra-curricular development, employability, non-academic development, and debate.
 - 4.1.3. Huddersfield Students' Union provides a clear process for the approval of societies and sports clubs in Union's Bye Laws and Activity Groups Policy.
 - 4.1.4. Huddersfield Students' Union has a responsibility to ensure that events, societies, and sports clubs are free from hate, discrimination, harassment, victimisation, or any other illegal activity. The Students' Union must also prohibit any activity or event that poses a serious risk to the Students' Union as a Charity.

5. Who is responsible for this Policy?

- 5.1. The Students' Union's Board of Trustees appoints the Chief Executive to act on their behalf to ensure compliance with this policy.
- 5.2. Responsibility for ensuring that all events and activities comply with this policy shall rest with the following **Responsible Persons**:
 - 5.2.1. **The CEO** has responsibility to ensure suitable and sufficient policies, procedures, training, and reporting is in place.
 - 5.2.2. **The Senior Leadership Team** have responsibility for the implementation of this policy with those operating and working within areas of their control.
 - 5.2.3. **Departmental Managers** have responsibility for the implementation of this policy at a departmental level, ensuring that external speakers processes are followed by student groups, networks and individual students are checked in line with this policy and associated procedures.
 - 5.2.4. **Students' Union Staff** have the responsibility to carry out external speaker checks, add information to the University log and report any potential issues at the direction of their line manager.
 - 5.2.5. **Student Leaders** have the responsibility for ensuring all events and activities are carried out in accordance this policy.
- 5.3. Although the individuals named above have overall responsibility for activities, every person at the Students' Union has a duty to ensure that this policy is followed.
- 5.4. Any concerns relating to a breach of this policy must be reported to the CEO who will follow up with appropriate actions

6. Code of Practice for Protecting Freedom of Speech

- 6.1. Huddersfield Students' code of practice for upholding freedom of speech:
 - 6.1.1. **Freedom of expression**: Ensure that students have the right to express their opinions, thoughts, and ideas. Establish a balanced approach between free speech and other rights especially if topics are unpopular or controversial.
 - 6.1.2. **Equality of expression**: Ensure that all individuals, regardless of their background, have equal access to platforms for free expression.
 - 6.1.3. **Free from Hate**: Uphold the law preventing hate speech, incitement to violence, or defamation.

- 6.1.4. **Freedom from Censorship:** Avoid unnecessary censorship or restrictions on speech, particularly when it comes to political, social, or artistic expression.
- 6.1.5. **Transparency:** Ensure transparency in decision-making processes related to free speech issues.

7. Events

- 7.1. Huddersfield Students' Union is committed to providing events that facilitate freedom of speech while providing a safe environment for our students and guests.
- 7.2. The Union expects that both speakers and attendees are respectful of the beliefs, values, and options of others.
- 7.3. The Union requires everyone to uphold the law to protect individuals and groups from intimidation, hate, discrimination, and harassment.
- 7.4. For events that involve topics that are controversial or unpopular, the Union shall take steps that are reasonably practicable to ensure compliance with this policy and the safety of speakers and attendees.
- 7.5. All external speakers must be booked in line with the '[External Speakers Procedure](#)' and be sent the '[Briefing for External Speakers](#)' document at the point an invitation to speak is made.

8. Legal Boundaries

- 8.1. Huddersfield Students' Union has responsibility to ensure that speakers and events take place within various pieces of UK legislation.
- 8.2. To maintain the health and safety of all students, staff and visitors we will not allow:
 - 8.2.1. Unlawful direct and indirect discrimination, harassment, and victimisation.
 - 8.2.2. Communication that is threatening, abusive, insulting or intended to harass or distress others.
 - 8.2.3. Communication that targets an individual or group based on their skin colour, race, nationality, ethnicity, religion or belief, gender, sex, sexual orientation, age, disability, marital status or being pregnant.

9. Risk Management

- 9.1. When considering events that include an external speaker any potential risks must be considered in the planning of the event. This will enable the Union to work together with Event Organisers and External Speakers to find mitigations that are reasonably practicable.
- 9.2. The evaluation of these risks should be documented in a risk assessment and are likely to consider:
 - 9.2.1. The health, safety, and welfare of anyone attending.
 - 9.2.2. Reputation risk to the Union, the University or our clubs and societies.
 - 9.2.3. The history of the speaker and any media attention they are likely to receive.
 - 9.2.4. The subject being discussed.
 - 9.2.5. The potential to break any laws in the UK.
 - 9.2.6. The potential to break any Union or University Policies or Procedures.

