

THE COUNCIL



There will be a meeting of the Council at **9.30am** on Tuesday 27 November 2018 in Committee Room 2, The Council House.

There will be refreshments available outside the room from 9.15am.

Chief Resource Office and University Secretary
20 November 2018

AGENDA

1. BUSINESS OF THE AGENDA

Items in Section A are for discussion and action by the Council. Items in Section B contain routine recommendations which will be deemed to have been approved at the meeting unless members of the Council ask for them to be discussed. Items in Section C are for information only. Any member of the Council may ask for an item from Section B or Section C to be moved to Section A by contacting the Secretary before 5pm on Thursday 22 November 2018. Reserved items appear in Section D.

These Items can be found on the Committee's Blackboard site.

- Go to the UEA Portal site (<https://portal.uea.ac.uk/>) and log in
- Click on the Blackboard tab
- Then find the Council Committee Blackboard site listed under My Organisations and look at the Meeting Papers folder for the relevant meeting.

The open items can be found online at the Committee Office website at
<https://portal.uea.ac.uk/committee-office/uea-committees-and-boards/council>

2. MINUTES

To confirm
the minutes of the meeting held on 8 October 2018 (**PAGE 1**)

3. STATEMENTS BY THE CHAIR

(1) May meeting of Council: amending to a Strategy Conference

4. STATEMENTS BY THE VICE-CHANCELLOR

5. DECLARATIONS OF CONFLICTS OF INTEREST (IF ANY)

6. COMMITTEE MEETINGS HELD SINCE THE LAST COUNCIL MEETING

The following meetings of Committee meetings have taken place since the last Council meeting:

1. Governance Committee 8th October 2018
 2. Sainsbury Centre Board 8th October 2018
 3. Equality and Diversity Committee 30th October 2018
 4. Audit Committee 5th November 2018
 5. Finance Committee 5th November 2018
 6. Senate 7th November 2018
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SECTION A: ITEMS FOR DISCUSSION AND ACTION

Please look under 1. Business of the Agenda for details of how to view these documents.

A1. SENATE

To receive
a verbal report from the Vice-Chancellor following the last meeting of Senate.

*A2. AUDIT COMMITTEE

To consider
the confidential Annual Report of the Committee. Appendix C of this document is the document at item A4 (2) below. COU18D011 (**PAGE 9**)

*A3. FINANCE COMMITTEE

To receive
a confidential report from the Finance Committee meeting which took place on 5 November 2018. COU18D012 (**PAGE 85**)

*A4. FINANCIAL STATEMENTS

To report
that the Audit Committee and Finance Committee met jointly (5th November 2018) to consider:

- (a) the Financial Statements 2017-18; and
- (b) the confidential Auditors' report on the financial statements including the Auditors' assessment of independence

To consider
a recommendation from the Audit Committee and Finance Committee

- (1) that the Financial Statements, subject to any late amendments that will be highlighted before signing, for the year ended 31 July 2018 be approved. The approved financial statements will be presented to Court, submitted to the Office for Students and published on the University's website.
- (2) that the letter of representation concerning the University's compliance with relevant laws and regulations be approved.

The following confidential documents are provided in support of the above:

- (1) Draft financial statements. COU18D013 (**PAGE 87**)
- (2) Report to Council on the consolidated financial statements produced by the auditors (KPMG) together with management responses. The Letter of Representation concerning the University's compliance with relevant laws and regulations is included as appendix 8 of this document. This document is also Appendix C of item A2.
- (3) The Auditors' assessment of their independence. COU18D014 (**PAGE 135**)

*A5. FINANCIAL FORECASTS AND INSTITUTIONAL SUSTAINABILITY

To consider

a confidential report from the Director of Finance which incorporates summary financial forecasts updated to reflect the 2017/18 outturn. The outturn for 2017/18 and the current year forecast will then be submitted to the Office for Students. This paper also incorporates the financial factors affecting institutional sustainability. COU18D015 (**PAGE 141**)

*A6. ANNUAL ACCOUNTABILITY RETURN

To consider

the confidential annual Accountability Return incorporating:

- (a) The Annual Assurance Return including the report on quality assurance from the Director of Student and Academic Services COU18D016 (**PAGE 155**)
- (b) Signed audited financial statements [item A3]
- (c) Audit Committee's annual report [item A1]
- (d) The external auditor's management letter and the provider's response to this [item A3 and referenced in item A1]
- (e) The internal auditor's annual report [item A1]
- (f) Financial commentary [item A4]
- (g) Annual sustainability assessment [item A4]

Recipients are invited:

To consider a report and action plan relating to the continuous improvement of the student academic experience and student outcomes in 2017/18, including evidence from our internal quality assurance processes which involve students and include embedded external peer review or professional review.

To confirm

- i) that for the 2017/18 academic year that the methodologies used as a basis to improve the student academic experience and student outcomes are robust and appropriate, to the best of your knowledge;
- ii) that the standards of awards for which the University is responsible have been appropriately set and maintained.

A7. PREVENT DUTY

To receive

the annual report to the Office for Students on the implementation of the Prevent Duty. COU18D017 (**PAGE 189**)

To confirm

the declarations to be made by the Chair of Council on behalf of Council.

A8. RISK MANAGEMENT

To report
that Audit Committee and Executive Team – Plus have considered the University's updated risk register.

To approve
the current high level risk register. COU18D018 (**PAGE 225**) – *Please note that the appendices have been printed separately to the combined pack.*

***A9. GOVERNANCE COMMITTEE**

To consider
a confidential report from the Governance Committee. COU18D019 (**PAGE 227**)

SECTION B: ITEMS WHICH CONTAIN RECOMMENDATIONS BUT WHERE NO DEBATE IS ANTICIPATED

Please look under 1. Business of the Agenda for details of how to view these documents.

B1. DUE DILLIGENCE POLICY

To approve
the revised Due Diligence Policy. This is recommended by ET and was considered at their meeting on 12 November 2018. COU18D020 (**PAGE 229**)

B2. UEA RESEARCH INTEGRITY REPORT 2017/18

To report
that at its meeting on 7th November 2018 Senate considered a report summarising activities undertaken to support and strengthen understanding and application of research integrity issues in the period 1st August 2016 to 31st July 2017 (SEN18D009). At that meeting Senate resolved to give assurance to Council on the activities undertaken to support and strengthen understanding and application of research integrity issues across UEA; that the processes in place for dealing with allegations of misconduct in research are transparent, robust and fair and continue to be appropriate for UEA's needs; and that the very small number of formal investigations of research misconduct undertaken mean that it is not possible to identify any trends and further analysis is not warranted.

SECTION C: ITEMS FOR REPORT

Please look under 1. Business of the Agenda for details of how to view these documents.

C1. ITEMS FOR REPORT

To receive
the following Items for Report. COU18D021 (**PAGE 241**)

(1) Sealings

C2. DATES OF MEETINGS

To report

(1) that the date of the next Council meeting is Monday 28 January 2019 at 9.30am.

(2) that the dates of future Council meetings are:

Monday 11 March 2019 - 9.30am

Monday 13 May 2019 - 9.30am [It is proposed that this will be a Council Strategy Conference and is planned to be a full day meeting.]

Monday 24 June 2019 - 9.30am

SECTION D: RESERVED AGENDA

Please look under 1. Business of the Agenda for details of how to view these documents.

No items have been received

THE COUNCIL



Minutes of the meeting held on 8 October 2018

Present: The Chair of the Council (Mr J. Greenwell), the Vice-Chancellor (Professor D. Richardson), the Pro Vice-Chancellor (Professor F. Lettice), the Deputy Vice-Chancellor (Professor N. Ward), Independent Members (Mr S. Blease, Mr J. Clayton, Mr G Jones, Dr K Skoyles and Dr W. Thomson), Members appointed by the Senate (Dr L. Bohn and Professor N Boodhoo), Member appointed by the Support Staff (Mrs D. Mailey) and the Student Representatives (Ms S. Atherton and Mr O. Gray)

With: The Chief Resource Officer and University Secretary (Mr I. Callaghan), the Chief Operating Officer (Mrs J. Baxter), the Interim Director of Finance, (Mr J. Brown), the Assistant Registrar (Ms L. Williams) and the Head of Corporate Communications (Mr A. Stronach).

In attendance: The Pro-Vice-Chancellors of Faculty (Professor S. Barrow, Professor F. Bowen, Professor D. Edwards and Professor P Gilmartin)

Apologies: The Treasurer (Mr M. Williams), Mr M. Davies, Miss G. Maclean and Ms L. McGillivray.

1. MINUTES

Confirmed

the minutes of the meeting held on 25 June 2018. The following additional points were noted:

- On Minute 72c it was noted that CRO would send the DataHE report to Mr Clayton.
- On Minutes 75 Estates Deep Dive, it was noted that Dir EST would share the Estates management report with COO/CRO for possible further circulation.
- On Minute 82 UEA Students Union, it was confirmed that further resource to support the conversion of the SU Shop had been agreed.
- On Minute 78 Blackdale Residences, in response to a question from Sophie Atherton, CRO confirmed that whilst the residences would indeed be broadly similar in terms of residential experience, the offer would tend to be higher end.

3. CHAIR'S ACTION

There were no actions taken by the Chair since the last meeting. However, the sub-group of the Finance Committee and the Chair of Council confirmed and executed the long-term finance arrangements in line with the resolution at the last meeting of Council.

4. STATEMENTS BY THE CHAIR

The Chair congratulated all staff involved in the latest recruitment round for delivering within 2.4% of the admissions target.

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5. STATEMENTS BY THE VICE-CHANCELLOR

The VC thanked all colleagues involved in admissions and clearing for their hard work and the successful outcome. Whilst recruitment had been challenging in some areas, UEA had largely made its target overall. Plans were now being developed in all Faculties to enable the university to secure more firm offer holders and place a lesser reliance on clearing with the aim being to deliver the best tariff possible.

The relative weakness of international to Home/EU numbers was noted and discussed. Mitigating activities were underway in terms of international numbers including joint provision and 2+2 degrees. There would be further work with INTO and by the International Office. Also the international strategy was being refreshed.

The impact of the move to students in all areas of Health Sciences paying standard tuition fees (rather than being NHS funded) was acknowledged particularly in respect of the mature student market. The University continues to actively explore apprenticeship programmes alongside traditional recruitment. The Nursing Associateship programme delivered in conjunction with City College Norwich is an excellent example of this approach.

Dr Bohn noted that UEA had just welcomed its largest ever cohort of students onto campus and she was interested to know about the impact upon student experience. PVC-ACAD provided reassurance that this had been planned for via the Student Experience Committee which had put in place a strategy for 2017-18 and beyond and this was working effectively.

VC reported that the Migration Advisory Committee report had now been published but had not provided much reassurance to universities. Competitor countries had a much more compelling post-study offer, which remained a concern.

*6. VICE-CHANCELLOR'S REPORT

Received

the Vice-Chancellor's report to Council and to reflect upon specific items of interest. (A copy is filed in the Minute Book, ref. COU18D001)

*7. STUDENT NUMBERS AND FINANCES

Received

a confidential report on recruitment for 2018/19 and the financial impact. (A copy is filed in the Minute Book, ref. COU18D002)

*8. KEY PERFORMANCE MEASURES

Considered

a confidential report providing a summary of key league table information. (A copy is filed in the Minute Book, ref. COU18D003)

The VC drew Council's attention to the fact that UEA had drawn down major financing to enable a significant investment in the Lasdun Wall; and at the same time had

maintained a Top 15 domestic ranking and a Top 200 international ranking. Whilst the NSS outcome was disappointing, the VC outlined the NSS table that showed the potential impact of strike action upon satisfaction levels. VC outlined plans to improve student satisfaction in future including work on the transition into Higher Education and the development of a Week 0/transitions week for incoming students. Oli Gray and Sophie Atherton indicated their support for a Week 0 and their wish to work with the university on this project.

The new social inclusion measure was noted – and the fact that UEA had come top of the Top 20 universities in this ranking. UEA was also a finalist in THE's "Unsung Heroes" category. PVC ACAD reported upon UEA's relative performance amongst peers and the Group of 6. The importance of the Aurora partnership was noted in terms of helping UEA to co-promote the reputation of the partners, who were all highly cited but low-ranking in league tables in terms of reputation.

On international rankings it was noted that UEA's 190th place had been boosted by the inclusion of the Sainsbury Laboratory and the Quadram Institute. As a result of new governance arrangements, their citations were now reported through UEA which enabled the power of the Institutes and the NRP relationships to be properly captured. Similar conversations with the Earlham Institute and JIC were planned, though the latter in particular would take time.

