

Hull College policy	Procedure Status: Approved	
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Key policy underpinning the College's approach to the Prevent Duty and managing guest speakers and visiting organisations and community groups		Next review date: September 2023

1. Policy introduction

The aim of this policy is to clarify the College's responsibility to foster freedom of expression in an educational setting within the context of the legal framework and the protections it provides, and with consideration of our core values. This policy is written with reference to the guidance provided by the Equality and Human Rights Commission on the legal framework for freedom of expression.

<https://www.equalityhumanrights.com/en/advice-and-guidance/freedom-expression>

Hull College has a long history of attracting external speakers, visitors and organisations and community groups to enrich the experience of learners, staff and the college community. This policy seeks to capture the benefits that visiting speakers, organisations and community groups might bring and to meet the requirements of the Prevent Duty Guidance for Further Education Institutions in England and Wales (2015). This guidance was published to ensure that any risk of attempted radicalisation and threats of extremism are considered when inviting speakers and organisations to the College or responding to requests.

This policy is also linked to the statutory Prevent Duty within the Counter Terrorism and Security Act 2015:

<http://www.legislation.gov.uk/ukpga/2015/6/contents/enacted>

Specifically, the policy aims to:-

- Clarify the College's responsibility to promote freedom of expression
- Identify the circumstances under which freedom of expression may be legitimately restricted
- Outline the group's responsibilities regarding visiting or guest speakers

2. Responsibility and Implementation

Section 43 of the Education (No 2) Act 1986 places a positive duty on universities and colleges to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students, and employees of the establishment and for visiting speakers

1. Freedom of expression is a fundamental right protected under the Human Rights Act 1998 and by Article 10 of the European Convention of Human Rights. It is also protected under common law which is the part of English law that is derived from custom and judicial precedent rather than statutes. Protection under Article 10 extends to the expression of views that may shock, disturb or offend deeply-held beliefs of others.

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Freedom of expression is protected more strongly in some contexts than others. In particular, a wide degree of tolerance is accorded to political speech and debate during election campaigns.

As a College we are expected to allow open debating of challenging ideas and thought.

Additionally, the College is expected to promote Fundamental British Values. These are:

- Democracy
- The rule of law
- Individual Liberty
- Mutual respect and tolerance of those of different faiths and beliefs

3. Policy details

3.1 Freedom of expression may be limited in some circumstances and in particular does not protect statements that unlawfully discriminate against or harass, or incite violence or hatred against other persons and groups, particularly by reference to their ethnicity, religious beliefs, gender, or sexual orientation

3.2 No one can rely on the human right to freedom of expression to limit or undermine the human rights of others

3.3 The College as a public body has duties which require us to have due regard to the need to promote and foster good relations between different communities and people protected under the Equality Act 2010. This will require active challenge to the use of offensive language, communications, and hate speech.

3.4 The College also has a duty under the Counter Terrorism and security Act 2015 to participate fully in work to prevent people from being drawn into terrorism. Specifically, Sec 26 of the Counter Terrorism and Security Act 2015 places a duty on certain bodies, listed in Schedule 3 of the Act, to have '**due regard to the need to prevent people from being drawn into terrorism**'.

3.5 Although there is no universally accepted definition, hate speech is generally understood to describe forms of expression which incite violence, hatred or discrimination against other persons and groups, particularly by reference to their ethnicity religious belief, gender, sexual orientation, language, national origin, or immigration status.

3.6 Hull College is a secular educational establishment, regulated by Ofsted and subject to legislation and statutory guidance on matters such as safeguarding

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children, and advancing of equality. The College reserves the right to monitor any activity associated with use of its premises, to ensure that it supports our values and ethos.

Visiting Speakers

The Prevent Duty identified in the Counter Terrorism and Security Act 2015 require that the College has oversight of the content of any speeches or presentations by visiting guest speakers.

- (1) Organisers of a visiting speaker or organisation should complete a risk assessment (appendix 1) which will include any concerns about the content of any speech or presentation
- (2) The risk assessment checklist must be approved by the College Deputy Safeguarding Lead within the timelines specified in the risk assessment (appendix 1)
- (3) While challenging and controversial content may be allowed, the College is responsible for ensuring that such views are challenged during a presentation. This may necessitate the presence of a member of staff at any such presentation even if this is externally organised.
- (4) Any deviation by a guest speaker or organisation from an agreed script will be treated as a serious matter, and actions may include immediately intervening to stop a presentation or event that is taking place, refusal to allow an organisation or guest speaker permission to hold future activities such as presentations, speeches, community groups or reporting to the appropriate authorities including the police.
- (5) The College is entitled to refuse a request for a guest speaker or organisation, or to lease its premises for guest speaking or community groups for any use which does not reflect our core values and ethos.

4. Related documentation (policies, procedures and / or guidance)

- Safeguarding children and adults at risk policy
- Safeguarding children and adults at risk guidance
- Equality & Diversity statement
- Praise and complaints policy
- Anti-bullying policy

5. Procedure Checklist

Senior manager responsible	Director of Learner & Customer Services
College Committee	N/A

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Date of next policy review	September 2023
Date Equality Analysis agreed	August 2015

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Appendix 1 - Risk Assessment & Checklist: Visiting Speakers and Organisations

1. About the event			
Date:		Start time:	
		Finish time:	
Topic:			
Location:		Audience: <i>(i.e. group / course / staff)</i>	
1.1. Organiser's Details			
Full Name:		Status:	Staff / Student Union / Learner / External Client
Email:		Mobile:	
1.2. Deliverer/Presenter Details			
Speaker Name or Event:		Organisation:	
Address:			
Email:		Mobile:	
2. Checklist			
Consideration	Y/N	Details	
I have researched the speaker / organisation and / or know them from a previous time.			
I have considered the benefits that the speaker / organisation will bring to learners and the College.			
I have considered potential risks (e.g. controversial views, disruption, and inappropriate subject matter).			
3. Organiser's Declaration			
<ul style="list-style-type: none"> I declare that the information provided here is to the best of my knowledge a true and accurate statement of intentions and requirements. I understand and accept that this speaker/event/workshop request is made under the provisions of the College's Freedom of Expression Policy, and that I agree to comply with. I have discussed the event with my line manager. 			
Signature:		Date:	
<p>When completed this form should be submitted for consideration to the College Deputy Safeguarding Lead</p> <ul style="list-style-type: none"> College-led events: No less than 10 working days before the date of the proposed event/workshop. For external events: No less than 20 working days before the date of the proposed event/workshop. 			
4. Authorisation			
I approve the event described above / I have concerns and have declined the event described above. Please see summary of decision below (Delete as appropriate)			

Deputy Safeguarding Lead:		Signature:		Date:	
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