



Freedom of Speech Code of Practice and External Visitors Policy

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The College's statement of Academic and Artistic Freedom:

Rose Bruford College values and defends the principle of freedom of thought, practice and expression within its academic and artistic community, while recognising its responsibilities in promoting tolerance, mutual respect, diversity and cultural understanding. Material is chosen for study and performance on the basis of its value in examining a broad range of practices and ideas. From time to time, such study material may challenge students' perspectives and values. The College expects students to engage with chosen material without censorship, and encourages a spirit of openness, recognition of creative expression and intellectual debate. At the same time, it seeks to ensure that the choice, interpretation and treatment of such material is not gratuitous, exploitative or illegal.

1.0 Introduction

- 1.1 The College supports freedom of speech, artistic, creative expression and enquiry, within the law. We believe that this is a founding core principle of Higher Education. We affirm that freedom of speech is absolute, and the only exception will be if subject matter is in breach of existing legislation.
- 1.2 Staff and students must be aware that being part of our community involves obligations and responsibilities, consistent with the above and the law. Our Board of Governors require all staff and students to engage respectfully, tolerate and protect the expression of opinions within the law, to learn and understand others whether or not these opinions are shared by them. Whilst the law promotes and protects freedom of speech, it places limits on those freedoms in order to maintain public order and safety to ensure there is no breach of law.
- 1.3 Our students and staff are encouraged to have the freedom to question, test, suggest new ideas, debate and express controversial or unpopular opinions, without placing themselves at any risk.
- 1.4 We recognise that conflict exists between the laws which promote freedom of speech and those which restrict it. We acknowledge our legal responsibility to balance between minimising the possibility that extremism or unlawful conduct will arise on campus whilst ensuring that we meet our legal obligations in relation to securing freedom of speech.
- 1.5 We believe in the enrichment to learning that external speakers and organisations can bring to students and staff and we are committed to creating an inclusive environment where everyone will be treated with dignity and respect.
- 1.6 This policy outlines the procedures relating to Freedom of Speech and use of external speakers and visitors in activities. It details our approach to ensuring that risks are considered and managed appropriately in order to protect

students, staff and our reputation, whilst fulfilling our obligations under Freedom of Speech, Prevent legislation and the office for student E6 condition for registration

- 1.7 This policy refers to any activity that would be categorised as promoting radicalisation or extremism. Radicalisation is defined as the process by which people come to support terrorism and extremism and, in some cases, to participate in terrorist groups. Extremism is vocal or active opposition to fundamental British Values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.
- 1.8 This Policy and Code will not prevent college staff from taking necessary steps to ensure safety of the college community, staff or visitors, to safeguard its premises and property.
- 1.9 Where there is a reasonable belief that a speaker or event may pose a risk of inciting hatred, promoting extremism, or breaching lawful rights, the College will escalate the matter to the Dean and, where appropriate, consult the DfE Prevent Coordinator.

2.0 Legislation & Regulations

- 2.1 Rose Bruford College adopts the Office for Students (OfS) three-step framework as the foundation for this policy. This framework ensures that our approach to freedom of speech is not only legally compliant but also operationally robust and transparent. The three steps are:
- 2.2 **Securing freedom of speech within the law** – We affirm our commitment to uphold the legal right to freedom of speech and academic freedom for all members of our community, including staff, students, and visiting speakers.
- 2.3 **Taking reasonably practicable steps** – We implement clear procedures, risk assessments, and governance mechanisms to ensure that freedom of speech is protected while also safeguarding the wellbeing and safety of our community.
- 2.4 **Applying policies and decisions consistently and transparently** – We ensure that all decisions relating to freedom of speech, including the approval or refusal of events or speakers, are made using consistent criteria and are clearly documented and communicated.

3.0 Prevent Duty

This policy has been written with reference to the Prevent Duty contained within Section 26 of the Counter Terrorism and Security Act 2015. The duty states that specified authorities, in the exercise of their functions, must have “due regard to the need to prevent people from being drawn into terrorism”.

4.0 Freedom of Speech

- 4.1 Section 43 (amended) of the Education (No 2) Act 1986 places a duty on individuals who work, study or govern within Rose Bruford College. We must take reasonable steps not to deny any individual or body on grounds connected with personal/organisational beliefs or views.
- 4.2 Sub-section 43(3) requires that our governing body will discharge their duty through the issue (and annual review) of this policy. This Policy fulfils how we will discharge our duties in relation to freedom of speech within the law in relation to:
- Any meetings or activities held on our premises
 - Any meetings or activities held off premises in the College's name
 - Staff and students must follow these conduct expectations and procedure in connection with any meeting or activity.