It was noted that the Chief Operating Officer was working with colleagues on a refresh of UEA's international strategy, with a view to making targeted improvements to UEA's reputation internationally. ARM were developing "super-narratives" which would help UEA tell its story to a wider audience of regional, national and international stakeholders. The importance of the NRP as part of UEA and the region's story was noted. The value of UEA's collaborations would be highlighted as a key part of the next UEA Plan.

*9 PAY AND PENSIONS

Noted

that the Joint Expert Panel has now published their first report. The report and executive summary are available at: <http://www.ussjep.org.uk/>

UUK had invited comments in response to the JEP from members. The Draft UEA response was considered. Noted that the UEA position on risk had altered. On balance, the proposed UEA position was to support the JEP proposals. There were concerns over the affordability of the employers' contribution. There was also concern about the potential impact of trigger payments (should they fall due) on the University's banking covenants.

Graham Jones indicated that there was no guarantee under the current proposals that the deficit situation would improve. He had further detailed points on risk and asset growth which he would put in writing to CRO for possible inclusion in the UEA response to the consultation.

Stephen Blease outlined that the likely additional £2m cost for UEA coupled with a decline in student numbers would not make delivering the UEA Plan any easier. We

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would need to plan conservatively in future, even though the demographic dip was going to improve and the sector as a whole was very strong.

Kathryn Skoyles highlighted her concerns about the role of USS governance in terms of the disruption to the sector. CRO would consider adding something in the draft to this effect.

ACTION: CRO to finalise response to consultation and send to Chair of Council for information.

Considered

a verbal report from the Vice-Chancellor with respect to the current position on pay and pensions.

Noted

that the 2-2.8% pay offer had been rejected by UCU and Unison. A ballot had been opened for industrial action. Noted that UEA's ability to negotiate a deal with the trade unions was limited due to collective bargaining. UCU nationally were asking for 7%.

The SU representatives indicated that traditionally the SU would support UCU action.

*10. LONG TERM FINANCE

Noted

that at the meeting on 25 June Council resolved to enter into a long-term finance contract and delegated authority to the Finance Committee acting with the Chair of Council to review and execute the final transaction.

Reported

that the long-term finance documentation was executed on 28 September 2018 and the University financial re-structure has now completed.

The final position on completion of the transaction on 28 September 2018 was outlined.

The Chair of Council wished to put Council's thanks on record to the Chief Resource Officer, Acting Director of Finance, the professional advisers from KPMG, the Treasurer Mark Williams and the members of Finance Committee for shepherding this process to a successful conclusion.

*11. FINANCE COMMITTEE

Received

a report from the Finance Committee from its meetings on 17 September 2018 and meeting of the Financing Sub Group on 25 September 2018. (A copy is filed in the Minute Book, ref. COU18D004)

12. ANNUAL REPORT: EQUALITY & DIVERSITY COMMITTEE

Received

a presentation and annual report from the Equality & Diversity Committee to Council. (A copy is filed in the Minute Book, ref. COU18D005)

Noted that senior staff would be trained in Unconscious Bias at the forthcoming Policy half day in November. Agreed that Council members could also attend if wished. CRO would circulate further details. **ACTION: CRO**

The range of work supported by the Equality team was noted. The issue of adequate resourcing was discussed. Noted that in order to support the data collection for the Race Equality Charter work, some additional resource would be needed. CRO had identified possible sources of funding.

The need to tangibly impact upon outcomes and experiences in all areas of Equality work was noted, not just in the areas of compliance. COO and CRO would be joining the Athena Swan Steering group on behalf of Professional services, which it was hoped would help to improve outcomes.

Council offered their full support for UEA signing up to the Race Equality Charter and undertaking the related work. Signing would be organised at an appropriate meeting or event.

*13. HEALTH & SAFETY REPORT TO COUNCIL

This minute is confidential and attached as a separate sheet.

14. REVIEW OF SENATE EFFECTIVENESS

Considered

a report from the Senate Effectiveness Review Group. (A copy is filed in the Minute Book, ref. COU18D007).

Council noted the detailed work that had gone into undertaking the review and thanked the parties concerned. On the specific point of membership (notably whether Heads of Schools should be added to the membership) Council considered the various arguments put forward which included:

- The impact on the size of Senate
- The role of Heads of Schools as “drivers and influencers of change and performance”
- The diversity of Senate
- The potential for conflict of interest between Senate’s role in maintaining and improving performance and Heads of Schools’ responsibility for delivering the academic mission of the University.

On balance, it was agreed that the primary driver for adding Heads of Schools to Senate was one of communication and that there were alternative methods to deliver this – this should be the subject of Faculty Executive meetings receiving feedback from

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Faculty PVC's for example. On that basis, it was confirmed that the need for communication to and from Senate would be emphasised and additional communication methods considered in conjunction with the Director of Communications. A review would take place in two years.

ACTION: CRO

15. COUNCIL: TERMS OF REFERENCE AND MEMBERSHIP 2018-19 AND RESERVED AREAS OF BUSINESS AND CONFIDENTIALITY

Received

the terms of reference and membership of the Committee 2018-19. (A copy is filed in the Minute Book, ref. COU18D008).

16. ITEMS FOR REPORT

Received

the following Items for Report. (A copy is filed in the Minute Book, ref. COU18D009).

(1) Sealings

17. DATES OF MEETINGS

Reported

that the dates of future Council meetings were:

Tuesday 27 November 2018 (during CSC) (all day meeting)
Monday 28 February 2019 - 9.30am – 2pm
Monday 11 March 2019 - 9.30am – 2pm
Monday 13 May 2019 (anticipated to be an all day CSC meeting)
Monday 24 June 2019 - 9.30am – 2pm

****18. SENIOR OFFICERS' REMUNERATION COMMITTEE**

This minute is confidential and reserved and attached as a separate sheet.

COU18D017

Title: *Prevent – report to Council*
Author: Ian Callaghan, Chief Resource Officer and University Secretary
Date: 15 November 2018
Circulation: Council
Agenda: COU18A002
Version: Final
Status: Open

Issue

The Prevent accountability and data return (ADR) is due to be submitted to the Office for Students by 3 December 2018. This report is provided to support members of Council in reaching a decision to confirm signature of the return on behalf of Council.

Recommendation

Council members are requested to read this report in order to satisfy themselves that the Prevent duty is being appropriately followed at UEA and authorise the Chair of Council to sign the accountability return on behalf of the University.

Resource Implications

There are no additional resource implications arising from this report.

Risk Implications

The University has an obligation to meet the Prevent duty and to provide sufficient information to enable the Office for Students to be satisfied that this duty is being met and that all appropriate risks are being managed appropriately.

Equality and Diversity

The Prevent duty has been controversial nationally in terms of the balance between the duty placed on public sector organisations, freedom of speech and the potential impact upon different groups. This has not been a major issue for UEA to date but will be kept under review.

Timing of decisions

This report will be considered by ET on 19 November 2018 and presented to Council on 27 November 2018, prior to submission of the accountability return to OfS by 3 December 2018.

Further Information

Further information is available from Mr Ian Callaghan (i.callaghan@uea.ac.uk) and Ms Lisa Williams (lisa.williams@uea.ac.uk).

Background

A new framework for monitoring compliance with the Prevent duty in higher education in England has been introduced this year as the responsibility for monitoring passed from HEFCE to the OfS. The new monitoring process focuses on data and accountability mechanisms and replaces the previous annual report. The ADR provides the OfS with a high-level assurance that core areas of the duty – speakers, events, welfare and training – continue to be actively implemented by providers. This report aims to provide Council with the information and the confidence to sign off the ADR.

In terms of Prevent more generally, it is important to remember that the Prevent Duty covers all areas of potential radicalisation and is not limited to any specific area as may sometimes be portrayed.

Discussion

The OfS advise that while it is for each provider to determine how best they assure themselves that their institution has demonstrated due regard to the Prevent duty and they are able to sign the declarations to OfS satisfactorily, the prompts below may guide how governing bodies can gain the necessary assurance. In this report each of the prompts has been addressed in turn:

1. How have Prevent-related policies or processes been monitored e.g. relating to external speakers, welfare or safeguarding processes, and is there assurance that they are effective?

Policies for approving external speakers and events on campus are well established and in line with other University policies – i.e. Code of Conduct for Freedom of Speech (attached at Appendix 6). These continue to be relevant and reflect the Prevent guidance. Further adaptations to our Room Booking process are currently being investigated with the aim of distinguishing between events that support formal teaching events from other events at the time a booking is made. Progress will be monitored during the remainder of the academic year.

The Prevent sub-group has met regularly (two to three times per annum) to deal with all Prevent-related matters and risks. Membership is currently:

- Chief Resource Officer and University Secretary (Chair)
- Director of Student Services
- Head of Student Services
- Head of Campus Support
- Chief of Staff, UEA Students Union

- Director of ITCS
- Assistant Registrar, VCO.

These meetings have also been supported by external attendees such as the Regional Prevent Co-ordinator.

2. Have you been provided with appropriate information and evidence that the provider is demonstrating due regard through relevant reports, updates etc.?

Council is provided with this annual report, the updated risk assessment and relevant additional information on Prevent which this year included a presentation from the Director of Student Services on the work of their service (including Prevent).

3. Have staff assured you that the risk assessment has been reviewed in the past 12 months, and outlined any material changes of risk (and mitigations in response)?

The Prevent risk assessment is revised annually and an updated version is attached. The section of the risk assessment that deals with room bookings (and the subsequent identification of external speakers, has been updated to reflect the growth in the volume of requests being received. This has resulted in the aim to streamline the process by identifying those that are directly supporting academic activity and those that are organized by individuals, clubs or societies.

4. Have staff reported any serious incidents; and if so, have you been assured by how the provider has acted, including responses to any lessons learned? Equally, have you been notified of any near misses, and again, been assured that any lessons learned have been acted upon?

As indicated in the data return, there have been no serious incidents and no cases where escalation of Prevent or welfare cases has been required. There have also been no near misses. We are confident that we have the escalation processes in place to identify where such cases might occur. The incident management flow-chart is shown as Appendix 2.

An important part of this process is the monitoring of students' welfare and behaviour by Residential Wardens for students living in University accommodation on campus. All first year students, including those studying Masters degrees, are offered University accommodation, and some rooms are offered to students, with particular needs, who are not first years. Wardens are normally postgraduate students or undergraduate students in later years of their courses.

The Wardens work closely with Student Support Advisers to deliver high quality advice, guidance and support to resident students and to facilitate the development of a well-integrated residential community. Wardens are the first point of contact for resident students and operate outside of the Student Support Centre's opening hours. All Wardens receive comprehensive training, each year, which includes Safeguarding and WRAP training.

As part of their duties, Wardens are required to write a detailed report for every incident that they are involved in. Incident reports (from Security and/or Wardens) are monitored daily by the Student Support Service (SSS) advisers and

appropriate action is taken where necessary. The Wardens have regular team meetings throughout the year with SSS advisers where cases are discussed and any areas of concern or where due process may not have been followed are identified and addressed immediately.

Although there is not the equivalent Warden system for students living off-campus, there are clear escalation routes for students and for the general public who want to report incidents or raise concerns regarding the conduct and behaviour of UEA students living in the local community. The Student Life Manager overseen by the Assistant Head of Life and Learning, in the Student Support Service, manages off-campus complaints and concerns.

Between 1 August 2017 and 31 July 2018, the Student Support Service received 689 reports from Wardens relating to health and wellbeing incidents. (It should be noted this number does not relate to separate incidents as there are sometimes multiple reports about one particular issue.)

Both the daily reports and the regular Warden team meetings evidence that welfare and safeguarding processes as well as Prevent duties are being correctly followed. If, on review, concerns are raised about how an incident was managed the relevant Warden(s) are met with immediately and further training is provided as appropriate.

Off-campus incidents are internally managed by Security and Student Support staff who are appropriately trained. SSS Advisers receive regular supervision with their line managers and they are required to attend case management meetings which are facilitated by senior managers.

A further important development at UEA this year has been the broadening of the representation of faiths within the Multifaith Centre by the appointment of a Muslim Chaplain, who will work more closely with the university, student services and the wider Chaplaincy team to provide specific support for Muslim students.

The University's Fitness for Study process is an escalation route for welfare cases (appendix 5). Although currently we do not keep a central record of the number of students that are referred into this process, we will endeavour to centrally record the numbers and the outcomes of the process in the future.

5. Have you been assured that Prevent has been implemented in a proportionate and risk-based manner, including considering the duty alongside other statutory obligations e.g. freedom of speech?

The area where this is most visible is in speaker events. No speaker events have been "banned" or prevented from going ahead. Where sensitive or controversial issues may be raised or discussed and any risks are identified in terms of content or speakers invited for events, mitigating steps are taken to ensure that the event can safely go ahead, in line with the University's Freedom of speech policy (provided as Appendix 6). Appendix 5 provides an analysis of external speaker events and a prior year comparison. Appendix 4 provides the Students Union's own external speaker policy. The University and Students Union work together closely in managing risks around external speakers, balanced with the university's Freedom of speech policy.

