



**Issue Date:** January 2020  
**Review Cycle (Years):** Annually  
**Next Review Date:** January 2021  
**Person Responsible:** Vice Principal  
Curriculum, Quality & Learner Experience

## FREEDOM OF EXPRESSION

**Equality Impact Assessment Status:**

**Date of EIA:** December 2019

**Approved by:** SLT November 2019

**Approval Date:** January 2020

**Related Documents:**

### 1. CONTEXT

- 1.1 Coventry College is committed to providing equality of opportunity for all of its governors, staff, learners and visitors and seeks to create an open and supportive environment which is free from discrimination.
- 1.2 The College is an academic community free to query the positions and views of others and to put forward new ideas within the bounds of lawful free speech and expression. Every member of the college community is entitled to freedom of thought and, as far as reasonably practicable, to hold opinions without interference and enjoy freedom of expression within the law.
- 1.3 The expression of free speech can lead to conflicts among different groups with different views and beliefs. The College will seek to balance its duty to ensure freedom of expression with its duties to ensure freedom from hostility, harassment and intimidation; the security and safety of learners, staff and visitors; and compliance with the law. While it is committed to creating and maintaining an environment of freedom of expression, the College acknowledges that the right to free speech cannot be open-ended or absolute.

### 2. AIMS OF THE POLICY

- to affirm the College's responsibility to promote freedom of expression
- to identify the circumstances under which freedom of expression may be legitimately restricted
- to recognise and address the risks associated with radicalisation and extremism, and ensure vulnerable learners are protected
- to outline the College's responsibilities regarding visiting speakers and events held on the College's premises

### 3. STATUTORY FRAMEWORK

- 3.1 The aim of this policy is to clarify the College's responsibility to foster freedom of expression in an educational setting, within the boundaries of the law and the protections it provides, and with consideration of the College's core values and staff and learner codes of conduct. It is written with reference to the guidance provided by the Equality and Human Rights Commission on The Legal

Framework for Freedom of Expression. It is also linked to the statutory Prevent Duty within the Counter-Terrorism and Security Act 2015.

- 3.2 Section 43 of the Education (2) Act 1986 (“the Act”) requires the College to take reasonably practicable steps “to ensure that freedom of speech within the law is secured for governors, learners, staff and visiting speakers.” This includes ensuring that, within reasonable means, “the use of the College’s premises is not denied to any individual or body of persons on any ground connected with the beliefs or views of that individual or member of that body or the policy or objectives of that body.”
- 3.3 The College does, however, have a responsibility to ensure that any such events do not infringe the law, for example through breach of the peace, illegal acts and the use of College premises as a platform to express extremist views that contravene British values (as defined by the Prevent duty) and the College’s own codes of conduct for learners and staff.
- 3.4 To ensure compliance with the Act, the College has agreed the procedures to be followed and conduct required of those organising or attending meetings or other activities held on its premises.

#### **4. PROMOTION OF DEBATE AND PLURALITY OF VIEWS**

- 4.1 Learners will be encouraged and supported in their understanding of British values through tutorial, cross-college and whole-college activity.
- 4.2 The College will ensure there is a rich cross-college programme, reflective of equalities legislation and the Prevent duty that promotes tolerance and understanding of a diverse range of cultural, social, political and faith perspectives. Learners will be appropriately and effectively challenged to help them to consider and develop their values, viewpoints and behaviours. The programme will reflect the four aspects of *fundamental British values*: individual liberty, democracy, rule of law, and mutual respect and tolerance for others. The aims of the programme will be:
  - to appreciate a diverse range of behaviour and opinion
  - to promote confident personal development alongside academic achievement
  - to create a supportive and safe environment where freedom of expression is valued and protected
  - to foster a culture where the right to freedom of expression is balanced by the responsibility to ensure that the College community is free from the harm that intolerance of diversity brings
- 4.3 The College’s tutorial programme, consisting of tutorial and whole-college activity, will support the promotion of the right to freedom of expression and the development of personal skills. The programme will develop and embed learners’ understanding of their rights and responsibilities within current social and legal parameters and in line with College policy. This will be achieved by actively developing a diverse range of critical thinking skills through discussion, debate and social awareness that aim to create an understanding of the law, cultural and social empathy, and thereby increase the resilience of the student.
- 4.4 Learners will be actively involved in decision-making processes through the election of learner representatives; membership of the Student Union and/or the College’s Student Council; and attendance at Corporation meetings via elected representatives. Learners will be consulted on this policy at the annual “Learner Voice Conference” and will be able, at any time, to suggest topics and debates to be included in the cross-college programme.
- 4.5 Teaching, learning and assessment in the curriculum will also develop knowledge and understanding of issues relating to freedom of expression. Training on critical thinking skills will enable the student to flourish in productive and challenging work environments, both in college and employment.

