

UNIVERSITY COMPLIANCE GROUP

Terms of reference

1. Purpose

To have operational oversight of:

- the University's obligations under the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people being drawn into terrorism ("the Prevent duty"); and
- events that do not fall within the scope of the Prevent duty but have been deemed high risk as part of the University's room booking process under the Policy on Speakers and Events.

2. Remit

- To maintain a shared awareness and understanding of the risks of radicalisation within the campus community;
- To ensure that the statutory duty is addressed effectively; and
- To advise the University Secretary on sensitive matters that may arise in relation to Counterterrorism and Security. Examples are:
- deciding what action to take where concerns are raised that a member of the campus community may be being drawn into terrorism or;
- deciding whether to allow a controversial speaker to visit the campus (whether related to counterterrorism and security or not) where such an event has been escalated in accordance with the University's Policy on Speakers and Events, and on what conditions may be appropriate to apply to such an event.

3. Governance

- Under the guidance published by the UK and Scottish government, University Court has responsibility for oversight of the University's implementation of the Prevent duty.
- More broadly, the University has a number of statutory responsibilities in respect of events held under the auspices of the University, including (but not limited to) duties under the Equality Act 2010, health and safety legislation, and to have regard to the need to ensure freedom of expression.
- The Group is chaired by the University Secretary as the officer approved by University Court to lead on the University's Prevent duty. The Group may also consider other external speakers not within the scope of the Prevent duty where events have been escalated through the University's Policy on External Speakers. The Group reports on its work to the University Executive and subsequently University Court on an annual basis.

4. Operation

- The Group meets once a year to review implementation and effectiveness of the University's planning and operations under the Prevent duty.
- The Group is convened at any other time when either:
 - a request is received from a member of the University community to hold an event or invite a speaker and that request has been escalated to the Group in accordance with the Policy on Speakers and Events;
 - a member of the University community has raised concerns that student at the University is being drawn into terrorism.
- Where several such requests are received over a short timeframe, the Group may consider several requests at the same meeting.
- The Group is quorate when at least 4 members are present including the Convenor or their deputy.
- The Group may meet electronically if needed.
- The Secretary will normally take a final decision on the request at the meeting of the Group but may defer a decision where it is deemed necessary to do so.

5. Composition

The Group comprises:

- The University Secretary (Convenor)
- The Assistant Principal (Community Relations)
- The University lead for Equality, Diversity & Inclusion
- The University's representative to the Scottish Higher Education Prevent Working Group (currently the Deputy Secretary, Students)
- The Head of Security (or their nominee)
- Director of Legal Services (or a Solicitor from Legal Services)
- The University Chaplain (or her nominee)

The individual (staff member or student) responsible for organising an event may be invited to attend where this is felt to be appropriate.

6. Assessing the risk of events / speakers

a. Responsibilities and Expectations of Committee Members

All members are expected to recognise the University's profound and long-standing commitment to freedom of thought and expression.

When assessing the risk of events / speakers:

- there should be a presumption in favour of allowing events / speakers, with conditions if necessary, unless there is an overwhelming case that the speaker or event will contravene the

law / the University's statutory duties and no mitigating actions can be imposed.

- all members must help assess the risks of allowing the event to proceed by working to established criteria, which are aligned with the guidance issued by the UK Government at <https://www.gov.uk/government/publications/prevent-duty-guidance/prevent-duty-guidance-for-higher-education-institutions-in-scotland>
- all members must be familiar with the provisions of the University's Policy on Speakers and Events.
- where necessary, the Group may seek further information and/or advice from the individual organising the event, relevant professional bodies, from public sector agencies and organisations, from other Universities or from the University's lawyers, before making a recommendation. This should not involve asking a speaker for an advanced copy of their talk for vetting purposes, other than where an event is being considered under the Prevent duty.
- Notwithstanding the above, the Group should seek to assess and return a decision to the event organiser within two working days of referral of the event to the Group.

b. Consultation and imposing conditions on events

When a potentially controversial or distressing topic or speaker is seeking approval to proceed, the Group should seek to consult with staff and student groups who might wish to organise protests or counter-speech (where such groups are reasonably identifiable) and seek to ensure that assistance is provided to organise these appropriately, safely and peacefully. This consultation should form the basis for guidance on appropriate protesting which should be published in good time in advance of the event in a clear and accessible manner and via staff and student groups.