6. Is there visible and demonstrable ownership of Prevent at a senior level at the provider?

The Chief Resource Officer serves as Prevent Lead for UEA (a role formally held by the Registrar and Secretary). Since taking on this role, the Chief Resource Officer has attended a specific Association of Heads of University Administration (AHUA) event at which Prevent was discussed in detail. Day to day responsibility for particular areas falls to the various members of the UEA Prevent Group (or colleagues in their teams). The annual Prevent report is considered by both the Executive Team and UEA Council prior to submission to OfS.

7. Are you assured that staff have received sufficient training and awareness raising to implement Prevent effectively?

The University currently provides two levels of training:

1. Face-to-face WRAP (Workshop to Raise Awareness of Prevent) training

Staff working in particular departments, such as the Student Support Service, Security, Equality and Diversity, Senior Academic Advisers, Residential Wardens and Safeguarding Leads are required to attend this training. Attendance is monitored and recorded by the University's designated Prevent trainer.

Number of attendees between 1 August 2017 and 31 July 2018: 22 staff.

2. Safeguarding under Prevent

This on-line course is targeted at the wider community of staff, such as Academic Advisers, Learning and Teaching teams, Heads of Schools, Executive Team, Estates and Communication teams. Engagement is monitored and recorded by the University's designated Prevent trainer.

Number of staff who completed the on-line module between 1 August 2017 and 31 July 2018: 65.

• Improvements to training and provision in the future

The numbers of staff trained in each of the categories above is small. However, it should be noted that the training is not an annual requirement. During 2018/19 we will further consider the groups of staff who should receive the training as a mandatory part of their role. The following actions are being taken/proposed:

- From 1st August 2018, WRAP training has been included in all staff inductions within Student Services and Security.
- Prevent refresher training will be included in Student Service's annual staff development programme.
- Prevent training will be included in the annual training programme for new Academic Advisers.
- Prevent training will be included in the 3-year refresher training for existing Academic Advisers.
- Information regarding training will be included in the annual Prevent email from the Chief Resource Officer to Heads of Schools and Directors.
- Mandatory training is currently being discussed at senior level within the University.

- This year it has been agreed to make available the Blackboard training to all staff. As part of the mandatory training discussion we will confirm the extent to which this is mandatory or optional for specific categories of staff.

8. Has the provider continued to work in partnership with its Prevent partners, including statutory agencies and students?

UEA has developed good working relationships with all relevant partners.

The Head of Student Services (Life and Learning) is a member of the Regional Higher Education Prevent Forum and of the Community Relations Equality Board. She also has a good working relationship with the Chair of the local Channel panel and meets regularly with local representatives of Special Branch, the HE Prevent Coordinator (East of England) and the Prevent Officer from the Eastern Region Special Operations Unit. She attends weekly disciplinary review meetings, with members of staff from the University's Student Services, Accommodation, Security and the designated Disciplinary Officers and monthly Community Safety meetings which have a group membership of representatives from UEA and external partners, including the police and County Council members. All of these meetings give staff an opportunity to discuss cases, raise questions regarding processes, practices and escalation routes, seek wider clarification on duties and decide on effective methods for training staff. Information is also shared about the current threats both in the county, region and the country.

UEA now hosts the regional FE/HE Prevent forum alongside HE members from NUA, Suffolk and Cambridge universities. The Chief Resource Officer has recently joined the Norfolk Safeguarding Adults Board and has made contact with local Special Branch contacts.

The Head of Campus Support is also in regular contact with Special Branch and wider UK Police agencies as well as being the South-East Regional Chair for AUCSO at which there are regular Prevent updates. AUCSO are represented at RAN (Radicalisation Awareness Network), which brings together practitioners from across Europe, who are working on the prevention of radicalisation. Their reports are shared amongst the AUSCO network.

Attachments

- Appendix 1 - Prevent Risk Assessment and Action Plan November 2018
- Appendix 2 – Incident management flow chart
- Appendix 3 – External Speaker data analysis and comparison with prior year
- Appendix 4 – Students Union External speaker policy
- Appendix 5 – UEA Fitness for Study policy
- Appendix 6 – Code of Conduct for Freedom Speech

Prevent annual accountability statement

Throughout the academic year 2017-18 and up to the date of approval, UEA

- has had due regard to the need to prevent people being drawn into terrorism (the Prevent duty)
- has provided to OfS all required information about its implementation of the Prevent duty
- has reported to OfS in a timely way all serious issues related to the Prevent duty, or now attaches any reports that should have been made, with an explanation of why they were not submitted
- has reviewed, and where necessary, updated its Prevent risk assessment and action plan

Accountability statement

Governing bodies/proprietors are required to provide a short statement (max 300 words) outlining the mechanisms to which they have been assured that they are able to sign the above declarations satisfactorily.

The Council has been provided with regular annual reports on the implementation of Prevent at UEA. This includes an updated risk assessment, details of external speakers, training and welfare cases. This year the report to Council has addressed each of the bullet points listed below. As a result Council has been informed about the University's key processes and procedures and has gained the necessary assurance to enable it to sign the declaration.

Name	Joe Greenwell
Signed	
Date	27.11.18

Annex – Prompts when considering the declarations

While it is for each provider to determine how best they assure themselves that their institution has demonstrated due regard to the Prevent duty and they are able to sign the declarations to OfS satisfactorily, the prompts below may guide how governing bodies and proprietors can gain the necessary assurance.

- How have Prevent-related policies or processes been monitored e.g. relating to external speakers, welfare or safeguarding processes, and is there assurance that they are effective?
- Have you been provided with appropriate information and evidence that the provider is demonstrating due regard through relevant reports, updates etc.?
- Have staff assured you that the risk assessment has been reviewed in the past 12 months, and outlined any material changes of risk (and mitigations in response)?
- Have staff reported any serious incidents; and if so, have you been assured by how the provider has acted, including responses to any lessons learned? Equally, have you been notified of any near misses, and again, been assured that any lessons learned have been acted upon?
- Have you been assured that Prevent has been implemented in a proportionate and risk-based manner, including considering the duty alongside other statutory obligations e.g. freedom of speech?
- Is there visible and demonstrable ownership of Prevent at a senior level at the provider?
- Are you assured that staff have received sufficient training and awareness raising to implement Prevent effectively?
- Has the provider continued to work in partnership with its Prevent partners, including statutory agencies and students?

Further information and advice available from:

Prevent duty: Framework for monitoring in higher education in England 2018-19 onwards:

https://www.officeforstudents.org.uk/media/3e9aa5d3-21de-4b24-ac21-18de19b041dc/ofs2018_35.pdf

Supplementary information note to our monitoring framework:

https://www.officeforstudents.org.uk/media/19b94eed-d2ad-4a9b-bb92-ee0b410a1f1f/ofs2018_35_a.pdf

Committee of University Chairs illustrative practice note on Prevent:

<https://www.universitychairs.ac.uk/wp-content/uploads/2017/12/Illustative-Practice-Note-2-Prevent-Strategy-REVISED-2017.pdf>

Prevent data return 2018

In all cases this date should cover the year from 1 August 2017 to 31 July 2018

Welfare	Number
Number of welfare cases referred for specialist advice and support	1,720
Number of Prevent-related cases escalated to the point at which the Prevent lead has become involved	0
Number of Prevent-related cases which lead to external advice being sought from Prevent partners	0
Number of formal referrals to Channel	0
Text Currently we do not separate self-referrals from those that have been referred by a third party. This is something that we may/will? do in future years.	
Training	
Number of staff identified as key to Prevent delivery	62
Number of key staff receiving induction prevent training	62
Number of key staff receiving refresher Prevent training	0
Number of staff receiving broader welfare/safeguarding awareness training/briefing	Not presently recorded

Prevent Risk Assessment and Action Plan November 2018

No	Risk	Indicator	Risk Controls	Action	Prob. Score	Impact Score	Risk Score
1	Students or staff being drawn into radicalisation or extremist activity by influences on and off campus	a) Identified instances or incidents where radicalisation and extremism are evident or linked to personal or group activities. b) Report by students or staff. c) Information provided by Police, Local Authorities or Prevent Regional Coordinator. d) Information from other external sources. e) Press or media. f) Concern expressed for any students through the safeguarding procedure. g) Concern expressed for any staff through general raising of awareness. h) Social media activity.	<ul style="list-style-type: none"> Commitment to the implementation of the Prevent Duty Guidance at the highest level Reporting through safeguarding policy and where appropriate to partner authorities and agencies; On-going support to individuals and groups; Training of key groups of staff and general raising of awareness; Effective channel capability. 	<p>Commitment to Prevent compliance by Council and the Executive Team – completed and renewed annually</p> <p>Prevent Group conduct a regular review of Prevent landscape in the University, meet regularly, review relevant policies and their effective implementation and reporting to the Executive Team – in place</p> <p>Effective mechanisms for regular liaison with Special Branch and Prevent Regional Co-ordinator – in place</p> <p>Training has taken place/planned for:</p> <ul style="list-style-type: none"> Student Services staff Academic Advisors (on 	1	5	

No	Risk	Indicator	Risk Controls	Action	Prob. Score	Impact Score	Risk Score
				<p>appointment and thereafter on a 3-year cycle)</p> <ul style="list-style-type: none"> • Security staff -in place • Annual awareness email to Heads of Schools and through the staff bulletin to all other staff reminding them of the Prevent Duty, the need to report concerns and the mechanisms for doing so – emails sent in Dec 2015-17, due Dec 2018 • Strong pastoral support through multifaith Centre – in place • New Muslim Chaplain appointed in 2018 – strengthening existing support, leadership and guidance to Islamic students – in place • Safeguarding policies 			

No	Risk	Indicator	Risk Controls	Action	Prob. Score	Impact Score	Risk Score
				reviewed and updated in the light of Prevent Guidance – completed November 2015 and updated during 2016/17.			
2	Production, dissemination or access to radical, extremist or terrorism related material or internet resources	a) Use of University IT systems and networks for production and dissemination. b) Print materials in evidence on University property. c) Use of University related or hosted social networking sites for extremist/radical or terrorism related discussion.	<ul style="list-style-type: none"> IT systems can be key word/phrase monitored; University's Conditions of Computer Use policy updated to reflect Prevent guidance. Handing out printed material is a regulated activity at UEA. Non-compliant print materials are removed and reported to relevant authorities; Social networking policy in place; Social media bearing UEA name is monitored via Comms team Development of information gathering and monitoring capability 	<p>JISC written guidance on IT filtering has been considered but not pursued yet. We will keep this risk as amber.</p> <p>All policies will be kept under review and will be updated in line with new guidance.</p>	3	4	

No	Risk	Indicator	Risk Controls	Action	Prob. Score	Impact Score	Risk Score
			<p>in IT systems in line with legal requirements and constraints and University IT security plan.</p> <ul style="list-style-type: none"> • Some websites blocked on the advice of Regional coordinator. • Consideration given to blocking anonymization services such as Tor; not favoured at present. 				
3	Access to University site by external influences, speakers	<p>a) Activities, events and meetings identified through the Code of Practice on Freedom of Speech as likely to comprise extremist views.</p> <p>b) Presence of unauthorised speakers on site.</p> <p>c) Reports by students and employees.</p> <p>d) Information from external sources.</p>	<ul style="list-style-type: none"> • Application of Code of Practice on Freedom of Speech leading to identification of all activities, events or meetings which may lead to extremist views being expressed and risk drawing people into terrorism and these being prohibited or risk mitigated; • A review of online room booking system will be undertaken in 2018 to improve identification of potentially sensitive 	<ul style="list-style-type: none"> • Code of Practice on Freedom of Speech updated to include Prevent Guidance – completed and updated in 2017 • Prevent training for Security Staff – in place • Effective monitoring of all bookings for activities, events and meetings through a refreshed online booking system – was last refreshed 2017 	1	4	

No	Risk	Indicator	Risk Controls	Action	Prob. Score	Impact Score	Risk Score
			meetings, and to focus resources. <ul style="list-style-type: none"> • Additional staff member appointed to Security team to boost control in this area. • Regular security patrols and cctv coverage. 	and will be reviewed again in 2018 as the numbers of such events grows. Until the recommendations are put in place, we will move this risk to amber. <ul style="list-style-type: none"> • Policy for the use of all prayer facilities on campus to be reviewed in light of Prevent Guidance – updated 2017 • Use of prayer facilities monitored by the Multifaith Chaplaincy Team – completed 			
4	Failure to make full and appropriate use of the opportunity for	<ul style="list-style-type: none"> • Unaware/uninformed of local or national risks. 	<ul style="list-style-type: none"> • UEA committed to working in partnership with all relevant local and national partners. 	<ul style="list-style-type: none"> • Oversight by UEA's Prevent Implementation Group and collaboration with the Police, Special branch, Local Authorities, the Regional Prevent 			

