FREEDOM OF EXPRESSION AND ACADEMIC FREEDOM POLICY

AND

PROCEDURES FOR APPROVING EXTERNAL EVENTS AND SPEAKERS

2023-24

Document Title
FREEDOM OF EXPRESSION AND ACADEMIC FREEDOM POLICY AND PROCEDURES FOR APPROVING EXTERNAL EVENTS AND SPEAKERS

Document Author and Department:	Responsible Person and Department:
Kathryn Edmonds, BA	Principal/CEO, Academic

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Summary/Description:
This document sets out All Nations Christian College's commitment to freedom of expression and academic freedom and refers the reader to the relevant policies which deal with breaches of this policy.
This document has been adapted from a policy document by Moorlands College, with grateful acknowledgment.
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ALL NATIONS CHRISTIAN COLLEGE

To train and equip men and women for effective participation in God's mission
to His multicultural world.

FREEDOM OF EXPRESSION AND ACADEMIC FREEDOM POLICY
AND
PROCEDURES FOR APPROVING EXTERNAL EVENTS AND SPEAKERS

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2   INTRODUCTION

2.1   All Nations Christian College recognises that freedom of speech and expression within the law has fundamental importance within the Higher Education sector. Whilst All Nations is not obliged under Section 43 of the Education (No. 2) Act 1986 to take measures to protect freedom of lawful speech and expression, it recognises the importance of doing so.

2.2   All Nations Christian College also recognises the need, although not obligated to do so, to have regard to the need to ensure that academic staff members have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions without placing themselves at risk of losing their jobs or any associated privileges they may have at the College.

2.3   This policy on Freedom of Speech sets out the rights and obligations inherent within the principles of freedom of speech and expression and academic freedom. The policy shall be construed and applied in the spirit of upholding those principles wherever reasonably practicable within the law.

3   LEGISLATIVE FRAMEWORK

This policy has been developed in accordance with the following legislation and guidance:

- Counter Terrorism Act 2015
- Code of Practice issued under section 43 of the Education (No 2) Act 1986
- Article 10 of the Human Rights Act
- Equality Act 2010
- Data Protection Act 2018 and United Kingdom General Data Protection Regulation 2020

4   SCOPE:

This policy applies to:

- All Nations Christian College, as an institution, including members of the College Council;

- all members of All Nations' staff and/or those working on behalf of the College;

- all duly enrolled students of the College (whether full or part-time, residential or non-residential); and;

- all persons invited to speak, perform, or otherwise take part in events to be held on All Nations' premises in accordance with the provisions of this policy.

5   FREEDOM OF SPEECH AND EXPRESSION

5.1   All Nations Christian College shall take such steps as are reasonably practicable to ensure that freedom of speech and expression within the law is secured for every person to whom this policy's rights and obligations apply.

5.2   Every person to whom this policy's rights and obligations apply shall assist All Nations Christian College in upholding this policy on freedom of speech.

5.3   All Nations Christian College will not suppress freedom of thought and expression. However, the College has a duty to ensure, wherever practical, that such thoughts and expressions do not constitute incitement to riot, insurrection, racial hatred, religious hatred, sexual harassment or other activities (beyond the right of peaceful protest) which are likely to cause a breach of the peace or public disorder or otherwise to be unlawful.

5.4   The College, as a Registered Charity with religious objectives, maintains the right to adhere to its published Statement of Faith, which College Council' Members and Teaching Staff commit themselves to uphold. The College also maintains the right to teach and express the Christian faith as expressed in the College's Statement of Faith.

5.5   All Nations Christian College shall ensure, so far as is reasonably practicable, that the use of College premises is consistent with our charitable objectives and Statement of Faith.

5.6   Every person to whom this policy's rights and obligations apply shall refrain from organising or engaging in or otherwise being associated with any conduct (other than by lawful, reasonable and peaceful persuasion) intended to prevent the enjoyment of rights under this policy.

5.7   All Nations Christian College shall take such steps as are reasonably practicable (including, where appropriate and following proper investigation, invoking disciplinary measures) to secure that the obligations under this policy are complied with. (See Sanctions below).

