

“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”).

2. Remit

1. To maintain a shared awareness and understanding of the risks of radicalisation within the campus community;
2. To ensure that the statutory duty is addressed effectively; and
3. To advise the University Secretary on sensitive matters that may arise in relation to Counter-Terrorism 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, and on what conditions or;

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.
- The Compliance Group is chaired by the University Secretary as the officer approved by University Court to lead on the University’s Prevent duty. The Group reports on its work to the University’s Central Management Group 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 where it is believed that there a significant risk that the speaker or event may break the law, breach the University’s statutory duties and/or will pose a demonstrable and significant risk to the wellbeing of students, staff or visitors. Such request will normally be sent to the Group by the Head of the Timetabling Unit, the Head of Edinburgh First or EUSA or
 - 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 University Secretary (Convenor)
- The Assistant Principal (Community Relations) – Professor Lesley McAra
- The University’s representative to the Scottish Higher Education Prevent Working Group (currently the Deputy Secretary, Students) (Secretary)
- University Lead for Equality, Diversity & Inclusion
- The Head of Security (or their nominee)
- The 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 Universities UK on External Speakers in HEI’s.* These are set out in Appendix A and may be revised from time to time in light of changes to the University’s statutory obligations.
- 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.
- Notwithstanding the above, the Group should seek to assess and return a decision to the event organiser within 48 hours.

b. Imposing conditions on events

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.

c. Right of appeal

Event organisers may appeal to the Principal against a decision to not let an event proceed. In such cases, the Event Organiser may make an appeal against that decision to the University Principal. 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 University Compliance Group to discuss the case further and agree what actions to take.

Guidelines for the Group to use when considering such cases are attached as Appendix B.

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

All recommendations made by the University Compliance Group 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.

*<http://www.universitiesuk.ac.uk/highereducation/Documents/2013/ExternalSpeakersInHigherEducationInstitutions.pdf>

Approved by: Central Management Group

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Further information: Lucy Evans, Deputy Secretary, Students
lucy.evans@ed.ac.uk