No	Risk	Indicator	Risk Controls	Action	Prob. Score	Impact Score	Risk Score
	partnership working			<p>Coordinator and other agencies eg Wymondham Police partnership working group – in place.</p> <ul style="list-style-type: none"> • UEA Head of Campus Support point of contact linked into other UK HEIs through the Association of University Chief Security Officers (AUCSA) – in place • Single point of contact for partner organisations – in place, Student Services 			

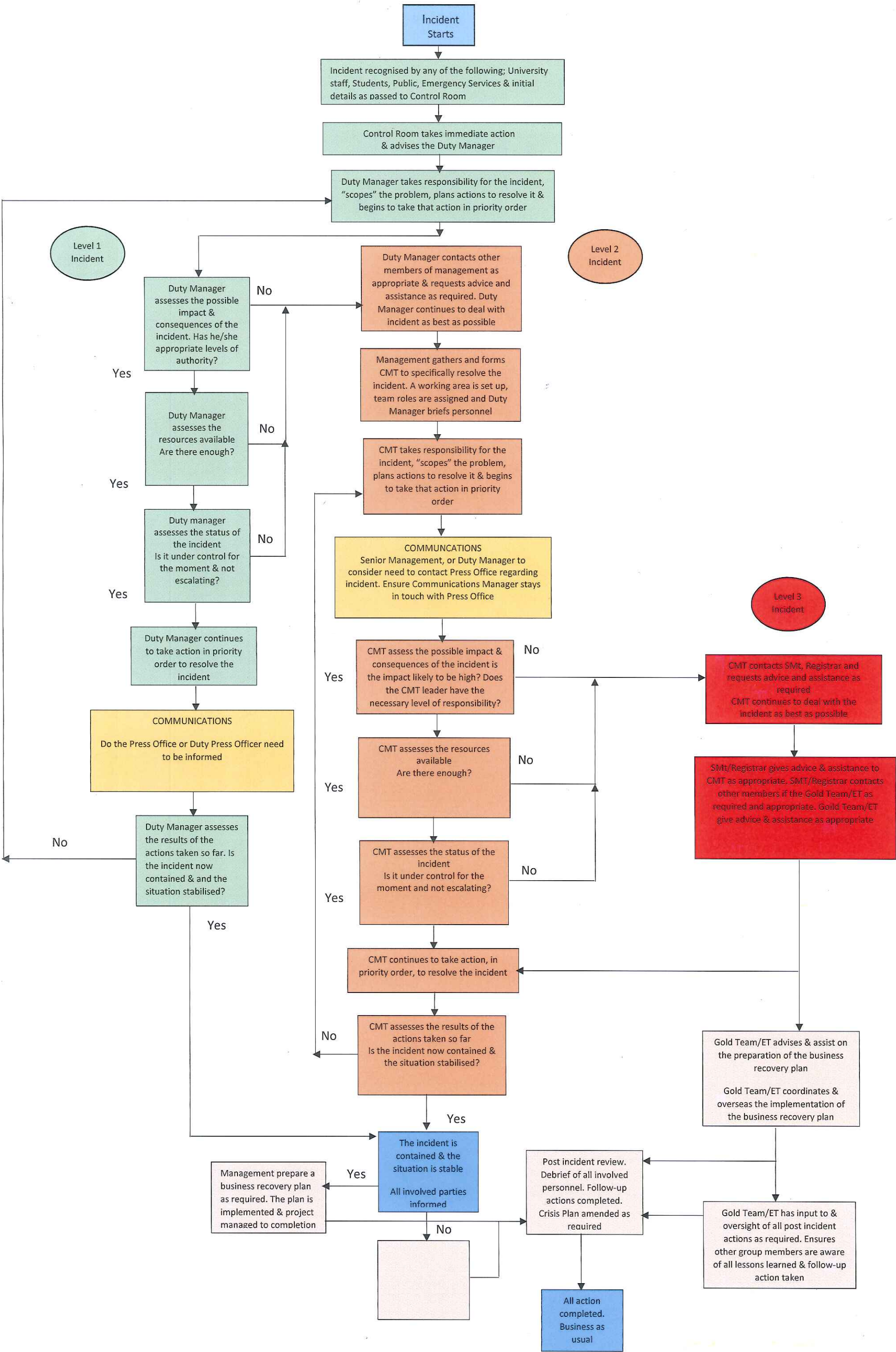
Risk Estimates

Probability: 1-5

Impact: 1-5

Green: Low Risk 1-9**Amber:** Medium Risk 10-15**Red:** High Risk 16-25

Incident Management Flowchart



APPENDIX 3

External Speakers Data Analysis - Period July 2017 to 31 July 2018

	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18		Totals
Number of External Speakers - non Academic	1	24	31	74	5	11	38	20	12	22	4	3		245
Number of Events - non Academic	10	9	17	17	5	11	16	13	10	22	3	3		136
Number Escalated for higher authority	0	0	0	0	0	0	0	0	0	0	0	0		0
Number of Events Rejected	0	0	0	0	0	0	0	0	0	0	0	0		0
Number of External Speakers - TOTAL	46	79	140	309	70	99	221	156	108	227	87	52		1594
Number of Events - TOTAL	21	45	124	165	64	68	147	107	89	131	54	29		1044

FOR COMPARISON PURPOSES 2016/2017	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17		Totals
Number of External Speakers - TOTAL	2	12	49	112	41	89	237	187	56	187	163	63		1198
Number of Events - TOTAL	2	9	46	98	37	55	237	109	42	136	59	36		866
Number Escalated for higher authority	0	0	0	0	0	0	1*	1**	0	0	0	0		2

* - February 2017 - Moazzem Begg, CAGE

** - March 2017 - Ben White, Guardian Columnist

paper

Subject:	External Speakers Policy
Produced by:	Jim Dickinson, Chief Executive
To:	Trustee Board
Date:	18 th September 2017
Action:	To approve
Paper:	TB779
Status	Open
Purpose:	We review the SU's External Speakers Policy on an Annual Basis

Introduction

The Charity Commission has a general expectation that charities will manage risk effectively, and in the case of external speakers an External Speakers policy is in place to ensure that we are able to demonstrate that these risks are managed.

Review

We review the policy formally at Board each year. In the year:

- There were two referred speakers into the policy, one of which was deemed particularly controversial (from the organisation "Cage") with a number of risk mitigation steps successfully deployed
- The University has reviewed its procedures and confirmed following discussions that it is happy that the SU manages this area of risk autonomously

As such the policy is working well and I am not proposing any revisions. The appended version is therefore for **approval**.

UEASU: Handling events with External Speakers

Preamble

1. Freedom of expression and speech are basic human rights to be protected and are protected by law.
2. Open debate is central to the culture of academic freedom, the development of students ideas and understanding and is protected by an act of parliament relating to freedom of speech and academic freedom on campus.
3. That said student safety and welfare is at the heart of the union's policies and practices.
4. As such, the freedom to express views can sometimes be tempered by the need to secure freedom from harm for students and communities.
5. Where there is a potential for these rights to come into conflict in relation to controversial speakers, this union is committed to collaboration that will allow the union to reach sound, evidenced judgements about the organisation or person in question and that allows the union to meet its various legal obligations.
6. The President of the society or Union Officer organising any event are responsible for the activities that take place within their events.
7. All speakers will be made aware of their responsibility to abide by the law, the university and the union's various policies, including that:
 - a. They must not incite hatred, violence or call for the breaking of the law
 - b. They are not permitted to encourage, glorify or promote any acts of terrorism including individuals, groups or organisations that support such acts
 - c. They must not spread hatred and intolerance in the community and thus aid in disrupting social and community harmony
 - d. Within a framework of positive debate and challenge seek to avoid insulting other faiths or groups
 - e. They are not permitted to raise or gather funds for any external organisation or cause without express permission of the trustees

Background

1. Clubs and Societies or Union Officers must notify the Union Opportunities department of any events that involve external speakers (defined as individuals or organisations that are not part of the Union or the University) through these procedures.
2. No event involving any external speakers may be publicised until the speaker has been cleared through the appropriate procedures as provided in this policy.
3. The Union reserves the right to cancel or prohibit any event with an external speaker if the procedures provided herein are not followed or if the relevant health, safety and security criteria cannot be met.

Initial process

1. The Union's external speaker request form requires event organisers to provide:
 - a. Expected number of attendees
 - b. Confirm whether the event will be a member only, invitation only event or open to the general public
 - c. Confirm any external speakers' affiliations (specifically where they are political or religious)
 - d. Declaration of any knowledge of controversy attracted by the speaker or topic in the past
 - e. Confirmation if the event and speaker are likely to attract media interest – if so why?
 - f. Confirmation of website details (where relevant) providing further information on the speaker
 - g. Any failure to disclose full speaker details may result in an event/booking being cancelled and could result in referral for union disciplinary action
2. On receipt of the form the Student Opportunities staff will check all speakers on Google (after first looking at any web link provided) and look at the first three pages of results (if any results are found). This information is then noted on the sheet including a link to the most relevant information about the speaker.
3. The Student Opportunities staff will receive regular training and briefing on controversial speakers and will liaise closely with student societies, religious and cultural groups and University security.
4. The Student Opportunities staff will review the completed spreadsheet twice weekly. They will refer any speakers that may require further exploration to the Chair of the Trustee Board and COS.
5. They will provide 5 hyperlinks to the most relevant Google results for any speakers that are a cause for concern. All others will be considered to be approved.

Referred speakers

1. Any events with referred speakers will be investigated by the COS for decision by the Chair of the Trustee Board on behalf of the Trustee Board.
2. They will conduct a short investigation into the speaker and the event that, wherever possible, takes representations from the society/officer related to the booking and from a wide number of concerned student groups, university officials and external bodies.
3. In making recommendations they will assess risk on the following basis:
 - a. The potential for any decision to limit freedom of speech as per the university's code of practice in pursuance of the 1986 Education Act
 - b. The potential for the event going ahead to cause the union to be in breach of its equal opportunities policy
 - c. The potential for the event going ahead to cause the union to fail in its wider legal duties
 - d. The potential for the event going ahead to cause reputational risk to the Union
 - e. The potential for the speaker's presence on campus to cause fear or alarm to members of the student body
 - f. The potential for the speakers presence on campus to give rise to breach of peace

They may make one of the following recommendations:

- a. On the basis of the risks presented to not permit the event with the external speaker to go ahead
 - b. On the basis of the risks presented to fully permit the event with the external speaker to go ahead unrestricted
 - c. On the basis of the risks presented to permit the event with the external speaker to go ahead on the basis of regulatory steps designed to reduce risk
4. Regulatory steps designed to reduce risk may include:
 - a. Requiring that the event be filmed by an independent body
 - b. Requiring that the event be observed by union, university or third party officials
 - c. Requiring that the event be stewarded or subject to security on the door
 - d. Requiring that an event promoting a particular view includes an opportunity to debate or challenge that view
 - e. Requiring that an event closed to society members only be opened to all members of the union
 - f. Requiring that a copy of any speech to be delivered by the speaker be submitted to the union
 - g. When considering any regulatory steps designed to reduce risk, their potential to in and of themselves cause risk (for example, the sense of oppression felt by the imposition of security on the door) should be taken into account.

5. The recommendation will be put to the Chair of the Trustee Board who will make a decision that is routinely communicated to the Trustee Board. Should members of the Trustee Board disagree with the decision they can call an extraordinary meeting in the usual way.
 6. Where the society or union officer in question disagrees with the decision made they shall have the right to appeal of which will be considered by the Management Committee. This will also be routinely communicated to the Trustee Board, and should members of the Trustee Board disagree with the decision they can call an extraordinary meeting in the usual way.
 7. Where students or student groups disagree with the decision made they shall have the right to submit a complaint in the usual way, a remedy to which shall be the option to consider the complaint an appeal as above.
 8. An annual report on referred speakers will be produced by the Chair of the Trustee Board for consideration by the Trustee Board.
-

Appendix: UEA Policy

Code of Practice Relating to Freedom of Speech and Activities, Events and Meetings

1. Preamble

- 1.1** The Education (No.2) Act 1986 places a duty on the University to ensure that freedom of speech is secured for students, staff and visitors, and so far as is reasonably practicable that no premises of the University (including those of the Students' Union) shall be denied to any individual or body of persons on any grounds connected with:
 - a) the beliefs or views of that individual or body; or
 - b) the policies or objectives of that body.
- 1.2** The University values academic freedom and is committed to promoting and encouraging free debate and inquiry. It accommodates a wide range of views, even when they are unpopular, controversial or provocative. Nonetheless, the University does not regard the right to freedom of speech as unfettered and asserts its right to prohibit or to place special conditions on activities, events or meetings ("activity" or "activities") where it is appropriate to do so.