5.8   All Nations Christian College has the responsibility to maintain good order on its premises. It has the right and the power to regulate and, if necessary, to impose conditions or restrictions upon activities such as teaching, performances, meetings and demonstrations held or proposed to be held on its premises. (See documents referred to in Sanctions below).

5.9 All Visiting Lecturers shall be made aware of this policy on their booking form.

5.10 It is the responsibility of the Conference Manager to ensure that organisers of conference bookings sign an agreement to ensure any speakers appointed comply with this policy and its procedures.

5.11 The Prevent Lead shall maintain a record of all applications for appointing an external speaker on non-academic related topics, including the reasons given for any mitigations imposed or refusals given and documentation related to any appeals which take place. This is in order to be able to comply with the College Safeguarding Policy and reporting requirements to:
   a. The College Board
   b. The OfS as part of their monitoring of the College's compliance with the Prevent duty.

6 ACADEMIC RESEARCH

The College does not wish to put any unreasonable limits on genuine academic research. It also wishes to take reasonable steps to protect from harm the researcher, and anyone potentially affected by academic research undertaken from any person who comes under the scope of this policy. Therefore, any student or member of the academic or teaching staff of All Nations Christian College who propose to undertake research into areas which might be regarded as sensitive e.g. pornography or related to extremism) must comply with and follow the College's Research Ethics Policy.

7 COMPLAINTS

Should any person who comes under the scope of this policy (section 5) feel that their freedom of expression or academic freedom has been unlawfully inhibited, they should initially discuss this with the relevant person concerned, as follows:

- Students and College personnel should follow the procedures in the College 'Complaints Policy by discussing the situation informally with the relevant person before, should they feel the matter to still be unsatisfactory, taking more formal action according to this policy and procedure.

- Other persons or organisations covered by this policy, should discuss the matter initially with the person who arranged their appointment or booking. Should they feel the matter to still be unsatisfactory, may take more formal action by making a formal complaint by using the 'Complaints Policy' which is available from the College General Administrator, info@allnations.ac.uk.

8 SANCTIONS

8.1 Any person or organisation covered by this policy who is found to be in breach of the policy may be subject to action being taken against them under the relevant College procedure:

- Students will be investigated using the College Student Disciplinary Policy**;**
- Members of staff will be investigated using the College Staff Disciplinary Policy;
- Volunteers will be treated according to the terms of the College Voluntary Staff Agreement Policy;
- External Users of the premises will be treated according to the terms of the College Conference Lettings Policy would apply.

8.2   Should any other premise user be in breach of this policy, the College may:

- refuse future access to the College premises;
- if applicable, apply for the recovery of any costs for damage etc incurred to College property.
- take steps to assist the police in identifying any persons who have committed an unlawful act with a view to appropriate action being taken against them.
- share information about speakers with other institutions, where legal and appropriate;
- inform the College Prevent Lead of any concerns in relation to vulnerable adults being drawn into reportable activity according to the Counter Terrorism Act 2015.

9   ROLES, RESPONSIBILITIES, POLICY APPROVAL AND REVIEW

9.1   The **Board of Trustees** have legal oversight and responsibility for all College policies, providing leadership and active support for them and being responsible for ensuring:

- A legally compliant and fit for purpose freedom of expression and academic freedom policy is in place and approved by them.
- Satisfactory arrangements are made for its effective implementation, including the provision of resources.
- The Senior Leadership Team monitors, evaluates and periodically reviews this policy and recommends any changes firstly to the Governance Committee and then the Board of Trustees for approval.
- Complaints and appeals brought under the terms of this policy are managed satisfactorily by the Senior Leadership Team.
- Decision making complies with all relevant legislation and regulatory bodies.
- They receive details from the Senior Leadership Team of reported incidents and outcomes of cases (particularly where a significant impact on someone has occurred or lessons need to be learned), or of a serious incident or one which could be of reputational risk to the College which should be reported to either the Office for Students and/or the Charity Commission.

