

Higher Education Freedom of Speech Policy

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Person Responsible	Deputy Principal Curriculum
Approval/ review bodies	SLT/Corporate Board
Frequency of Review*	36 months

**Policies will be reviewed more frequently if legal changes or good practice require*

Review History:		
Date of review	Reviewed by	Reason for review

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Related policies/documents:

Dignity at Work Policy;
 Equality and Diversity Policy;
 Prevent Policy;
 Staff Disciplinary Policy;
 Student Anti-Bullying Policy; and
 Student Disciplinary Policy.

1. Purpose

North Kent College (“the College”) is committed to the principles of Freedom of Speech. In accordance with the Education Act 1986, the College will take all reasonable steps to ensure that freedom of speech and expression within the law is both preserved and exercisable at the College.

2. Scope

Staff, students, Students’ Union, Governors, visiting speakers, visitors, suppliers and contractors must be sensitive at all times to the diversity of the College’s community and show respect to all sections of that community. The College believes that a culture of free, open and robust discussion can be achieved only if all concerned avoid needlessly offensive or provocative action(s) and language.

The College expects its Staff, students, the Students’ Union, Governors, visiting speakers, visitors, suppliers and contractors to ensure freedom of speech within the law is assured at all times, whether on the College’s premises or when representing the College off-site.

3. Policy Statement

The College upholds the need for students and staff to have freedom to question, test and put forward new ideas and controversial or unpopular opinions without placing themselves at risk. However, this must not be taken forward in a manner that may give rise to a situation where people may experience: fear, harassment, intimidation, verbal abuse or violence, particularly because of their ethnicity, race, nationality, religion or belief, sexual orientation, gender, disability or age.

The College is committed to protecting freedom of speech, academic freedom and to protecting and safeguarding its students from the risk of being drawn into potential radicalisation and/or extremism. The College’s policies on Safeguarding and Prevent are available from its website.

4. Meetings and events on College Premises

The organiser of meetings/events must gain permission from the Deputy Principal Curriculum ten days before meeting/event. The procedure for this is set out under item six of this policy.

The Deputy Principal Curriculum is responsible for approving suitable arrangements for meetings/events and may make direction or guidance, as is

necessary to ensure that the nature and conduct of the meeting is lawful and in accordance with this policy.

5. Events organised by members of staff/students/Student Union

It is the responsibility of the organisers of every meeting or event to seek and obtain approval from the relevant Assistant Principal/Vice Principal in the first instance before making arrangements with any third party to attend the College. Following this, the Organiser must follow the procedures set out within item six below.

6. Procedure for staging an event

6.1 The organiser must supply the Deputy Principal Curriculum with the details of:

6.1.1 the date, time and place of the meeting;

6.1.2 the theme/subject matter to be discussed;

6.1.3 the name of the Assistant Principal/Vice Principal who has approved that the speaker can attend the College; and

6.1.4 the name and contact details of any/all external speaker(s).

The above information is required at least ten working days in advance of the meeting/event.

6.2 The Deputy Principal Curriculum will undertake all necessary checks and reviews and will inform the organisers of the meeting/event of her decision within five working days of receipt of the information contained in point 6.1.

6.3 The organisers of meetings/events must comply with any conditions set by the Deputy Principal Curriculum concerned with the arrangements for the conduct of the meeting. Such conditions may include but is not limited to a requirement that the venue holding the event meets health and safety requirements; whether tickets should be issued; and that an adequate number of College staff/security should be provided.

- 6.4 The Deputy Principal Curriculum will not seek to curtail or cancel a meeting or event unless in their considered opinion the meeting or event:
- 6.4.1 infringes on the legitimate rights and freedoms of others;
 - 6.4.2 poses a significant risk to health and safety; and/or
 - 6.4.3 there is some other substantial and lawful ground for the curtailment or cancellation.
- 6.5 If a member of staff or student has concerns about a prospective meeting/event taking place they must promptly inform the Deputy Principal Curriculum. All concerns will be dealt with confidentially.
- 6.6 All decisions made by the Deputy Principal Curriculum will be undertaken with careful consideration of the evidence available and will be limited to those actions that are reasonable, proportionate and necessary to prevent crime or disorder, or otherwise protect the legitimate rights and freedoms of others.
- 6.7 If the organiser is unhappy with the outcome of a decision of the Deputy Principal Curriculum they may write to the Principal Curriculum within five days of receiving the decision, setting out their concerns and requesting a re-consideration of the decision.
- 6.8 The organisers and attendees of any meeting/event must comply with all instructions given during the course of the event by any member of College staff or person authorised to act on behalf of the College.

7. College premises made available for use by outside organisations

Where the College has granted permission to an outside organisation or group to hold meetings or events on College premises, the outside organisation or group shall be required to act in accordance with this Policy regarding freedom of speech.

8. Breach to this Policy

Any intentional, vexatious or reckless breach of this Policy by a student or member of staff may be the subject of disciplinary action.

Where the acts of any individuals involve alleged breaches of criminal law, the College will assist the prosecuting authorities in implementing the due process of law. If the individual is a member of staff or student, any internal disciplinary proceedings may be deferred or suspended pending the outcome of criminal proceedings.