2. Activities which are subject to this Code

- 2.1** The activities which are subject to this Code are those which:
 - a) involve a proscribed organisation; or
 - b) are likely to give a platform for views which are unlawful or where it is likely that others will be encouraged or incited to break the law; or
 - c) where there may be risks to public order or to the safety of individuals or property; or
 - d) there are risks that views will be expressed which constitute extremist views (in opposition to fundamental values of democracy, the rule of law, individual liberty, mutual respect and tolerance of different faiths and beliefs), and which risk drawing people into terrorism or are shared by terrorist groups.

3. Notification

- 3.1** It will be the responsibility of the organiser of any activity that might fall within paragraph 2.1 and is thereby subject to this Code (whether it takes place on or off campus) to draw the activity to the attention of the person authorised by the Registrar (the authorised officer) at least ten clear working days prior to the activity. In addition:
 - a) any room booking request outside of the normal procedures for time-tabling academic provision will require the organiser to assess whether the event falls within paragraph 2.1 and to always provide details of the nature of the event and any external speakers;
 - b) the Students' Union will operate its own arrangements for reviewing activities and bookings on University premises made by its officers, staff, clubs and societies which are consistent with the obligations set out in paragraph 1.1 and which will be reviewed and agreed annually with the University. These will include an objective determination of whether an activity falls within paragraph 2.1 (with subsequent referral to the authorised officer) and identify the steps which could mitigate the risks identified in paragraphs 2.1c) and 2.1d).

4. Actions by the University

- 4.1** The University will prohibit activities that it determines fall within 2.1 a) or 2.1 b) and may prohibit activities which it determines fall within 2.1 c) or 2.1 d) where it considers that the risks cannot be fully mitigated through special conditions and in so determining, will err on the side of caution.
- 4.2** The University will prohibit or place special conditions upon any activity off campus that falls within 2.1 and is associated with the University, insofar as that is practicable.

- 4.3** The University will use such means as are available to it to give effect to this Code and to enforce any special conditions it imposes on particular activities. A breach of the Code or any prohibition or special conditions may lead to disciplinary action.
- 4.4** In the case of any activity identified as falling within 2.1 the authorised officer will determine who is the principal organiser of the activity and will within five clear working days of the planned time of the activity, determine whether or not the activity should be allowed to proceed or whether it should be allowed to proceed on the basis that special conditions are adhered to. It shall be the responsibility of the principal organiser to ensure that such special conditions are met.
- 4.5** Where ten clear working days' notice of an activity found to fall within 2.1 is not given to the authorised officer permission will normally be refused for the activity to take place.

5. Special conditions for an activity to proceed

- 5.1** Any special conditions set by the authorised officer will aim to minimise the risks set out in paragraph 2.1 and may include *inter alia* the requirement that:
- a) a deposit is payable by the principal organiser in advance of the event;
 - b) the principal organiser appoints a stipulated number of named stewards, as to whose suitability the authorised officer must be satisfied, in addition to any security staff that the authorised officer may feel should be present to maintain order;
 - c) the wording of leaflets and notices advertising the activity is subject to approval by the authorised officer;
 - d) admission to the event is confined to members of the University;
 - e) tickets are issued by the principal organiser/authorised officer;
 - f) admission is confined to ticket holders;
 - g) nominated senior members of the University are present;
 - h) the activity is recorded;
 - i) the admission of press, television and broadcasting personnel is restricted;
 - j) the access and exit routes of the speaker are subject to approval by the authorised officer;
 - k) the authorised officer decides which room(s) are used;
 - l) detailed arrangements are agreed between the principal organiser and a member of staff nominated by the authorised officer;
 - m) there is adequate opportunity for a wide range of views to be expressed and challenged;
 - n) an experienced and respected individual approved by the authorised officer chairs the activity.

6. General requirements

- 6.1** The Chair of any activity that is a meeting has a duty so far as possible to ensure that both the audience and the speaker act in accordance with the law during the meeting. In the case of unlawful conduct, the Chair is required to give appropriate warnings and, in the case of continuing unlawfulness, to require the withdrawal or removal of persons concerned by the stewards.
- 6.2** The Chair of the meeting also has a duty to terminate the meeting if order cannot be maintained and to protect the safety of people, property or premises.
- 6.3** No article or objects likely under the circumstances to lead to injury, damage or a breach of the peace may be used as part of any activity.
- 6.4** Premises used for an activity must be left in clean and tidy conditions in default of which the organisers may be charged for any additional cleaning and repairs that are subsequently required. Payment in advance, or evidence of ability to meet such payment, may be required.
- 6.5** The University may require the organisers of an activity to bear the costs for any additional security that is required.

7. Appeals

- 7.1** Appeals against the rulings of the authorised officer may be made to the Vice-Chancellor whose decision shall be final.

8. Awareness

- 8.1** The University will draw this Code to the attention of all staff, students and the Students' Union annually.

UEA Assessment of Students' Fitness for Study Procedures

1. Preamble

- 1.1 UEA acknowledges that it has both a role and responsibility in ensuring the welfare of its students, staff and the wider community. It therefore expects that students studying at the university are in a fit state, subject to the terms of relevant disability discrimination law, to:
- (a) benefit from their programme of study and pursue it for the required period with a reasonable chance of successfully obtaining the award for which they are registered;
 - (b) be able to not in any way prevent, hinder or disrupt the study or assessment of other students at the university, staff in the discharge of their duties or academic pursuits, or visitors to the University from carrying out their lawful business;
 - (c) as a consequence of their required or necessary presence on campus, not constitute an unacceptable risk to the health or safety of themselves or others;
 - (d) be in a position to engage satisfactorily in any elements of study or assessment which take the form of placements, particularly those taking place in a professional and/or work-based setting.
- 1.2 In most cases, when concerns are raised about the academic engagement and/or behaviour of a student and they cannot be resolved informally, it is appropriate for them to be addressed by reference to the academic or non-academic disciplinary procedures or other regulations, policies and procedures, including those prescribed by professional bodies (see the General Regulations for Students and the Disciplinary Procedures which may be consulted at: <https://portal.uea.ac.uk/academic-calendar>)
- 1.3 However, there are occasions when serious concerns about a student's behaviour, appearance or academic engagement are raised that suggest that a student is 'not fit' to fulfil some or all of the expectations listed above. In such circumstances it may not be appropriate to use the normal disciplinary or academic progress routes to attempt to resolve the situation that has presented itself. Such occasions usually arise when it is suspected that there are underlying medical, behavioural or personal difficulties which have

not been recognised and/or appropriately addressed by the student with or without the help of others. In such circumstances disciplinary or other action will normally be suspended until a review of a student's fitness for study has been undertaken, and the student has been given the opportunity and support to try to resolve their difficulties. There are, however, occasions when other formal requirements and situations that may arise have to take precedence over these fitness for study procedures. These exceptions include:

- students on professional courses with professional suitability, conduct and fitness to practise requirements, which will normally take precedence over fitness for study proceedings (see General Regulation 14 of the General Regulations for Students which may be consulted at: <https://portal.uea.ac.uk/academic-calendar>)
- students whose behaviour presents a serious and immediate risk to self or others, and/or to the University's reputation. In such cases, emergency action(s) may need to be taken (see section 7 below).

- 1.4 This document describes the procedures to be followed when there is likely to be benefit in assessing a student's fitness for study in order to find a way to resolve difficulties. It describes three types of action to be taken in relation to three levels of concern. While this document aims to describe relevant processes, actions and outcomes in a clear and comprehensive manner, it is recognised that particular circumstances may require adjustments to the procedures outlined in order to be able to act in the best interests of the student and, when relevant, any other individuals or bodies concerned.

Whatever action is taken, it is imperative that all those involved take all reasonable steps to respect the right of the student to an appropriate level of confidentiality. Any disclosure of a student's name should be limited to those who need to know in order to help resolve the situation that has presented itself.

2. Level 1: emerging concerns about a student's fitness for study

- 2.1 Academic, administrative or student services staff may receive reports about a student's behaviour or their physical or emotional health, breaches of health and safety procedures or reports of failure to engage in effective study without due explanation. These concerns may be raised by teaching, research, administrative or student services staff, fellow students or family members. Level 1 assessment is appropriate when the nature of the concerns raised suggests that if prompt and relatively informal action is taken, the

student may respond to the support offered, and be able to take steps themselves to remedy their situation and resolve the concerns raised.

- 2.2 In such cases, those raising their concerns are directed to report them straight away to the student's Adviser (for taught programmes) or Primary Supervisor (for research degree programmes). If this is not possible and/or appropriate, concerns should instead be raised to the Senior Adviser (for taught programmes) or School or Institute Director of Postgraduate Research (for research degree programmes).

It may at this stage be appropriate for the Adviser/Supervisor to first ask other colleagues if they also have concerns, paying due regard to the need to preserve appropriate levels of confidentiality.

- 2.3 Where the concern(s) relate(s) to evidence of episodes of non-attendance at teaching or assessment events or non-submission of coursework or other work that risks academic failure, the Adviser/Supervisor should also refer the student under General Regulation 13 of the General Regulations for Students, concerning attendance, engagement and progress. Where the concerns suggest that there may be more general and widespread issues regarding the student's fitness for study, the Adviser/Supervisor should follow the Fitness for study procedure and, where it is considered, that a more formal response is required, may refer the student direct to Level 2 of this Procedure as set out in section 4 below.

- 2.4 If the Adviser/Supervisor remains concerned about a student's fitness for study, they will promptly arrange a meeting with the student in order to raise these concerns in a sympathetic and understanding way. The date, time and place of the meeting should be notified in writing to the student's University email address and contact address at least five working days before the meeting. The student may, if they wish, be accompanied by a friend, family member or Student Union Advice Worker, provided that the Adviser/Supervisor is informed of their identity at least two working days before the meeting. It is the responsibility of the student to inform any attending third party of the date, time and location of the meeting. The meeting may proceed in the student's absence if, having been properly invited, the student fails to attend.

- 2.5 The aim of the meeting will be to attempt to identify the underlying causes leading to the concerns about the student's fitness for study and discuss any actions that might be taken to resolve the difficulties presented. For example, the Adviser/Supervisor might discuss the possibility of making appropriate adjustments to the teaching or research environment or assessment tasks to help the student

continue to manage their workload and/or alleviate any health concerns. The possibility of voluntary interruption might also be suggested. In addition, the student should be specifically referred to relevant sources of additional support, for example, the University Medical Centre or the Student Support Service. The Adviser/Supervisor may wish to seek informal guidance from Student Support Service as to the most appropriate source of help for the circumstances presented.

- 2.6 The Adviser/Supervisor should make it clear to the student that a written record of the discussion will be kept and placed on his/her School file normally for the duration of his/her registration as a student of the University. The student should also be given a copy of this record, which should include an outline of the actions to be taken by the student and that of any other parties who might be involved in advising and supporting the student. The written record/action plan should be issued within five working days of the meeting and will be sent to the student's University email address and contact address.

3. Review of Level 1 finding and/or outcome

- 3.1 A student may request within five working days of receipt of the outcome of the Level 1 discussion and any action plan, that the finding arising from the Level 1 discussion, and/or any ensuing action plan, be reviewed if they have a concern about any aspect. The review – which shall normally be on the papers, including the record of the discussion and any action plan together with a statement by the student setting out his/her concerns – shall be undertaken by the School Director of Taught Programmes or School/Institute Director of Postgraduate Research . The reviewer may, if they consider that it would inform the review, invite the student to a meeting. In such circumstances, the student may, if they wish, be accompanied as set out in paragraph 2.4 above.

- 3.2 The reviewer shall:

- 1) confirm the finding and/or action plan; 2) set aside the finding and/or action plan; 3) adjust the finding and/or action plan.

The outcome of the review shall be issued to the student within five working days of the request for a review and notified in accordance with paragraph 2.6 above.

The review completes the internal procedures of the University at Level 1.

- 3.3 If the student does not agree to or follow the finding and/or action plan and it is considered that the student's behaviour could present a serious and immediate risk to self or others, and/or to the University's reputation, emergency or required action may need to be taken as set out below (Level 3: emergency or required action) immediately. The Adviser/Supervisor who held the initial Level 1 meeting or the School Director who reviewed Level 1 shall make a case to the Faculty Associate Dean (Learning & Teaching) or the Faculty Associate Dean (Postgraduate Research) of the Faculty to which the student's School of registration belongs for a referral to Level 3: emergency or required action. This case shall be put to the Head of Wellbeing as set out in section 7 below.