10. Segregation

- 10.1. Under the Equality Act, any events associated with the Students' Union must be held in such a way to ensure that no one is unfairly discriminated against.

- 10.2. Segregation of an audience at an event will constitute unlawful discrimination unless it is for one of the specifically defined purposes set out below. If the Event Organiser wishes to segregate the audience, they will need to obtain permission from the Students' Union CEO or Deputy CEO and University Secretary in advance of the event.
- 10.3. Permission will only be granted if the segregation is for one of the following reasons:
 - 10.3.1. Sports sessions involving a high degree of physical contact or in sporting competitions where physical strength, stamina or physique are significant factors in determining success or failure;
 - 10.3.2. Positive action measures in order to overcome or minimise a disadvantage faced by a particular group or tackle low participation by a group provided that this is a proportionate means of addressing the disadvantage;
 - 10.3.3. Associations restricted to members who share a particular protected characteristic under the Equality Act; or
 - 10.3.4. Collective religious worship or religious purposes to comply with religious doctrine.
- 10.4. Genuinely voluntary gender segregation does not cause disadvantage and is therefore permissible. To be voluntary, all attendees would need to be at liberty freely to choose where they wished to sit without any direction, whether explicit or merely an implicit expectation.¹
- 10.5. Segregation is not voluntary where any one individual feel that their choice is constrained due to a pressure to conform to separate seating arrangements of any form in the venue, regardless of whether they have been explicitly directed or instructed as to where they can sit.

11. Penalties for Breaching this Policy

- 11.1. If you are concerned that there may be a breach of this policy then you must report it to the CEO, who may seek advice from the University Secretary where appropriate.
- 11.2. Individuals who breach this policy may be subject to the following policies or procedures:
 - 11.2.1. **Students** will be subject to Bye Law 11: Disciplinary Procedure.
 - 11.2.2. **Staff** will be subject to the Staff Disciplinary Policy.

12. Other legislation

- 12.1. Other legislation may also be relevant to whether speech is 'within the law'. This includes:
 - 12.1.1. Malicious Communications Act 1998
 - 12.1.2. Communications Act 2003
 - 12.1.3. Terrorism Act 2006
 - 12.1.4. Equality Act 2010
 - 12.1.5. Public Order Act 2023

¹ <https://www.equalityhumanrights.com/en/publication-download/gender-segregation-events-and-meetings-guidance-universities-and-students>

13. Full Glossary of Terms

Freedom of speech the right of a person to articulate opinions and ideas within the law. This includes both verbal and written communication.

An **event** is any gathering (which would include meetings, events and other activities) conducted, hosted, or sponsored by the Students' Union including those organised or managed by other organisations that is linked with the Students' Union.

The person, society or group who takes responsibility for organising an event will be referred to as the **Event Organiser**.

An **External speaker event** is any event that involves an external speaker addressing a group, including workshops, guest lectures, panel sessions, learning courses, conferences or similar extra-curricular activity. This does not include meetings held in the normal course of the Students' Union administration or management, provided that (with the exception of the external speaker) they are attended exclusively by Trustees or staff of the Union.

An **external speaker** is anyone who is not a member of the University community and who is invited to speak at an event to provide or disseminate their views, ideas or opinions on a given topic. For example, a guest lecturer, member of a discussion panel, those giving religious addresses or prayer leaders would be an external speaker, a trainer who leads a fitness class would not usually be an external speaker.

Office for Students the independent regulator of higher education in England.

Bye Laws rules that are set by the Students' Union that provide specific information on how we approach our operational delivery.

Segregation is where people are separated based on personal characteristics or preferences such as gender, sex, age or belief.

14. External Speakers Procedure

All staff, Student Officers, Sports Club and Society Committee Members or any student organising an activity in connection to the Students' Union must adhere to the Students' Union Freedom of Speech and External Speakers Policy and follow this procedure.

External speakers **must not be invited** to attend an event before they have been authorised by a member of staff as outlined in this procedure.

Step 1 (Student/group/person inviting the speaker):

- You have decided that you'd like to organise an event and would like to invite an external speaker.
- **Before** finding out if they are available or inviting them to an event you will need to complete an [External Speakers Form](#) where you will be asked for details about the speaker and the event.

