

Freedom of Speech Policy

Effective from: February 2021

Version Number: I

1. Purpose

- 1.1 The purpose of this policy is to support the achievement of the DN Colleges Group strategic plan objectives, its vision and mission.

The policy will establish clear guidance regarding freedom of speech within DN Colleges Group, hereafter referred to as the College, and establish key principles, structures and monitoring arrangements for the college.

Freedom of speech (and academic freedom) underpins the nature of all activities at the College where free and open debate is crucial. We will therefore seek to encourage fearless discussion within the law that ensures critical thinking, challenges violent extremism, illegal narratives and the fear of marginalisation or discrimination.

- 1.2 This policy is written in line with DNCG Statement of Intent which identifies a commitment to core values, safeguarding, health safety and welfare, equality and diversity and Data Protection.

2 Scope

- 2.1 The scope of this policy will be all procedures and processes of the College relating to the legal observation and the promotion of free speech and the consequences of infringement.

This policy applies to all students, staff, governors, clients, stakeholders and visiting speakers on any DN Colleges Group campus.

3 Consultation

- 3.1 Members of the Equality and Diversity Group and Safeguarding Group were consulted in the drafting of this policy.

4 Definitions and/or Relevant Legislation

- 4.1 The policy will be implemented in accordance with all existing and emerging legislation. Key legislation relating to this policy includes:

- 4.2
- The Education act, 1986
 - Human Rights Act 1998, Article 10 of the European Convention on Human Rights
 - Equality Act 2010
 - The Counter Terrorism and Security Act 2015
 - Higher Education and Research Act 2017

5 Roles and Responsibilities

- 5.1 All members of the DN Colleges Group community have a responsibility in the implementation of this policy in line with the DNCG ASPIRE Values.

The College is strongly committed to the principle of freedom of speech and expression and fosters an environment where all can participate fully.

Equally, the College expects its members to receive and respond to intellectual and ideological challenges in a constructive and peaceable way.

The College will take into account its obligations regarding freedom of speech, the management of the health and safety of its members and the general public, the promotion of equal opportunities and prevention of discrimination on the grounds of belief, race, gender or sexual orientation or other legally protected characteristics, and its duties associated with preventing people from being drawn into terrorism or radicalisation.

All members of the College community have a responsibility to be aware of their right of freedom of speech and that this is balanced by the obligation to use that freedom responsibly, in the context of the professional values in which it is grounded.

6 The Policy

- 6.1 The purpose of this policy is to establish clear College guidance regarding freedom of speech in order that freedom of speech - which legislation supports as a fundamental human right - might be fostered and promoted, whilst at the same time seeking to ensure that freedom of speech does not impinge upon the rights of others via unintended negative consequences such as discrimination, bullying and harassment, abuse or, in extremis, to violence. The policy is intended to support the development of a conducive learning and working environment that encourages critical thinking. The policy establishes key principles, structures and monitoring arrangements for the College.

The Policy will be publicised as widely as possible to include staff, students, governors, stakeholders and the community and will be available in a variety of formats on request.

The College will actively support the fundamental human right to free speech, giving support to an individual's right to express their thoughts, opinions and beliefs. However, in order to foster and preserve an environment of tolerance and respect, which are statutorily identified fundamental British Values, then an individual's right to *entirely* free speech in College as a public organisation, or when representing the College externally, may on occasions have to be moderated in order to avoid either intended or unintended discrimination and harassment or abuse. This is informed by the public sector duty to promote equality and diversity that is enshrined in law and must also be observed and supported.

Individuals within the College environment, as well as students, staff and governors who learn and work as a part of College in other working environments, should take all reasonable steps to ensure that their human right to freedom of speech does not impinge upon the right of others to be able to work and live in an environment which is welcoming, respectful, tolerant, safe and free from discrimination, abuse or violence. Ignorance of the law and associated good practice is not an acceptable mitigation.

In exercising their freedom of speech, visitors to the College as well as governors, staff and students, including when representing the College externally, must not create, store

or transmit unlawful material, or material that is indecent, likely to cause offensive, threatening, discriminatory or extremist. This may have serious disciplinary or legal consequences.

All governors, staff, students and visitors to the college should be aware and informed of the statutory 'Prevent' agenda and play a proactive role in ensuring that its guiding principles to prevent radicalisation, extremism and terrorism are upheld and promoted at all times.

6.2 **Infringement**

Infringement of this policy may result in disciplinary action. Penalties may include exclusion from learning or employment. Information about infringement may be passed to appropriate law enforcement agencies, and any other organisations whose regulations may have been breached.

7 **Relevant Policies and Procedures**

- 7.1
- Safeguarding Policy
 - Equality, Diversity and Inclusion Policy
 - Anti Bullying & Anti Harassment Policy
 - Whistleblowing Policy
 - Acceptable use of IT Policy
 - Disciplinary Policies and Procedures
 - Social Media Policy
 - Code of Conduct

8 **Who to contact with Queries**

- 8.1 Kit Sargent, Deputy Principal, kit.sargent@northlindsey.ac.uk
Sally Senior, Head of Equality, Diversity & Inclusion, sally.senior@don.ac.uk
Kirsty Knivett, Head of Safeguarding & Prevent, Kirsty.knivett@northlindsey.ac.uk
Human Resources, hr.group@dncolleges.ac.uk

9 **Communication**

- 9.1 This policy will be share via the college intranet and internal communications.

10 **Authorisation**

Policy Holder:	K J Sargent	Job Title: Deputy Principal
Committee Group:	Senior Leadership Team & Curriculum, Performance & Quality Committee	
Authorisation Group:	Corporation Board	
Authorisation Date:	March 2021	
Next Review Date:	February 2024	

*Policies will be reviewed on a 3-yearly basis unless there is a specific requirement to undertake the review annually.

11 Version Control

Version Number	Effective From	Review Date
Version 1	February 2021	February 2024