9.2   The **Principal/CEO and Senior Leadership Team** are responsible for:

- The implementation and management of this policy, ensuring that procedures are implemented consistently and with clear lines of authority and actively and visibly leading the College's freedom of expression and academic freedom policy is in place and policy and practice.
- Ensuring this policy is continually improved in consultation with students and staff.
- Monitoring, evaluating and periodically reviewing this policy and for obtaining approval from the Governance Committee and the Board of Trustees for any changes made.
- The management of complaints.
- Ensuring decision making complies with all relevant regulatory bodies.
- Reporting details to the Board of Trustees of reported incidents of outcomes of cases (particularly where significant impact on someone has occurred or lessons need to be learned), or of a serious incident or of one which could be of reputational risk to the College.

9.3   **The Principal/CEO, Senior Leadership Team and the Vice-Principal (Academic) staff and students** are responsible for ensuring that the principles of this policy are incorporated into the management of all visiting speakers and event speakers.

9.4   Through their ongoing regular meetings, the **Head Students** and the **Principal/CEO** are responsible for providing an opportunity for matters related to this policy to be raised with all members of the student body (the Head Students), the Senior Leadership Team and the Board of Trustees (the Principal/CEO).

9.5 **Any person or organisation covered by the scope of this policy** are responsible for:
- familiarising themselves with this policy on appointment/at induction/orientation/the start of any speaking arrangement with the College or on the College premises;
- demonstrating active commitment to this policy by:
  - exercising their freedom of expression and/or academic freedom with due consideration for others;
  - discouraging any form of abuse by making it clear that such behaviour is unacceptable;
  - supporting any member of the College who feels they have been subject to harm through another's misuse of their freedom, including supporting them to make a formal complaint if appropriate;

if **involved in a complaint,** whether those making an allegation or those being accused of unacceptable behaviour according to the terms of this policy:
- ensuring they present their case with integrity and in a timely fashion and/or
- ensuring they comply with any investigation and the procedures in this policy.

9.6 The College entrusts **all individuals across the institution** to take a pro-active role in improving the College's freedom of expression and academic freedom policy and practice.

9.7 The **Head of Operations** and the **Conference Manager** are responsible for ensuring the organisers of external events taking place on College premises understand their obligations and comply with the terms of this policy.

9.8 The **Vice-Principal (Academic)** is responsible for ensuring all Visiting Lecturers understand their obligations and comply with the terms of this policy.

9.9 **Recruitment and Training Administrators** are responsible for managing the administration of the complaints and appeals process.

10 POLICY COMMUNICATION

10.1 All policy documents concerning students which are mentioned in this policy can be found here.

10.2 The Staff policies can be found in the Staff Folder /Additional Staff Policies & Procedures on the P Drive and are also obtainable from the HR Lead.

10.3 The **'Conference Lettings Policy'** is available here and from the Conference Manager.

10.4 The College General Administrator will make every effort to respond to any request to provide this policy in a different format. Such requests should be sent to info@allnations.ac.uk

10.5 This policy will be included in staff and student induction.

11 RELATED DOCUMENTS

The following College documents are related to this policy:

- All Nations Christian College Research Ethics Policy.
- All Nations Christian College Safeguarding Policy
- All Nations Christian College Bullying, Harassment and Sexual Misconduct Policy
- All Nations Christian College Complaints Policy
- All Nations Christian College Student Disciplinary Policy
- All Nations Christian College Equality and Diversity Policy
- All Nations Christian College Data Protection Policy

PROCEDURES FOR APPROVING EXTERNAL EVENTS AND SPEAKERS

1   INTRODUCTION

All Nations Christian College is committed to balancing its legal responsibilities in terms of allowing freedom of speech and academic freedom with its duties to prevent members of the College from being drawn into terrorism (the Prevent Duty). This procedure therefore upholds the College's Freedom of Speech and Academic Freedom policy and supports the College's Safeguarding policy.

2   SCOPE

i.   The events covered by this procedure include those:
- Planned to take place on College premises or under the auspices of the College.
- Where the speaker(s) is making a live appearance or using digital or similar technology to speak to the audience from elsewhere.
- Organised by any members of the College, whether the event is staff or student led.
- Organised by a third party on College premises e.g. a conference booking.

ii.   The events covered by this procedure exclude:
- Visiting lecturers or guest speakers who are engaged to speak as part of the curriculum of the College's academic programmes or on a topic related to the College's academic curriculum. However, such speakers are made aware of and expected to uphold the College's Freedom of Speech and Academic Freedom policy.

