

Capital City College Group Freedom of Speech Code of Conduct

Lead Responsible:	Westminster Kingsway College Principal	Version:	1
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Freedom of Speech Code of Practice:

1.The Education (No 2) Act 1986 (the “Act”)

1:1 The Act requires every individual and body of persons concerned in the government of any further education institution to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for students and employees of the institution and for visiting speakers.

1:2 There is also a requirement that, so far as is reasonably practicable, the use of educational premises shall not be denied to any individual or body of persons on grounds connected with the beliefs or views of that individual or any member of that body, or with the policy and objectives of that body.

1:3 Every individual and group concerned in the governance of Capital City College Group (The Group or CCCG) is required to take such steps as are reasonably practicable (including where appropriate the initiation of disciplinary measures) to secure compliance with the code of practice.

1:4 In addition, clear guidance is required to students, staff, governors and external agencies as to how the CCCG manages freedom of speech as part of its Prevent Duty Guidance and in line with the Counter-Terrorism and Security Act 2015.

2. Principles of the Code

2:1 Capital City College Group is fully committed to this principle, and to the promotion, of freedom of speech and expression. The Group’s core values are ‘respect, aspiration, collaboration, creativity and opportunity’. As such it will therefore, promote an environment in which all of staff and students can fully engage in educational debate and feel able to question and test ideas, and to express new concepts and controversial or unpopular opinions, without fear of disrespect or discrimination. However, CCCG must take account of its other legal obligations, beyond those imposed by the Act. For example, a speaker who incites an audience to violence, breach of the peace or racial hatred is acting contrary to public order laws and as such shall not be regarded as lawful within the remit of this code. Speakers must respect the rights and freedom of others as protected by the law. The opinions made by staff or speakers also cannot or should not cause or lead to any harm or upset to students and colleagues that fall under any of the nine protected characteristics.

2:2 In the case of meetings organised by students or staff, invitations should not be sent by staff or students without prior consultation with the designated senior manager of CCCG.

2:3 In addition, section 26 of the Counter-Terrorism and Security Act 2015 ('the Act')¹ places a duty on colleges, in the exercise of their functions to have 'due regard to the need to prevent people from being drawn into terrorism'. This necessitates the establishment of protocols and procedures by which to assess the risks associated with events that are CCCG affiliated, funded or branded.

2:4 The Group will not unreasonably refuse to allow events to be held on its premises. The lawful expression of controversial or unpopular views will not in itself constitute reasonable grounds for withholding permission for an event. Reasonable grounds for refusal would include, but are not limited to, the fact that the event is likely to:

- Include the expression of views that risk drawing people into terrorism or are the views of proscribed groups;
- Incite others to commit a violent or illegal act;
- Pose a genuine risk to the welfare, health or safety of members of the Group or the general public, or give rise to a breach of the peace.

2:5 This code aims to ensure that any events where external speakers are invited to address students and other members of the community on its premises:

- are lawful
- safeguard all members of the Group's community, buildings and equipment
- support equality and diversity.
- support good community relations (internally and externally)
- do not significantly constrain the work of the Group
- safeguard the Group's good reputation

3. Other Requirements of the Code

This document can be adapted locally by each institution in the Group, but local variations must follow the principles within this document.

3:1 The organisers of a meeting should appoint one person as the principal organiser in order to simplify communication and liaison between the organisers and CCCG and to avoid confusion.

3:2 The principal organiser of a meeting must submit a request to the designated senior manager of a college or training company of CCCG two weeks in advance of the meeting, setting out the proposed date, time and place of the meeting; the subject of the address; the name of the speaker; and a statement whether the meeting is going to be private or open to the public using the appropriate Risk Assessment form for the building. Exceptionally, where two weeks' notice is impractical, the designated senior manager may agree to accept shorter notice.

3:3 Within one week of receiving notice from the principal organiser, the designated senior manager will confirm or reject the application. Where s/he grants permission, they may attach any conditions which s/he considers necessary for the fulfilment of the Group's legal obligations to protect and secure freedom of speech and/or any other legal obligation and/or fulfil any other Group requirements or rule.

3:4 These conditions may, for example, include a requirement that tickets must be issued where a meeting is to be open to the public; or that an adequate number of stewards must be provided by the organisers and that the designated senior manager must be satisfied about their suitability; or that members of security staff must be present, to help in keeping order; or that a member of the Group's staff, must be there as a "controlling officer". They may also concern the admission or exclusion of representatives of the media. The organisers are expected to comply fully with all such conditions.

3:5 The designated senior manager has discretion to consult the police and, if s/he does so and then thinks it appropriate, to attach further conditions.

3:6 The designated senior manager may at his or her discretion refuse permission for a meeting or later withdraw permission already given. The organisers may appeal, within five days of receiving the decision to a Principal or Managing Director of the Group. The Principal's decision will be final and will be communicated to the principal organisers within five days of receiving full details of the appeal.

3:7 Where a meeting proceeds, the organisers are under a duty to see that nothing in their preparations for it or their conduct of it infringes the law.

3:8 The responsibility for conducting a meeting rests with the principal organiser, especially if there are any conditions to permission to use the Group's premises.

3:9 CCCG premises used for meetings must be left clean and tidy. In default, the organisers may be charged for any additional cleaning and for any repairs which are necessary.

Appendix 1: Sample External Speaker/ Event Risk Assessment Form

External Speaker/Event Risk Assessment Form

This form must be accompanied by an RF2 and further detail of the event proposed

Speaker/group Assessed Proposed Date of Event Date of Assessment

Head of Safeguarding Assessor Signature of Assessor
Event

Risk

1. Insignificant / Minimal
2. Moderate
3. High or extreme

Outcome

- Speaker Accepted
- Speaker Rejected

NATURE OF RISK	CONSIDERATIONS	ISSUE IDENTIFIED	RISK SCORE	ACTION TO MITIGATE RISK	IS RISK ACCEPTABLE Y/N	COMMENTS
Guest / External Speaker History:	The speaker has been or is currently associated with: a) Home Office Proscribed Organisations, b) Organisations which advocate acts of terrorism, or, c) Any organisation whose beliefs contradict the college's Equality and Diversity policy.					
The content of the presentation is likely to undermine the college's Equality and Diversity policy.	The speaker has expressed an opinion /interpretation in public, which: a) Contradicts the college's Equality and Diversity policy in any way. b) Advocates involvement in violence abroad. c) Promotes the isolation of groups from other students, or, is likely to isolate any individual/group of individuals.					
The content of the presentation is in direct conflict with College and British values	<ul style="list-style-type: none"> • Tolerance • Rule of law • Mutual Respect • Individual liberty • Democracy 					
Likelihood of causing offence	<ul style="list-style-type: none"> • Published material • Previous speech content • Known affiliations • Guest/Speaker aliases 					

NATURE OF RISK	CONSIDERATIONS	ISSUE IDENTIFIED	RISK SCORE	ACTION TO MITIGATE RISK	IS RISK ACCEPTABLE Y/N	COMMENTS
Extreme Views	Displays contempt/intolerance towards others who do not share their extreme ideology – e.g. Hatred to unbelievers/polarise tensions/community disharmony/encourages division.					