Step 2 (SU Staff Team):

- Our Staff Team will log your submission and review the information provided. Part of this review shall include a checking assessment on the speaker and any associated organisations they may have.

- The **checking assessment** will require Students' Union staff to complete a web search of both the external speaker, any associated organisations, and the topic, looking at the first three pages and accessing any relevant web addresses given.
- If, after the web search, there are indications that the speaker may break the law the request shall be referred to the Head of Student Experience who will appoint a Responsible Person to conduct a further assessment. This assessment shall then be considered by the Head of Student Experience and President who shall make the decision to either approve, reject or refer the request to the University Secretary for consideration under the Universities Freedom of Speech and External Speakers Policy.
- The staff member shall also consider the potential risks involved with the speaker and event. If the event is categorised as medium or high a full risk assessment will be conducted before the speaker is approved.
- The Students' Union and University reserve the right to impose restrictions or conditions to ensure the health, safety and wellbeing of event attendees is maintained. Such conditions may include (but are not limited to) imposing a cap on the number of attendees, designating a Chair, changing the venue or participant requirements, requiring a balancing view, requiring the speaker's script to be submitted and approved in advance or requiring a police/security presence. If the Event Organiser or external speaker does not agree to any such conditions or restrictions, then the event shall not take place.
- Our staff team will then log the speaker on the University's External Speaker Log.

Step 3 (Student/group/person inviting the speaker):

- Once you have received written confirmation that your speaker has been approved you can send an invitation to your event. When you send the invitation you must also attach a copy of the 'External Speakers Briefing' and make them aware of our expectations of them speaking at an event.
- If your event has required a risk assessment, you will need to share any mitigating measures needed to ensure the event takes place safely.
- If you need to adjust the date of your event due to the speaker's availability, please ensure you keep your Students' Union staff contact up to date.

Step 4 (Student/group/person inviting the speaker):

- Once steps 1-3 are completed you can now start to promote your event across campus making use of both printed and digital materials.
- We recommend adding your event to the Union's website where you can set up a ticket (free or paid), so you know how many people to expect on the day.

15. Briefing for External Speakers

Thank you for agreeing to speak to our students at a Huddersfield Students' Union (HSU) event. This invitation may have come directly from a member of staff at the Union, but also through one of our registered student societies, sports clubs, networks or other students or activities we support.

HSU exists to make student life better by creating communities where our similarities and differences can be not only accepted but celebrated. We are committed to empowering student led events inviting a variety of speakers that enrich extra-curricular development, employability, non-academic development, and debate.

Freedom of speech and academic freedom is protected by law with both HSU and the University have responsibility to ensure it is promoted to students, staff and visiting speakers.

HSU also has a responsibility to ensure that events, societies, and sports clubs are free from hate, discrimination, harassment, victimisation, or any other illegal activity.

HSU also has a legal responsibility to prohibit any activity or event that poses a serious risk to the Students' Union as a Charity.

Our Expectations:

- HSU expects that both speakers and attendees are respectful of the beliefs, values, and options of others.
- HSU requires everyone to uphold the law to protect individuals and groups from intimidation, hate, discrimination, victimisation, and harassment.
- We do not allow communication that is threatening, abusive, insulting or intended to harass or distress others.
- We do not allow communication that negatively targets an individual or group based on their skin colour, race, nationality, ethnicity, religion or belief, gender, sex, sexual orientation, age, disability, marital status or being pregnant.
- For events that involve topics that are controversial or unpopular, HSU shall take steps that are reasonably practicable to ensure compliance with this policy and the safety of speakers and attendees.
- That events are not segregated unless expressed permission is provided by HSU's CEO.
- External Speakers are not permitted to raise or gather funds for any external organisation or cause without expressed permission from HSU.

Our Commitment:

- **Freedom of expression:** Ensure that people have the right to express their opinions, thoughts, and ideas. Establish a balanced approach between free speech and other rights especially if topics are unpopular or controversial.
- **Equality of expression:** Ensure that all individuals, regardless of their background, have equal access to platforms for free expression.
- **Free from Hate:** Uphold the law preventing hate speech, incitement to violence, or defamation.
- **Freedom from Censorship:** Avoid unnecessary censorship or restrictions on speech.
- **Transparency:** Ensure transparency in decision-making processes related to free speech issues.