3   COLLEGE BRANDED EVENTS BOOKED THROUGH THE COLLEGE:

3.1   APPLICATION

i.   The Event Organiser must complete the College 'Event Booking' form, in consultation with all relevant College departments.

ii.   Where the speaker(s) is expected to speak on a topic not directly related to the College's academic curriculum, the Event Organiser must provide the following information:
- Background of the speaker
- Overview of any organisation that they will be representing
- Subject matter of talk
- Assessment of the Prevent Duty risk posed and reason given

iii. The completed form is to be forwarded to the College General Administrator (CGA) to ensure adequate consultation has taken place and budgetary approval given, before sending to the Senior Leadership Team (SLT) for approval of the proposed event and speaker(s).

iv.   Where a speaker is unknown to the College, the engagement will not be approved until the SLT is satisfied that the intended speaker(s) is a suitable person to speak at College. This may, amongst other things, require the Event Organiser to provide the SLT with further details such as:
- References for the speaker(s) / from the organisation that they represent
- A summary of the content to be covered by the speaker(s)
- An indication of press or media interest likely to be shown in the event.

A member of the SLT or the CGA may conduct independent research into the proposed speaker (e.g. through material readily available via the internet) to inform the SLT decision making process.

3.2 APPROVAL CRITERIA

i. In considering whether to grant approval for the <u>event,</u> the SLT will need to satisfy themselves that the event:

- Is consistent with the College's charitable objectives
- Poses no risk or unacceptable reputational risk to the College
- Poses no risk (with particular reference to the Prevent Duty) to the safety of the students, the wider College community or the attendees
- Raises no reservations about the legality of the event or the speaker
- Raises no reservations about the potential impact on the attendees' conduct.
- Does not clash with the normal business of the College
- Does not pose an unreasonable disruption to the community.

ii. In considering whether to approve the proposed <u>speaker(s</u>), the SLT will additionally consider factors such as whether:

- the intended speaker(s) has any known links to any proscribed terrorist organisation

- the subject matter will be at odds with the College's charitable objectives or cause undue distress and/or factions within the College community

- a controversial subject matter is unlikely to be presented in a balanced manner.

3.3 OUTCOME

Based on the consideration of all the information presented, the SLT will decide either to approve unconditionally, approve conditionally or refuse permission to hold the event/appoint the speaker(s):

i. <u>Unconditional Approval</u> will be granted if the approval criteria in 3:2 above are met.

ii. <u>Conditional Approval</u> will be granted if the SLT feel that there is some risk to the College, but that they can:

a. Take action to mitigate any perceived risk; or
b. Take action to ease tension between groups with strongly held differing opinions; or
c. Take all reasonably practical steps to enable the event/speaker(s) to proceed lawfully and safely; or
d. Set conditions which must be met by the Event Organiser before the event/speaker can proceed, such as one or more of the following requirements that:

o the presentation offers a more balanced debate by, for example, the addition of a second speaker offering an opposing viewpoint

o having an independent chairperson (who would be briefed on their legal responsibilities) to facilitate the event and make sure a range of viewpoints can be heard

o mandatory attendance by a member of SLT

o enhanced security arrangements be put in place (the cost to be borne by the organisers of the event)

- o the number of attendees be restricted through ticketing measures

- o the event be filmed to deter the use of unlawful speech

- o the use of trigger warnings i.e. warnings that material may be deemed distressing or difficult, thereby permitting people who may find views offensive or distressing the option of making an informed decision to stay or leave

- o conditions be placed on advertising or promotional material proposed

- o restrictions be placed on when, where and/or how it should be held

- o another measure which is considered to be necessary be put in place to ensure public safety and/or to avoid reputational damage to the College

- o the event be postponed, if necessary, to enable one or more of the above steps to be taken.

iii. <u>Refusal to grant permission for the event or the speaker(s)</u> because it either doesn't meet the approval criteria or the College feels the risk to the legality or safety of the event cannot be reasonably mitigated.

