

## **POLICY ON FREEDOM OF EXPRESSION**

1. The College of Health (the College) is committed to freedom of expression, within the law, as a fundamental individual right within democratic society and a key principle underpinning enquiry and debate within higher education.
2. Freedom of expression includes the written and spoken word, gestures, actions and the display of images intended to convey meaning.
3. This policy draws upon:
  - The Education Act 1986 Section 43;
  - The Education Reform Act 1998
  - Universities UK. Freedom of speech on campus: rights and responsibilities in UK universities;
  - Diana Beech Cracking the code: A practical guide for university free speech policies (HEPI occasional papers 109, 2017);
  - Office for Students. Prevent duty: Framework for monitoring in higher education in England 2018-19 onwards

### **Principles of Freedom of Expression**

4. The College supports the following salient principles of freedom of expression:
  - (a) Everyone has the right to free expression within the law.
  - (b) Higher education providers should always work to foster respectful and balanced debate and challenge, including on sensitive issues;
  - (c) Freedom of expression must not be abused to promoting hatred or bigotry.
  - (d) Any decision about whether to hold events and host speakers should seek to promote and protect the right to freedom of expression.
  - (e) Peaceful protest is a democratic right and a protected form of expression; however, protest should not be allowed to shut down debate or infringe the rights of others.
5. The adoption and application of these principles enables the College to challenge discrimination and intolerance and foster constructive and engaged student, academic and practitioner communities.

### **Restriction of Freedom of Expression**

6. The College appreciates that there are conditions when freedom of expression must be limited by law: these include the prevention of crime, safeguarding national security, protecting public safety and preventing unlawful discrimination and harassment, e.g.:
  - speech causing fear or provocation of violence;
  - acts intended or likely to stir up hatred on grounds of race, religion or sexual orientation
  - speech amounting to a terrorism related offence, and
  - causing a person harassment, alarm, or distress.

7. Such limitations must be lawful, reasonable and proportionate. This places a duty on the College to mitigate the potential for discrimination or disorder through taking reasonable, practical steps such as ensuring that:
- alternative points of view are presented at speaking events;
  - events are conducted by an experienced chairperson;
  - additional security is provided to ensure order is maintained,
  - events are ticket only.
8. Where the College has reason to believe that the safety or security of its students, staff or visitors is at risk or there are other serious risks to public order it may be necessary to postpone or cancel an event.

### **Compliance**

9. To ensure compliance with the policy the College has produced the following:
- the External Speaker(s) Event Approval Procedure and Form
  - the responsibilities of organisers and College officers in the organisation and holding of events;
  - a code of behaviour for those attending events;
  - a disciplinary process where the code of conduct is breached;
- Each of the above may be accessed through the hyperlink or through the College's website)

### **Review**

10. This policy and its associated procedures and guidance shall be reviewed at least annually, and amendments approved in time for publication at the start of the academic year. The policy may be amended and approved more frequently where changes are required, for example to ensure that it is up to date with legislation.

## **Appendix A**

### **External Speaker Event Policy**

1. This policy covers all events which have an external speaker hosted or co-hosted by the College of Health and the Students' Association whether on College premises or at external venues, including online. It also covers all events hosted by third parties (including individual members of staff, students, clients or parties seeking to rent College premises).
2. All events which include external speakers must be approved by the College's Freedom of Expression Panel. The Panel shall comprise:
  - The Chief Operating Officer;
  - A senior academic.
3. External speaker events may be booked by a member of staff or a student of the College. An external speaker event booked on behalf of somebody from outside the College must be sponsored by a senior member of staff. The person who has booked or sponsored an event is responsible for ensuring that the organisers are aware of and agree to abide by the College's policies, procedures and protocols on hosting external speaker events.
4. External speaker events must be booked using the College's online form and submitted 15 working days in advance.
5. The person booking the event must complete the form fully and, on considering the questions on the form, determine whether allowing the event to be held raises any concerns about:
  - the exercise of freedom of expression;
  - facilitating violent extremism or terrorism;
  - public order;
  - health and safety of the staff and students of the College and those attending;
6. Where no such concerns exist, the event may be approved subject to appropriate accommodation being available, and usual health and safety measures being in place.
7. Where concerns are identified the panel may require additional arrangements to be put in place such as ticketing the event, appointing its own chair or providing additional security. The panel may also contact the regional Prevent Lead or the police about the event and seek their advice on how it should be facilitated.
8. In extreme circumstances, the Panel may determine that holding the event would pose a disproportionate risk or unreasonable expense, or that it contravenes a legal duty, in consequence of which the College may determine that the event cannot take place under its auspices.