5.0 Higher Education (Freedom of Speech) Bill 2023.

- 5.1 The Higher Education (Freedom of Speech) Bill (2023) requires that we actively promote the fundamental value of freedom of speech with students, staff and visiting speakers. We view free speech and academic freedom as the core purpose of our college. We encourage our students and staff to engage respectfully, question and debate controversial ideas or unpopular opinions with others; without risk of being adversely affected.
- 5.2 Subsection 3 and 4 requires the College to allow use of premises for the purpose of encouraging freedom of speech and not to deny such use based on the subject, opinions, policy or objectives of those involved.
- 5.3. Requires that our governing body will discharge their duty through the annual issue of this Code of Practice to its students and staff to reinforce understanding.

6.0 Equality Act 2010

- 6.1 Higher education institutions have duties under the Equality Act 2010 as education providers, employers and service providers. We must not unlawfully discriminate against students, employees or other individuals to whom services are provided.
- 6.2.1 Segregation by sex is not permitted in any meetings, events or lectures provided for students, staff or the students' union. Segregation is not permissible for any event covered by this External Speaker Policy. The only exception to this is events for the purpose of collective religious worship.

7.0 Office for Students (OfS) Registration

- 7.1 Rose Bruford is registered with the Office for Students as required by Higher Education and Research. We follow the OFS regulatory framework which states, that we must take reasonable and practical steps to promote freedom of speech within the law is secured at our college. The Registrar has oversight of this Policy and Code of Practice.

- 7.2 All decisions affecting freedom of speech will be recorded and reviewed annually by the **Academic Board**.

8.0 Scope

- 8.1 This Code of Practice and Policy applies to staff (inc. visiting tutors), students, external speakers and other visitors who attend meetings or functions (in College's name) which have had prior approval to take place on or off our campus.
- 8.2 It sets out the rights and obligations inherent in supporting freedom of speech and expression within the law. The Code's obligations and rights apply to:
- all governors and staff of the college
 - all students at the college
 - the Students' Union, societies, clubs and associations
 - any visiting or guest lecturers invited by the college
 - any alumnus invited by the college
 - honorary doctors and fellows; and
 - any person/organisation wishing to hire college premises for an event.
- 8.3 This Code is related to holding meetings or events on college premises, it's rights also apply to:
- person (or organization) invited or lawfully on our premises to speak to students and/or staff for the event
 - persons who, if it were not for the provisions of this Code, would have been invited to the event.
 - those under a duty to observe and uphold the principle of freedom of speech within the College shall do so at all times.
- 8.4 This policy refers to any activity categorised as promoting radicalisation or extremism. Radicalisation is defined as the process by which people come to support terrorism and extremism and, in some cases, to participate in terrorist groups. Extremism is vocal or active opposition to fundamental British Values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.
- 8.5 This policy contains instructions and expectations for people managing meetings and functions held on our premises but fall outside teaching schedules or operations. It includes the process that must be followed to ensure that freedom of speech (within the law) is secured for staff, students and visiting speakers. The policy also covers arrangements for branded events involving external speakers and which take place off campus.
- 8.6 For off-campus events held in the College's name, organisers must ensure that the same standards of conduct, risk assessment, and approval procedures are followed as for on-campus events.

9.0 Objectives

9.1 The objectives of this Code and policy are to:

- Confirm the College's commitment to freedom of speech
- Balance this with ensuring that our community is free from harm
- Recognise the enrichment value that high quality visiting speakers and organisations bring to students and staff
- Provide clearly defined and effective procedures to ensure that the law is upheld
- Collaborate with others to reach sound evidenced judgements about proposed external speakers ensuring that the College meets its legal obligations
- Provides clear instruction for organising an event with external contributors.