3.4   ACTION FOLLOWING DECISION

i. The SLT will communicate their decision to the CGA who will inform the Event Organiser of the outcome.

ii. The CGA will keep a record of all events (including a record of any necessary mitigations) and event requests (where permission was not granted by the SLT, including the reasons for not granting permission) to support future data requests made by the OfS. This information will be passed to the Prevent Lead on request for monitoring purposes and in order to report to the Board of Trustees and to submit to the OfS.

3.4.1   *Approved Events and Speakers*

i. Where approval is given the CGA will:

- Ensure an Event Administrator is appointed. It is this person's responsibility to ensure that the Chair of the event is reminded of their legal responsibilities in managing the event.

- Do the necessary right to work checks on the speaker(s)

- Send the Speaker's Agreement to the speakers who are not speaking on a curriculum related topic, reminding them of their obligations to speak within the law.

  The Speakers Agreement sets out the legal responsibilities of the speaker not to '*present extremist or harmful views or behaviour that will compromise the College's commitment to mutual respect and tolerance and to gain their commitment to not illegally express extremist ideology which could draw others into terrorism, express themselves in any way which would constitute incitement to riot, insurrection, racial hatred, religious hatred, discrimination, harassment or in any other way which is illegal'.* The speaker(s) must sign the agreement in advance of the delivery of their talk.

  This agreement must be signed before the speaker gives their talk and is retained by the College's Prevent Lead.

- On arrival at the College the speaker(s) will be required to present to the CGA(or other trained member of staff acting on their behalf):

  - o proof of identification (e.g. valid passport or driving licence) and,

- o official identification from the organisation being represented (e.g. identity badge) (if applicable)
  - The identity checks that have been performed will be recorded on the Speaker's agreement.

ii. The Event Organiser and designated Event Administrator will continue with the process of advertising and organising the event in conjunction with all relevant College departments and in accordance with the College Guidelines on Event Planning.

3.4.2 _Conditionally Approved Events and Speakers_

Where conditional approval is given, evidence that the conditions have been met must be presented to the College General Administrator who will present it to the SLT for their approval. The SLT will communicate their decision to the College General Administrator (CGA) who will inform the Event Organiser of the outcome. If approved, the procedure will then continue as 3.4.1 above. If refused, the procedure may continue as 3.4.3 below.

3.4.3 _Appeal against Refusal_

i. If the Event Organiser feels the SLT did not have sufficient evidence to reach the conclusion they did, or they feel they have been unfair or discriminatory in some way, they may appeal to the SLT for a review of their decision, together with evidence/reasons given.

ii. SLT will reconsider the Event Planning proposal and communicate the outcome via the CGA.

iii. If the Event Organiser is still dissatisfied with the outcome and they feel have sufficient grounds they may appeal to the Board of Trustees via the CGA using the appeal procedure and form in the appeals section of the College Complaints Policy.

3.4.4 _Changes after Permission has been given_

i. Where the Event Organiser becomes aware of any of the following changes to their proposed event, they must inform the CGA immediately, before the event can go ahead:

- an external speaker(s) is now to be invited and/or changed; and/or

- the Event Organiser now has reason to believe that there is a risk that the speaker or event may break the law, breach the College's statutory duties and/or will pose a demonstrable risk to the well-being of students, staff or visitors;

- the organisers have made a major change regarding the size of the event, facilities required, or timings etc.

ii. On receipt of the information the CGA in consultation with SLT, will follow the decision-making procedure again and proceed as above.