The Group, having assessed an event / speaker against the established criteria, may recommend that the event may proceed but that certain conditions must be met / restrictions imposed, in order to ensure compliance with the University's statutory obligations.

Where conditions are imposed, these will be communicated in writing to the Event Organiser on behalf of the University Secretary. The Event Organiser must ensure that the conditions are met in full, with support from University professional services groups such as Security where needed, and comply with any reporting requirements that may be imposed in respect of such conditions. Where such conditions are (or in the reasonable opinion of the University are likely to be) breached, this may result in cancellation of the Event and/or disciplinary action.

Examples of conditions that may be imposed on Events are:

1. Where the Group is of the view that the views to be expressed, or likely to be expressed, constitute extremist views that risk drawing people into terrorism or are shared by terrorist groups, then the Group may require that speakers are challenged with opposing views as part of that same event
2. Only University of Edinburgh (UoE) members of staff and/or registered students of UoE may attend.
3. Members of the public may, or may not, be invited or admitted.
4. If guests are to be allowed to attend, only those whose identity is known to the organisers shall be admitted.
5. Admission shall be restricted and controlled by ticket, identity card or both.
6. Special arrangements for the checking of admission shall be instituted.
7. Where appropriate a specified number of stewards shall be provided by the organisers and required to be present throughout the meeting and also whilst the audience is assembling or dispersing.
8. Where appropriate the names and addresses of stewards (including a chief steward) shall be supplied in advance by the organisers for approval by the University Secretary or other designated officer of UoE
9. The cost of these stewards or other services shall be met by the organisers.
10. Certain members of UoE shall be present in order to assist in the maintenance of good order.
11. Any speaker shall enter and leave by specified routes and shall be escorted under specified arrangements.
12. No food or drink, alcoholic or otherwise, or any other items which could be used as/or contain missiles shall be taken into a meeting and UoE security staff and/or stewards will be instructed to remove any such items prior to entry to the meeting or function.
13. No banners, flags, placards or similar items shall be brought into the building or used anywhere on the premises in circumstances likely to lead to injury or damage or cause a breach of the peace.
14. The admission of representatives of the press, radio or television shall be subject to prior approval by the University Secretary or be subject to any restrictions which may be specified.
15. The chair and/or organiser shall be made aware of a personal duty to ensure that no speaker or other person present at a meeting or function should infringe the law and, if in the opinion of the chair, such conduct continues after a warning, the chair has a duty to close the meeting.
16. The chair shall be instructed in advance by the organisers about their duty to decide whether a meeting or function should be terminated, and about procedures for requesting the police to be summoned in case of breach of the peace or a criminal act, or threat of either occurrence.

17. Stewards provided by the organisers shall be briefed by the organisers about their duties and responsibilities including being made familiar with local fire and emergency procedures.
18. Such other instructions as may be given about the conduct of a meeting or function or the conditions in which it may be held.

Where any such conditions or restrictions are imposed, it is the duty of the event organiser to ensure they are complied with, and the Group may adopt any such monitoring provisions of conditions or restrictions as they deem appropriate.

c. Right of appeal

Event Organisers may appeal to the Principal against a decision to not let an event proceed within ten working days of such decision being intimated to the Event Organiser (but may not appeal the imposition of any conditions). In such cases, the Principal's decision will be final.

7. Students who may be at risk of being drawn into terrorism

Where staff involved in supporting a student have concerns that the student may be being drawn into terrorism, they should discuss those concerns with an appropriately trained senior manager, who will be able to advise further on whether the case should be passed to the University Secretary. Where cases are passed to the Secretary, she will convene a meeting of the Group to discuss the case further and agree what actions to take.

The Group shall also be provided with Guidelines to use when considering such cases.

If it is decided that information on the student is to be shared, the Group must record:

- What information was shared and for what purpose
- Who it was shared with
- When it was shared
- Its justification for sharing
- Whether the information was shared with or without consent

8. Records in relation to the Prevent duty

All recommendations made by the Group in relation to its Prevent duty will be recorded, together with a summary of the reasons given. An annual report on numbers and types of recommendation made will be submitted by the Secretary to the Group to University Court as part of the University's annual statement on compliance with the Counter Terrorism and Security Act 2015.