4. Level 2: serious concerns about a student's fitness for study

- 4.1 Level 2 action will be taken when there is evidence that a more formal response is required to resolve presenting or reported difficulties. For example, there may be clear evidence of risk of harm to self, or of harm or disruption to others. Where the issue relates to evidence of persistent non-attendance at teaching or assessment events or non-submission of coursework or other work that risks academic failure, the Adviser/Supervisor should refer the student under General Regulation 13 of the General Regulations for Students, concerning attendance, engagement and progress unless the concerns suggest that there may be more general and widespread issues regarding the student's fitness for study, in which case the Adviser/Supervisor should follow the Fitness for Study procedure.

Level 2 action may be taken as the first response to reports of concerns about fitness, or may follow Level 1 action, when there is evidence of a deterioration or lack of improvement in the behaviours that first brought the student to the attention of those expressing concern.

- 4.2 In such cases, those raising their concerns are directed to report them straight away to the student's Adviser (or if this is not possible or appropriate to the Senior Adviser) or Primary Supervisor for research degree programmes, who shall notify the Head of the Student's School of registration. In accordance with the provisions set out in paragraph 4.1 above, a student's Adviser/Supervisor may refer a student direct to Level 2 of this Procedure.
- 4.3 In both these circumstances the student, if well enough, will be invited to attend a formal fitness for study review meeting with the Head of School (or their representative) and the Head of Wellbeing

(or their representative). Where the case or concerns cover health matters, the Head of School (or their representative) and the Head of Wellbeing (or their representative) should be advised by an appropriate professionally qualified (written or oral) opinion. The person providing such opinion may or may not be present at the meeting.

The date, time and place of the meeting shall normally be notified in writing to the student's University email address and contact address at least five working days before the meeting, unless there are good reasons for taking more immediate action. The student may, if they wish, be accompanied by a friend, family member or Student Union Advice Worker, provided that the Adviser/Supervisor is informed of their identity at least two working days before the meeting. It is the responsibility of the student to inform any attending third party of the date, time and location of the meeting. The meeting may proceed in the student's absence if, having been properly invited, the student fails to attend.

4.5 The letter of invitation to the meeting should:

1. clearly outline the causes of concern(s);
2. indicate that the student may, if they wish, be accompanied and by whom;
3. inform the student of the members of the Fitness for Study Review Panel,
4. inform the student that other staff (such as the student's Adviser/Supervisor or Senior Adviser/PGR Director, a Mental Health Adviser or Counsellor, the Senior Resident Tutor or the Disciplinary Officer) may be in attendance when this is considered by the Head of School and Head of Wellbeing to be in the best interests of the student; and
5. encourage the student to seek advice from their doctor and/or the Disability Co-ordinator or Mental Health or other adviser in the Student Services as appropriate to the particular case or concern(s) in question prior to their attendance at the meeting.

4.6 Other staff such as the Adviser/Supervisor or Senior Adviser/PGR Director, or Student Services staff may also be asked to provide reports and, as indicated above, when it is considered by the Head of School and Head of Wellbeing to be in the best interests of the student, to attend in person. If the student declines to attend, or is unable to do so for health reasons, the meeting will be held in the student's absence unless the student provides good reason to the Head of School for not attending the meeting, in which case the

meeting will be rescheduled as soon as possible. A member of administrative staff from an LTS Hub or the Postgraduate Research Service shall act as the Secretary to the meeting and shall make a formal record of the meeting and its outcome(s).

- 4.7 The purpose of the meeting shall be to discuss areas of concern and assess the student's fitness for study. Those responsible for this assessment will endeavour to identify a way forward that is likely to serve the best interests of the student, appropriately balanced, if relevant, with the best interests of other members of the University community and the institution itself. The outcome of the meeting may include one or more of the following (this list is not exhaustive):
- (a) agreement by all concerned that the circumstances that have given rise to the concerns about the student's fitness have been or are very shortly to be resolved, and that further action is unlikely to be required by the student or the institution;
 - (b) agreement by the student to a formal action plan to remedy their situation. This might include referral to the University Occupational Health Service for assessment and advice, or to Student Services for practical or therapeutic support, or to an externally- provided programme to address, for example, drug or alcohol abuse, or to any other person or persons internally or externally, who are likely to be able to help the student to address their difficulties and improve their fitness for study to acceptable levels. The action plan will include a clearly defined timescale to be met by all parties mentioned;
 - (c) agreement by the student to apply for an interruption of study for a specified period, the presumption being that normally such a request will be approved. The return of a student to active study will be subject to the normal return to study processes. Additionally, further specific requirements may be identified (for example, evidence that a student has engaged in a specific therapeutic programme);
 - (d) agreement to withdraw from the University.
- 4.8 A written record of the meeting shall be made by the Secretary and this will include any agreed action plan. The written record/action plan will be issued within five working days of the meeting and will be sent to the student's University email address and contact address. Copies of the action plan may also be sent to any others in the University who will be responsible for helping the student to undertake the actions required.

- 4.9 The Secretary to the meeting will arrange for a copy of the record to be kept on the student file and will also send a copy to the Student Support Services to be lodged on the student's file for the duration of the student's registration as a student of the University plus one year. It will be the responsibility of the Secretary to the meeting to check whether actions arising from the meeting are being followed up.
- 4.10 These latter actions may include scheduling a further meeting of the Review Panel to re-assess the student's fitness once the period specified in any action plan has elapsed. Further review meetings are most likely to be required in the circumstances outlined in paragraph 4.7 (b) above, but may also be required when, despite the outcome of a Level 2 assessment of fitness being that described in paragraph 4.7 (a) above, there is evidence that the concerns about the student's fitness remain, and/or additional concerns have been raised.

Follow-up meetings by the Review Panel

- 4.11 The purpose of a Level 2 follow-up meeting by the Review Panel is to ensure that any agreed actions of a previous assessment of fitness have been taken, and that the student is now fit to continue their studies. The procedure followed will be that described in section 4 above for a first Level 2 review meeting. All attempts will be made to ensure consistency of panel members, although it may be necessary to find alternates. All those conducting the follow-up review will be given copies of the report(s) of previous assessments and of all other relevant documentation.
- 4.12 The outcome of a second or any subsequent follow-up may be any of those defined in paragraphs 4.7 (a) to (d) above or any other outcome(s). The student will be informed of the outcome(s) within five working days of the follow-up meeting and provided with the formal report of the meeting and any revised or further action plan. Notification shall be via the student's University email address and contact address. Copies of any revised or further action plan may also be sent to any others in the University who will be responsible for helping the student to undertake the actions required.
- 4.13 If the decision of a Level 2 follow-up meeting is that there is no evident improvement in the student's health or behaviour, no likelihood that the student or others can or are able and willing to take action that will improve the student's situation or behaviour in the foreseeable future, and the student will not agree to a voluntary interruption, the Review Panel may agree that it is appropriate for

Level 3 – emergency or required action to be taken, and will make the appropriate referral (see section 7 below).

5. Review of Level 2 finding and/or outcome

- 5.1 A student may request within five working days of receipt of the outcome of the Level 2 discussion and any action plan, that the finding arising from the Level 2 discussion, and/or any ensuing action plan, be reviewed if they have a concern about any aspect. The review – which shall normally be on the papers, including the record of the discussion and any action plan together with a statement by the student setting out his/her concerns - shall be undertaken by the Faculty Associate Dean (Learning & Teaching) or the Faculty Associate Dean (Postgraduate Research) of the Faculty to which the student's School of registration belongs. The reviewer may, if they consider that it would inform the review, invite the student to a meeting. In such circumstances, the student may, if they wish, be accompanied by a friend, colleague or representative, who may provide support as set out in paragraph 4.4 above.

The reviewer shall:

1. confirm the finding and/or action plan;
 2. set aside the finding and/or action plan;
 3. adjust the finding and/or action plan.
- 5.2 The outcome of the request for review shall be issued to the student within five working days of the meeting.

The review completes the internal procedures of the University at Level 2.

- 5.3 If the student does not agree to or follow the finding and/or action plan and it is considered that the student's behaviour could present a serious and immediate risk to self or others, and/or to the University's reputation, emergency or required action may need to be taken as set out below (Level 3: emergency or required action). The reviewer at Level 2 shall make a case for a referral to Level 3: emergency or required action to the Head of Wellbeing as set out in section 7 below.

6. Review of Level 2 follow-up meeting(s)

- 6.1 Except in cases when emergency action is necessary to ensure the safety of self or others (see section 7 below), the student may request within five working days of receipt of the outcome of a Level 2 follow-

up meeting (as set out in paragraphs 4.11 to 4.13 above) and any revised or further action plan, that the finding arising from a Level 2 follow-up meeting and/or any revised or further action plan, be reviewed if they have a concern about any aspect. The review procedure and timescales shall be those outlined in paragraphs 5.1 to 5.3 above.

7. Level 3: emergency or required action: Mandatory interruption to study

- 7.1 Where a student's behaviour presents a serious and immediate risk to self or others, and/or to the University's reputation, or there is no evidence of effective engagement by the student despite efforts made informally and via Levels 1 and 2 assessment(s) and Level 2 follow-up meeting(s), emergency or required action may need to be taken.
- 7.2 Consideration of such cases will be the responsibility of the University Fitness for study Panel which shall comprise:
 - 1) The Head of Wellbeing;
 - 2) The University Physician or suitably qualified nominee;
 - 3) The Academic Director of Taught Programmes or Academic Director of Research Degrees Programmes, as appropriate; or, if neither of these are available, an appropriate student-facing Academic Director within the University.A secretary to the panel who shall be a manager with Student Services
- 7.3 Referrals to the Panel may be made by the Head of the student's School, relevant Associate Dean, the Dean of the relevant Faculty, or by the Director of Student Services. The referral document should indicate the nature of the concern and include the documentation and notes of meetings that have given rise to the concerns about the student's fitness for study
- 7.4 The panel shall meet to consider a student case at the nearest possible opportunity and not more than 5 working days after the date of the referral of a student to the panel.
- 7.5 The panel shall consider the documentation provided with the referral and make a decision on the papers as to whether a mandatory interruption to study is required.
- 7.6 The panel shall have the power to require a mandatory interruption to the student's study. This power shall be exercised where the panel regards the continuation of the student's studies to pose a significant risk to themselves or others or where the student's fitness for study is

sufficiently undermined by their current circumstances such that they are unable to engage effectively with their studies or make progress.

- 7.7 The interruption period shall be set by the panel and should not exceed 12 months in duration. The Secretary to the panel shall ensure that all processes and inter-departmental liaison regarding the interruption are carried out.
- 7.8 The student shall be notified of the panel's decision within 5 working days of the date of the meeting
- 7.9 The student's return to study shall be subject to the existing Return to Study processes for students who interrupt their study on medical grounds.
- 7.10 Where the panel is satisfied that the student's fitness for study is not impaired to such a degree that a mandatory interruption is necessary, the case shall revert to Level 2 and a follow up meeting in accordance with 4.11 above will be held within 10 working days. This meeting will determine how best the student be supported in continuing their studies and what ongoing monitoring may be required to ensure that the student's fitness for study is kept under review for as long as the relevant concerns persist.
- 7.11 The reports, action plans and formal recommendations of those who have been responsible for any prior consideration) of the student's behaviour or health at Levels 1 or 2 (including follow-up review(s)) will form the primary evidence to be considered.

8. Return from mandatory interruption to study

- 8.1 A student may return to study following a period of required interruption or following a fitness for study assessment provided that the University is satisfied that the issues giving rise to the interruption have been satisfactorily addressed, and subject to a decision as to any academic conditions for return e.g. the need to repeat some or all of the course of study.

9. Confidentiality and equality

- 9.1 At all stages of the process due consideration will be given to issues of confidentiality and data protection.
- 9.2 The University is committed to equality issues and shall act throughout in accordance with its duties under the Equality Act 2010 on implementation. In particular, the University shall make any reasonable adjustment(s) to its practices that emerge as necessary as a result of a better understanding of the student's position.

Code of Practice Relating to Freedom of Speech and Activities, Events and Meetings

1. Preamble

1.1 The Education (No.2) Act 1986 places a duty on the University to ensure that freedom of speech is secured for students, staff and visitors, and so far as is reasonably practicable that no premises of the University (including those of the Students' Union) shall be denied to any individual or body of persons on any grounds connected with:

- a) the beliefs or views of that individual or body; or
- b) the policies or objectives of that body.

1.2 The University values academic freedom and is committed to promoting and encouraging free debate and inquiry. It accommodates a wide range of views, even when they are unpopular, controversial or provocative. Nonetheless, the University does not regard the right to freedom of speech as unfettered and asserts its right to prohibit or to place special conditions on activities, events or meetings ("activity" or "activities") where it is appropriate to do so.