4   NON-COLLEGE BRANDED EVENTS BOOKED THROUGH THE CONFERENCE DEPARTMENT:

i.   This section applies to all third-party organisations hiring the College for events such as conferences or external training events hiring College premises.

ii.   The conditions for hiring the College by a third party are set out in the College's Conference Lettings policy. All hirers are provided with a copy of the policy and are required to agree to the conditions contained within the policy before confirming the booking.

iii. All booking requests are managed by the Conference Manager. The Conference Manager will liaise with the Head of Facilities (or a member of the SLT) in responding to booking requests according to the agreed Conference approval criteria.

iv.   Where a potential booking from an individual or organisation wanting to present speakers is received and that individual or organisation is not known by the Conferences Department, the Head of Facilities will liaise with the Conference Manager (acting in the role of College General Administrator) and SLT in following the process as outlined from section 3.1 iv (above) to consider the booking.

v.   As a condition of booking, the event organiser is required to complete a Conference Speakers' Agreement form to declare and accept their responsibility to ensure that all of their speakers will neither illegally express extremist ideology which could draw others into terrorism, nor express themselves in any way which would constitute incitement to riot, insurrection, racial hatred, religious hatred, discrimination, harassment or in any other way which is illegal.

vi.   The completed form, including details of all scheduled speakers and the topics that they will be speaking on, must be returned to the Conference Manager before the start of the conference.

vii. Any amendments to the scheduled speakers must be noted on the form.

viii. The completed Conference Speakers' Agreement form will be retained by the Prevent Lead.

ix.   The Conference Manager will keep a record of all events which took place and all event requests (where permission was not granted, including the reasons for not granting permission) to support future data requests made by the OfS. This information will be passed to the Prevent Lead, on request for monitoring purposes and in order to report to the College Board and to submit to the OfS.

5   TIMESCALES

The College requires a minimum of 10 working days to process an event/speaker request. However it will take up to 30 working days if the request involves complex requirements or is deemed to be high risk and mitigations need to be considered to lower that risk before conditional permission or refusal can be determined.

Reviews require a minimum of 15 working days to process. For time-scales regarding appeals please see the **College [Complaints Policy](#)**.

SPEAKERS' AGREEMENT

The College has a general duty of care, as far as is practicable, to protect everyone on our site. This includes the duty to ensure that no one uses our premises to present extremist or harmful views or behaviour that will compromise the College's commitment to mutual respect and tolerance.

As a College our aim is to share the Gospel message with grace as well as truth, respectful of all others, and with a particular concern for the vulnerable in our society. We appreciate that harm can be psychological and emotional as well as physical. Therefore, the College will not tolerate spreading, seeking to spread, or permitting the spread of extremist religious or political views among visitors to the College. This commitment is contained in the College 'Freedom of Expression and Academic Freedom Policy' which is available on request.

In the light of this, Visiting speakers who have been invited to speak on a topic unrelated to the College curriculum are required to sign the following agreement:

I will neither illegally express extremist ideology which could draw others into terrorism, nor express myself in any way which would constitute incitement to riot, insurrection, racial hatred, religious hatred, discrimination, harassment or in any other way which is illegal.

Signed by Speaker:	
Full name of speaker:	
Organisation represented *(if applicable):*	
Event:	
Date of event:	
Engaged to speak by:	
Audience: *(College, public event, conference etc)*	
Topic to be covered in speech/event:	

For internal use:

Proof of identity: ☐ Passport ☐ Driving Licence ☐ Identity card ☐ Other (please specify)	Checked by: Date:
Organisation identity (if applicable): ☐ Official organisation name badge ☐ Photographic evidence ☐ Other official documentation (please specify)	

All completed forms to be passed to the Prevent Lead for retention.

SPEAKERS' AGREEMENT – for Conference Groups

The College has a general duty of care, as far as is practicable, to protect everyone on our site. This includes the duty to ensure that no one uses our premises to present extremist or harmful views or behaviour that will compromise the College's commitment to mutual respect and tolerance.

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Name of Organisation/Group:	
Name of Hirer:	
Date(s) of event:	
Name and signature of speaker	
Name and signature of speaker	
Name and signature of speaker	
Name and signature of speaker	
Name and signature of speaker	
Name and signature of speaker	
Declaration by hirer: All of the speakers at the event have signed to agree to the terms of this agreement.	Signed: Date:

Should you require more spaces, please ask the Conference Manager for a second form.

This form must be handed to the Conference Manager as soon as possible once all speakers at the event have signed the declaration. The form will be retained by the College's Prevent Lead.