## 5. EVENTS AND VISITING SPEAKERS

- 5.1 The College will not deny use of its premises to anyone on grounds of their beliefs, views, policy or objectives, provided that:
- the College's premises are at all times used only for lawful purposes
  - bookings are made by persons whom the College regards as properly responsible and in compliance with any prescribed procedures and/or reasonable adjustments necessary
  - visiting speakers come on the College's premises only at the invitation of event organisers or other authorised members of the College, and that a member of staff is present at meetings of visiting speakers and the College's learners
  - the Principal/Deputy CEO has given prior and specific permission to use its premises for the purpose concerned
- 5.2 If learners, staff and governors believe that an event being organised poses a risk under this policy, they are required to refer the matter to the Principal/Deputy CEO. No advertising of the event is permitted until a decision is reached on its compliance with this policy. This applies equally to the promotion at College of events to be held off-site.
- 5.3 Permission must be sought from the Principal/Deputy CEO or Principal's designate before any publicity material is distributed or displayed at the College, by any media including the College's email / VLE, in support of any event or cause; this applies to events both on or off-site and includes appeals for fund-raising.
- 5.4 In the case of meetings organised by learners, speakers normally should come at the invitation of the Student Council, Student Union or their recognised club or society.
- 5.5 The same requirement will apply to all off-site events which are supported, organised or funded through the College.
- 5.6 The College reserves the right to impose conditions that must be fulfilled before an event may take place; to refuse or withdraw permission for an event to take place; or to close an event once it has begun. The Principal/Principal's designate will decide whether to refuse or withdraw permission for an event when it is considered appropriate and practical to do so. The following list, which is not exhaustive, provides examples of the kinds of circumstances in which such action might be taken:
- where the bounds of lawful free speech are exceeded or thought likely to be exceeded such as by incitement to commit crimes or breach of the peace
  - where the nature of any of the subjects to be discussed, or the views or beliefs of any person attending give cause for concern (such as the active promotion of hatred, intolerance, or other extreme views contrary to fundamental British values)
  - where intimidation, duress, or harassment might be applied to any person in an attempt to prevent their attending the activity
  - where physical harm to persons, damage to College property or a breach of the peace is taking place or thought likely to take place
  - if, in the opinion of the College, unlawful acts are likely to take place, or indeed are taking place, as a result of the event in question
  - where the College could be brought into disrepute, or unwanted publicity, through association
- 5.7 A visiting speaker may be excluded on the grounds of his/her prior conduct or his/her denying free speech to others.
- 5.8 The Principal/Deputy CEO reserves the right to deny or halt the promotion within College of off-site events in accordance with the reasons outlined in 5.7
- 5.9 Other than for the purpose of routine, curriculum-related activity (eg charity fund-raising), permission must be sought from the Assistant Principal People Services or from the

Principal/Deputy CEO before any form of promotion of events (whether internal or external) may take place.

## **6. EQUALITY IMPACT ASSESSMENT**

- 6.1 This policy has been assessed for its impact on equal opportunities and will be informed by the aim to eliminate all forms of discrimination in all strands of the equal opportunities legislation.

## **7. REVIEW OF POLICY**

- 7.1 The above policy will be reviewed by the relevant parties annually, or as required.