2. Activities which are subject to this Code

2.1 The activities which are subject to this Code are those which:

- a) involve a proscribed organisation; or
- b) are likely to give a platform for views which are unlawful or where it is likely that others will be encouraged or incited to break the law; or
- c) where there may be risks to public order or to the safety of individuals or property; or
- d) there are risks that views will be expressed which constitute extremist views (in opposition to fundamental values of democracy, the rule of law, individual liberty, mutual respect and tolerance of different faiths and beliefs), and which risk drawing people into terrorism or are shared by terrorist groups.

3. Notification

3.1 It will be the responsibility of the organiser of any activity that might fall within paragraph 2.1 and is thereby subject to this Code (whether it takes place on or off campus) to draw the activity to the attention of the person authorised by the Registrar (the authorised officer*) at least ten clear working days prior to the activity. In addition:

- a) any room booking request outside of the normal procedures for time-tabling academic provision will require the organiser to assess whether

the event falls within paragraph 2.1 and to always provide details of the nature of the event and any external speakers;

- b) the Students' Union will operate its own arrangements for reviewing activities and bookings on University premises made by its officers, staff, clubs and societies which are consistent with the obligations set out in paragraph 1.1 and which will be reviewed and agreed annually with the University. These will include an objective determination of whether an activity falls within paragraph 2.1 (with subsequent referral to the authorised officer) and identify the steps which could mitigate the risks identified in paragraphs 2.1c) and 2.1d).

4. Actions by the University

- 4.1** The University will prohibit activities that it determines fall within 2.1 a) or 2.1 b) and may prohibit activities which it determines fall within 2.1 c) or 2.1 d) where it considers that the risks cannot be fully mitigated through special conditions and in so determining, will err on the side of caution.
- 4.2** The University will prohibit or place special conditions upon any activity off campus that falls within 2.1 and is associated with the University, insofar as that is practicable.
- 4.3** The University will use such means as are available to it to give effect to this Code and to enforce any special conditions it imposes on particular activities. A breach of the Code or any prohibition or special conditions may lead to disciplinary action.
- 4.4** In the case of any activity identified as falling within 2.1 the authorised officer will determine who is the principal organiser of the activity and will within five clear working days of the planned time of the activity, determine whether or not the activity should be allowed to proceed or whether it should be allowed to proceed on the basis that special conditions are adhered to. It shall be the responsibility of the principal organiser to ensure that such special conditions are met.
- 4.5** Where ten clear working days' notice of an activity found to fall within 2.1 is not given to the authorised officer permission will normally be refused for the activity to take place.

5. Special conditions for an activity to proceed

- 5.1** Any special conditions set by the authorised officer will aim to minimise the risks set out in paragraph 2.1 and may include *inter alia* the requirement that:
 - a) a deposit is payable by the principal organiser in advance of the event;
 - b) the principal organiser appoints a stipulated number of named stewards, as to whose suitability the authorised officer must be satisfied, in addition to any security staff that the authorised officer may feel should be present to maintain order;

- c) the wording of leaflets and notices advertising the activity is subject to approval by the authorised officer;
- d) admission to the event is confined to members of the University;
- e) tickets are issued by the principal organiser/authorised officer;
- f) admission is confined to ticket holders;
- g) nominated senior members of the University are present;
- h) the activity is recorded;
- i) the admission of press, television and broadcasting personnel is restricted;
- j) the access and exit routes of the speaker are subject to approval by the authorised officer;
- k) the authorised officer decides which room(s) are used;
- l) detailed arrangements are agreed between the principal organiser and a member of staff nominated by the authorised officer;
- m) there is adequate opportunity for a wide range of views to be expressed and challenged;
- n) an experienced and respected individual approved by the authorised officer chairs the activity.

6. General requirements

- 6.1** The Chair of any activity that is a meeting has a duty so far as possible to ensure that both the audience and the speaker act in accordance with the law during the meeting. In the case of unlawful conduct, the Chair is required to give appropriate warnings and, in the case of continuing unlawfulness, to require the withdrawal or removal of persons concerned by the stewards.
- 6.2** The Chair of the meeting also has a duty to terminate the meeting if order cannot be maintained and to protect the safety of people, property or premises.
- 6.3** No article or objects likely under the circumstances to lead to injury, damage or a breach of the peace may be used as part of any activity.
- 6.4** Premises used for an activity must be left in clean and tidy conditions in default of which the organisers may be charged for any additional cleaning and repairs that are subsequently required. Payment in advance, or evidence of ability to meet such payment, may be required.
- 6.5** The University may require the organisers of an activity to bear the costs for any additional security that is required.

7. Appeals

- 7.1** Appeals against the rulings of the authorised officer may be made to the Vice-Chancellor whose decision shall be final.

8. Awareness

- 8.1** The University will draw this Code to the attention of all staff, students and the Students' Union annually.

*The "authorised officer" is currently Christine Beveridge, Head of Campus Support

UEA
DONATIONS AND DUE DILIGENCE POLICY

1. POLICY STATEMENT AND SCOPE

The University takes pride in the philanthropic support it receives from UK and internationally-based donors in order to achieve excellence in research, scholarship and teaching. This support enables the University to invest further in key strategic areas including student support, research, teaching and the enhancement of campus buildings and equipment. This policy is an essential element of our proactive stance on risk management, particularly in relation to our global reputation and good name which underpins the future of the University.

The University is committed to conducting itself with the highest standards of probity and good conduct in carrying out its academic and business functions. This policy is adopted by the University's Council and supports these aims by ensuring that donations are compatible with the University's objectives and consistent with its strategic goals.

The University has a duty to comply with legal requirements, the requirements of funding bodies (including, notably, the Higher Education Funding Council for England) and the "Seven Principles of Public Life"¹.

This policy sets out principles on the basis of which the University will pursue and vet potential donations in order to safeguard its reputation and integrity. It establishes explicit thresholds for due diligence procedures, the nature of those procedures, the guidelines to be invoked in the case of potentially controversial gifts or donors, and the criteria that the University will use in deciding whether or not to solicit or accept a donation from an organisation or individual.

It is essential that fundraising is professionally co-ordinated across the University to ensure that such activity is carried out effectively and in ways compliant with this policy, including appropriate standards of stewardship, accounting, auditing and internal and external reporting. The Development Office is responsible for leading this work and should therefore be involved at the earliest opportunity by Faculty, Schools and Centres in any process of solicitation or negotiation of donations of any sort (see Section 3).

This policy applies to all staff, Faculties, Schools and Centres and to others associated with the University in a formal but unpaid capacity. The University accepts its responsibility to make its staff and others affected aware of this policy, and to provide support and guidance on its implementation.

2. STATUTORY AND GOOD PRACTICE CONTEXT

- 2.1 This policy has been drawn up in the context of the following statutory and good practice guidance:

¹ [Nolan Committee First Report on Standards in Public Life](#)

- HMRC Guidance <http://www.hmrc.gov.uk/charities/>
- Woolf report (enquiry into the LSE's links with Libya, 2011). <http://www.lse.ac.uk/News/News-Assets/PDFs/The-Woolf-Inquiry-Report-An-inquiry-into-LSEs-links-with-Libya-and-lessons-to-be-learned-London-School-of-Economics-and-Political-Sciences.pdf>

As a member of CASE (Council for Advancement & Support of Education), a professional association serving educational institutions and the advancement professionals who work on their behalf in alumni relations, communications, development, marketing and allied areas, the University also subscribes to:

- CASE Europe: Ethical Principles Behind the Acceptance of Gifts http://www.case.org/Samples_Research_and_Tools/Principles_of_Practice/CASE_Europe_Guidelines_Ethical_Principles_Behind_the_Acceptance_of_Gifts.html
- CASE Donor Bill of Rights http://www.case.org/Samples_Research_and_Tools/Principles_of_Practice/Donor_Bill_of_Rights.html
- CASE Principles of Practice for Fundraising Professionals in Higher Education http://www.case.org/Samples_Research_and_Tools/Principles_of_Practice/Principles_of_Practice_for_Fundraising_Professionals_at_Educational_Institutions.html

3. DEFINITIONS

- 3.1 'Donations', for the purposes of this policy, includes all cash donations, legacies, benefactions, endowments, legacies, pledges and other forms of giving that are voluntary transfers by a donor of money or other assets, made with philanthropic intent for the benefit of the University.² After receipt, the University must own the donation in full and any work, project or intellectual property that results. The donor may not retain any explicit or implicit control over a gift after acceptance by the University and there must be no contractual conditions attached to the donation. Donations are interpreted, for the purposes of this policy, as including the following forms of giving:

- **Buildings, land and equipment/other assets that remain the property of the University.** Assets include (but are not limited to) artworks, shares, unit trusts, fine wines, equities and other such gifts-in-kind.
- **Funding for staff appointments** providing there is no donor control over the appointment and neither consultancy nor work on research contracts is included.
- **Funding for scholarships and bursaries** as long as the student recipient is not required to undertake specific activities of economic benefit or other advantage to the funder (e.g. research projects, work placements) and the donor does not select the recipient.
- **Endowment** of lectures, studentships and other academic activities.
- **Funding of research** where the University retains control over how the donation is spent and exclusive intellectual property and exploitation rights to

² As broadly distinct from gifts/hospitality received by members of staff as *individuals*, which fall under the University's Anti-Bribery Policy. Staff must be alert to any blurring of the individual/institutional boundary.

the research results.

- 3.2 For the purposes of this policy, those giving donations are referred to as 'funders' or 'donors', and this should be interpreted as including all associates of the funder/donor.

4. PROCEDURES RELATING TO DONATIONS

4.1 The role of the Development Office ("Development and Campaigns" - DAC)

DAC will co-ordinate fundraising across the University, maintain details of all donations on its database for reporting and audit purposes, ensure correct standards of stewardship, and coordinate contacts with donors. By having an overview, DAC can ensure that donations are consistent with the goals and policies of the University and can coordinate relationships between academics, Centres and donors to ensure no conflicting requests or multiple approaches from different parts of the University are made. All intentions to approach existing or potential donors should therefore be notified to DAC before contact is made, and in the event that anyone in the University becomes involved in the negotiation of a donation, DAC must be involved at the earliest opportunity. Likewise, when in receipt of philanthropic funding, Schools, Faculties and Centres should cooperate with DAC to thank donors appropriately and to ensure that the funding is disbursed in a timely manner and according to the wishes of the donor. It is not appropriate for an individual or School to accept a donation on their own initiative.

4.2 Guidelines and procedures for the acceptance of donations

4.2.1 General principles.

The University will actively seek donations on the basis that:

- The donation is consistent with the University's values and strategic goals.
- The funder can have no influence over the academic freedom and independence of the University, or over the assessment of the academic performance of any student or member of faculty, or over any other area of University activity.
- The project involves no, or minimal, net cost to the University in terms of financial commitment at the end of the period covered by the gift, unless agreed otherwise with the donor and specified as part of the process of accepting the donation.

4.2.2 Due diligence principles

The University will follow due diligence processes to ensure that the *bona fides* of potential donors (and particular donations) have been rigorously researched and verified. In doing so, the University will follow a risk-based approach. A

preliminary screening will be conducted by the Development Office on all pledges and intended donations between £10,000 and £100,000³. Should any concerns emerge from this initial screening, a more detailed and thorough screening will be conducted in order to inform the decision of whether or not to accept the intended donation. Pledges of £100,000 and over will undergo the more detailed due diligence process, which will be outsourced to an independent, specialist provider. Where a donation at this level comes from a Trust or Foundation governed by The Charity Commission, the independent regulator for charitable activity, this detailed due diligence process will not be required.

Due diligence is to be conducted at the earliest possible opportunity, and ideally before embarking on the solicitation process with a potential major donor. The detail of the University's due diligence procedures is set out in Appendix 1 of this policy.

Because of the requirement to conduct due diligence research on all pledges over £10,000, pro-active consultation with the Development Office should take place at the earliest opportunity and before any approach or response is made to the potential donor.

The University will engage third parties to assist with due diligence where this seems desirable.

4.2.3 Acceptance/Refusal of donations

In deciding whether to accept a donation the University will consider if the donation is compatible with the general principles set out in section 4.2.1, and whether the donation is consistent with its current Corporate Strategy. The University will not accept any donation which is deemed, via due diligence, to have been funded through activities which:

- a) Are unlawful, including any form of theft, fraud, tax evasion, money laundering or terrorist activity, whether in the UK or under the jurisdiction from which the donation is to be made;
- b) Violate international conventions that bear on human rights;
- c) Limit freedom of enquiry, or encroach on academic freedom.

