



# External Speaker Code of Conduct

## London Campus

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## 1) Introduction

The External Speaker Code of Conduct exists to ensure that all speakers taking part in an ESCP Business School hosted or run event or activity, on campus, on line or elsewhere, act in accordance with ESCP Business School's External Speaker Policy.

This code ensures that external speakers at our institution adhere to our values and legal obligations. This policy aligns with OfS Condition E1 by upholding the principles of public interest governance and freedom of speech.

It is the responsibility of the event or activity organiser (the individual from within ESCP Business School e.g. member of staff named in the External Speaker form submission) to ensure that:

- this Code of Conduct is communicated to all external speakers (once approved and confirmed via the External Speaker Booking Process)
- all reasonable steps are taken to ensure that the requirements within it are upheld during the running of the event or activity.

## 2) Freedom of speech

Freedom of speech is fundamental to a Higher Education institution. The Education Act (No 2) 1986 requires ESCP Business School to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for its employees, students and visiting speakers. The Board of ESCP Business School therefore requires all employees and students of ESCP Business School to tolerate and protect the expression of opinions within the law whether or not these opinions are repugnant to them

However, whilst the law promotes and protects freedom of speech, it also places limits on those freedoms in order to maintain public order and safety and to ensure that there is no breach of the law. ESCP Business School recognises that in this context a conflict exists between the laws which promote freedom of speech and those which restrict it and consequently acknowledges that it has a legal responsibility to create a balance between minimising the possibility that extremism or unlawful conduct will arise on campus and ensuring that it meets its legal obligations in relation to securing freedom of speech.

## 3) Legal Context

Higher Education Institutions operate in a complex legal environment and so it is vital that all individuals involved in the external speaker process, including the speakers themselves, understand the legal framework and context that governs this area.

Examples of some of the relevant areas of law are given below.

- *Private Rights* – People are entitled to protection from harassment, defamation and unlawful breach of their human rights, as well as from unfair treatment under equality law. Health and safety law, data-protection and contract law may also be relevant in this context.



- *Criminal Law* – Hate crimes, harassment, breach of the peace and terrorism all come under criminal law. There is also legislation around public meetings, public processions/assemblies and public order which may be of relevance.
- *Public law* – Freedom of Speech and some duties under the Equality Act are captured under public law.

#### **4) Conduct**

ESCP Business School expects external speakers to act in accordance with the law and not to breach the lawful rights of others. Set out below are some examples of ESCP Business School's expectations. Please note that this is not intended to be an exhaustive list of unacceptable conduct by external speakers. ESCP Business School reserves the right to not permit an external speaker to speak at or attend an event, to refuse to permit an event and/or to halt an event at any time if it reasonably considers there may be a breach of the External Speaker Policy or of any legal obligation.

#### **During the course of the event at which he or she participates, no speaker shall:**

- Act in breach of the criminal law.
- Incite hatred or violence or any breach of the criminal law.
- Encourage or promote any acts of terrorism or promote individuals, groups or organisations that support terrorism.
- Spread hatred and intolerance.
- Discriminate against or harass any person or group on the grounds of their sex, race, nationality, ethnicity, disability, religious or other similar belief, sexual orientation or age.
- Defame any person or organisation.
- Raise or gather funds for any external organisation or cause without express permission of ESCP Business School

#### **During the course of the event at which he or she participates, all speakers shall:**

- Comply with ESCP Business School's External Speaker Policy.
- Present ideas and opinions, in particular those that may be contentious or potentially offensive, in the spirit of academic debate, being open to challenge and question.
- Follow School's policy on and instructions relating to health and safety.