In addition, the University will refuse a donation if due diligence indicates that the donation, or any terms of it, will:

- d) Require any action (or actions on behalf of the University) that is illegal, including any form of unlawful discrimination;
- e) Seriously damage the reputation of the University, e.g. by attracting negative publicity;
- f) Harm the University's relationship with other benefactors, partners, potential students or research supporters;

³ Gift Aid should be considered when calculating the potential size of the gift.

- g) Create unacceptable conflicts of interest for the University;
- h) Constitute any form of bribery.

Indicators that would, if present, give the University cause to scrutinize a potential donation with particular care include (but would not be limited to):

- i) Irregularities in the form of the donation, e.g. large cash donations by single transactions, the use of offshore financial mechanisms or unnecessary involvement of third parties in transactions;
- j) The source of the donation being a jurisdiction with high perceived levels of corruption⁴;
- k) The nature or level of the gift being such as to create current or future financial liabilities for the University beyond those built into the University's financial plans

4.2.4 Safeguards against specific areas of conflict of interest

a) Donations from current or potential suppliers

As part of the due diligence involved in accepting a gift, the University will identify if there are any present or upcoming University tenders that may be of interest to the donor. If there is a possible link, donations will not normally be accepted or discussed until the University has ensured that this risk no longer exists.

b) Donations from the parents/relatives/other associates of students

The University will accept gifts from the parents/relatives/other associates of current and prospective students but will make it clear within the gift agreement and related communication that the gift will in no way have any bearing or influence on the students' academic progress.

4.2.5 Anonymous donations

The University adopts a principle of not normally accepting wholly anonymous donations, i.e. cases where the donor will not make his/her identity known to University, even on a confidential basis via an intermediary.

Exceptions to this principle may include:

- i. Small, anonymous donations collected in community fundraising activity.
- ii. Gifts or donations presented in a manner where impossible to identify the donor and therefore impossible to return or identify the origin.
- iii. Gifts from unnamed individuals presented through legitimate bodies/charities governed by UK/EU law who are in turn able to provide written assurances that rigorous due diligence has been undertaken. In such cases an even more rigorous level of due diligence will be conducted via third party organisation.

⁴ As defined by Transparency International – <http://www.transparency.org.uk/>

The University accepts and will facilitate the wishes of donors who do not wish to have their identity published or otherwise made generally known. However, the minimum set of University officers to whom the identity of the donor must be disclosed is set out (for different levels of donation) in section 6.1 below.

4.2.6 Named recognition linked to donations

Where the University offers to name a building, academic post or other aspect of its activities in recognition of a particular benefaction, the University reserves the right to withdraw such named recognition in the future if it subsequently transpires that the source of funding arose in whole or in part from any activity listed under sections 4.2.3 and 4.2.4.

5. SAFEGUARDS RELATING TO ACADEMIC INDEPENDENCE

This section details provisions to underpin the principle that “the funder can have no influence over the academic freedom and independence of the University, or over the assessment of the academic performance of any student or member of faculty, or over any other area of University activity.” Where a donation funds (in whole or in part) an area of academic activity:

- a) Donors will have no influence over the process of appointing staff or scholars, including the composition of the appointing committee, the short-listing process, the interviews or the decision-making process of the appointing committee.
- b) If donors indicate a wish to suggest suitable candidates for roles created by their donation, the University will respectfully seek to decline to accept such suggestions, and will advise that the donor may him/herself flag the advertisement for the new role(s) to any potentially suitable candidates.
- c) The composition of short-listing and appointing committees, via their internal and external membership, will be such as to ensure their independence as well as the proper range of academic expertise and conformity to other aspects of good employment practice.
- d) Normal selection and appointing processes will be followed for the roles in question.
- e) After appointments are made, the independence of post holders in relation to the possibility of undue influence will be safeguarded by normal mechanisms, in relation to line management and transparent scrutiny of academic developments via local and University-level teaching and learning bodies.

6. RESPONSIBILITY FOR THE ACCEPTANCE OR REFUSAL OF DONATIONS

- 6.1** The University will conduct due diligence on all potential donations of £10,000 and over, following the risk-based approach outlined. The responsibility for

accepting and refusing a gift, following the relevant due diligence process, will fall to:

Size of donation	Officers involved	Commentary
Up to £100,000	The Director of Development	In cases that may be in conflict with the guidelines set out in sections 4.2.3/4.2.4, the Director of Development will discuss these with the Registrar and Secretary. Third parties may assist with due diligence if thought appropriate
Between £100,000 and £1M	The Vice-Chancellor, the Director of Development and the Registrar and Secretary	Third parties may assist with due diligence if thought appropriate.
Over £1M	The Executive Team	For major donations, consulting the Executive Team gives an appropriate range of views, which also allows for individual declarations of interest and withdrawal from the process. Third parties may assist with due diligence if thought appropriate.
Over £5M	Council	For the most significant proposed donations, which may have strategic implications, it is appropriate to consult Council. Third parties may assist with due diligence if thought appropriate.

Where there is a clear connection with the academic or teaching portfolio, the relevant Head(s) of School will be consulted as appropriate.

- 6.2 Ongoing monitoring and due diligence will be maintained on all lead donors (giving £100K and above) following the acceptance of a donation.
- 6.3 Once a donation has been agreed, any School likely to benefit from or otherwise be engaged in developments arising from the donation will be notified, if they have not already been involved.

7 RESPONSIBILITIES, RAISING A CONCERN, CONTACTS

- 7.1 The Director of Development has responsibility for the development of this policy and for ensuring that it is effectively implemented, that progress is monitored and that the policy is regularly reviewed.

- 7.2 The Finance Division takes lead responsibility for the correct financial administration of donations, and related internal procedural guidance.
- 7.3 Anyone wishing to raise a concern about the operation of any aspect of this policy may contact the Director of Development.
- 7.4 Below are key contact details for individuals within DAC who can be contacted to discuss issues relating to fundraising activities and due diligence.
- David Ellis, Director of Development (D.Ellis1@uea.ac.uk ext.1168)
Jon Clark, Research and Data Manager (jonathan.clark@uea.ac.uk ext.3249)
- 7.5 Notification of due diligence requests should be sent to the DAC Research and Data team at rad.dac@uea.ac.uk. An initial response will normally be made to any such request within one working week.

September 2014
Revised December 2015
Revised December 2016
Revised January 2018
Revised May 2018

Donations and Due Diligence Policy

Appendix 1: Donor due diligence procedure

Aims of the procedure

The aim of the due diligence procedure is to feed data into the donation consideration process to ensure that the University's reputation is not compromised in accepting or refusing a donation. The brand value and reputation of the donor should not be at odds with the University and should help it meet its aims and fulfil its mission. Due diligence involves researching and gathering quantitative and qualitative analysis of publicly available information about the donor; and identifying the source of their funds. It is essential that due diligence is carried out at the earliest possible opportunity, prior to the solicitation process. The content of this due diligence procedure reflects the guidance provided by the Charity Commission as best practice. It has both quantitative and qualitative elements:

Quantitative

- The financial and legal compliance of organisations is evaluated by certain regulatory bodies and their monitoring is deferred to. Consideration is given to the legal and regulatory environment of Money Laundering, Bribery Act, Fraud Act and financial compliance.
- Ethical screening is made of the source of funds to ensure that it does not arise in whole or in part from any activity listed under sections 4.2.3 and 4.2.4.

Qualitative

- The non-financial activities of donors are collated to show the balance of negative and positive views of the media and public.
- This collation will show the magnitude and significance of opinion towards any donor activity but does not endorse or promote an opinion. It will show the weight of opinion towards the negative or positive.

All data sourced and collated is publicly available and retained with regard to the Data Protection Act 2018, the EU General Data Protection Regulation (GDPR) and Freedom of Information Act.

Procedural approach

DAC will be responsible for conducting due diligence on all major donors and potential donations over £10,000 following the two-stage approach mentioned in section 4.2.2 of the policy, and, where appropriate, for presenting their findings to the decision making bodies listed in section 6.1 above in a unbiased way for their consideration. Due diligence will be conducted prior to accepting a gift. In the case of a gift being received unsolicited, due diligence will be applied retrospectively and prior to signing a gift agreement with the donor.

Key questions

The report template attached [Appendix 2] gives the series of questions that need to be asked of each donation over £10,000 as part of the due diligence process. Should the due diligence process identify a cause for concern in relation to a donor or the source of his/her donation, the Director of Development will discuss the answers to the questions below with the approval bodies identified in 6.1 above. The approval

body may deem it necessary to engage third parties to assist with further checks and enquiries.

Legislative context

These Acts are referred to within the due diligence process and consulted directly from the Government website in order to capture all amendments and to consider pending amendments www.legislation.gov.uk

Data Protection Act 2018

<http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

The EU General Data Protection Regulation (GDPR)

<https://eugdpr.org/>

Bribery Act 2010

<http://www.legislation.gov.uk/ukpga/2010/23/contents>

The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017

<http://www.legislation.gov.uk/uksi/2017/692/made>

Fraud Act 2006

<http://www.legislation.gov.uk/ukpga/2006/35/contents>

Freedom of Information Act 2000

<http://www.legislation.gov.uk/ukpga/2000/36/contents>

Equality Act 2010

<https://www.legislation.gov.uk/ukpga/2010/15/contents>

Regulatory authorities

Financial Conduct Authority for register of individuals and companies registered and regulated by the authority. <https://www.fca.org.uk/>

The Charities Commission regulates charities in England and Wales.

<http://www.charity-commission.gov.uk/>

Office of the Scottish Charity Regulator regulates charitable organisations in Scotland.

<http://www.oscr.org.uk/>

Companies House registers all companies in the UK incorporated under the Companies Act and related legislation. <http://www.companieshouse.gov.uk/>.

Fundraising Regulator regulates charitable organisations in the UK

<https://www.fundraisingregulator.org.uk/>

Information Commissioner's Office is the data protection regulator for the UK

<https://ico.org.uk/>

Donations and Due Diligence Policy

Appendix 2: Sample Due Diligence Report

Due Diligence Report

Name of Investigated Party:

Contact (if corporate):

Date Assessed:

Assessed By:

UEA Contact:

Stage of Due Diligence: ☐ Internal ☐ External ☐ Pre-Relationship ☐ Pre-Gift

Reason for Report:

Decision Based on Available Evidence:

Next Action:

Evidence [If requested, the external due diligence report should be attached]:

Brief Biography of Investigated Party:

Key Identifiers (e.g. date of birth, Charity Number, Company Registration, Raiser's Edge number):

Are there any third parties involved?

Proposed nature of donation:

Proposed method of donation:

Source of Funds:

Research [Sources consulted and relevant notes (e.g. personal connections, press coverage, concerns)]

Keywords used in searches:

Sources & Findings

Human Rights Watch:

Business & Human Rights Resource Centre:

Ethical Corporation:

Corporate Critic

Corporate Watch:

The Bureau of Investigative Journalism:

Offshore Database:

UK Government List of Targets:

Environment Agency Registers:

Council of Better Business [North American Companies]:

Lexis Nexis [Newspaper Database]:

General Google Search:

Internal Checks:
Raiser's Edge:

eVision:

UEA Admissions:

UEA Procurement:

Other Findings:

Report Acknowledgement:

Decision:

Signed-off by:

Date:

COU18D021

Title:	Items for Report
Version:	Final
Circulation:	The Council – 27 November 2018 (Council Strategy Day)
Agenda:	COU18A002
Status:	Open

(1) Sealings

To report

that since the meeting of the Council held on 8 October 2018, the University seal has been affixed to the following documents:

- 4229 *Supplemental Deed of Accession (1) UEA (2) Universities Superannuation Scheme Limited*
- 4230 *JCT Intermediate with Contractors, Design Contract, Fabric Refresh LTS (1) UEA (2) MJS Projects (March) Ltd.*
- 4231 *JCT Intermediate with Contractors, Design Contract, Fabric Refresh LTS (1) UEA (2) MJS Projects (March) Ltd. – Second copy as above*
- 4232 *AECOM Bio Teaching Annexe Re-Roofing and Norfolk and Suffolk Terrace Lighting Protection Installation Works (1) UEA (2) MJS Projects (March) Ltd.*
- 4233 *AECOM Bio Teaching Annexe Re-Roofing and Norfolk and Suffolk Terrace Lighting Protection Installation Works (1) UEA (2) MJS Projects (March) Ltd. – Second copy as above*
- 4234 *Deed of Appointment as lead Movement Strategy Advisor for the University of East Anglia (1) UEA (2) Buro Happold Limited.*
- 4235 *Deed of Appointment as lead Movement Strategy Advisor for the University of East Anglia (1) UEA (2) Buro Happold Limited. - Second copy as above*