10.0 Code of Conduct: Freedom of Speech (including External Speakers)

- 10.1 Anyone attending meetings or events on our premises must behave in a lawful, respectful and considerate manner, under this Code of Conduct.
- 10.2 Any breach of this Code that involves harassment, bullying, or sexual misconduct will be referred to the College's Harassment and Sexual Misconduct Policy for investigation and resolution
- 10.3 No action will be taken (other than reasonable and peaceful persuasion) to prevent any lecture, tutorial, exhibition, or other academic activity because of views held and likelihood of those being expressed, (in or outside college) by the person/people concerned. However, there will be no platform allowed for those who advocate or engage in violence or incitement for the furtherance of their political, religious, philosophical and/or other beliefs.
- 10.4 No action will be taken (other than reasonable and peaceful persuasion) to prevent any student/s from attending academic activity required/associated by their course because of their views or beliefs held or lawfully expressed (in or out of college) due to the reasonable likelihood that these will be expressed.
- 10.5 The College offers no platform to those intolerant of free speech of others or where there is denial of the right to hold or express an opposing opinion. This includes those who engage in active prevention of permitting others to speak, such as interruption - violent or otherwise - of meetings). Those offering no platform to others, without any reasonable or justifiable basis for doing so, will not benefit from the freedom to speak at this College.
- 10.6 The College will offer no platform to those who advocate or engage in violence in the furtherance of their political, religious, philosophical and/or other beliefs.
- 10.7 The College will offer no platform to those who hold and disseminate views which are repugnant to the maintenance of liberty under the rule of law in the UK or who advocate or engage in the violent overthrow of democracy in the UK or elsewhere.

- 10.8 The College reserves the right to debar speakers or an organisation from its campus or activities where there is reasonable belief that their presence will not be conducive to the good order of the College. This includes where their presence would offend the principles of scholarly inquiry, or risk the safety of students, staff or the public. The College further reserves the right to list names of individuals or groups which it debars either under this general reserved right or in accordance with the principles above.
- 10.9 External speakers are required to act lawfully and not to breach the lawful rights of others. Set out below are some examples of the College's expectations and what is considered unacceptable conduct by external speakers. We reserve the right to refuse or withdraw permission/halt an event if there is reasonable concern that an external speaker speaks at or attends an event, may cause a breach of Code or legal obligation. During the event at which he or she participates, no speaker shall:
- Act in breach of criminal law.
 - Incite hatred, violence or any breach of criminal law.
 - Encourage or promote terrorism or promote individuals, groups or organisations that support terrorism.
 - Spread hatred and intolerance.
 - Discriminate against or harass any person or group on the grounds of their sex, race, nationality, ethnicity, disability, religious or other similar belief, sexual orientation or age.
 - Defame any person or organization.
 - Raise or gather funds for any external organisation or cause without express permission of the College.
- 10.9.1 During the event/meeting at which external speakers are attending, they shall:
- Comply with this Code of Practice.
 - Present ideas and opinions, particularly those that may be contentious or potentially offensive, in the spirit of academic debate, being open to challenges and questions.
 - Follow the College's policy on and instructions relating to health and safety.

11.0 Booking External Speakers/Organisations/Events: Procedure

- 11.1 Staff can book rooms for meetings, classes and events that form an integral part of the academic/artistic schedule.
- 11.2 All bookings are subject to availability and compliance with health, safety and security, in addition to this procedure. We will not deny use of our premises to anyone seeking to host an event (within the scope of the law) on any ground connected with the belief or views of that individual or member of that body.
- 11.3 Events/meetings **must not** be advertised until express written permission has been issued by **the Director or nominee**.

- 11.4 This Code of Practice must be communicated with all external speakers, to ensure that requirements are upheld during the activity or event.

11.5 External Speaker Check and Review Form Completion for Approval

- 11.6 The Organiser must complete the External Speaker Check and Review Form (Appendix 1) and complete searches and checks shown below and send to the Director of Corporate Affairs – **no less than 3 weeks prior to event/meeting.**

- Full name, address and contact details
- Requesting ID
- Requesting contact details
- Calling organisation linked to
- Checking website information

- 11.7 The organiser must carry out relevant internet searches to identify any concerning content and record findings prior to applying for approval, for example – although not exhaustive:

- Internet search finds reports of mainstream media coverage (National, Regional or London),
- Internet search that reports the speaker is on a tour across several universities or organisations,
- Social media accounts with 10,000+ followers.
- Checking the speaker is from the organisation claimed – through website checking, calling the organisation.
- Talks by people or organisations generally considered to be extremist - use this link: <https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2>
- Speaker known to have spoken at other institutions on a topic which caused fear or intimidation of students or staff
- A speaker who is accepted in mainstream as being highly controversial
- Any links to a person or group that has been connected with any controversy of a negative or positive nature
- A speaker holding a significant profile and with followers that could create crowd control, health and safety issues.
- Where the College has sufficient concern about an external speaker, information about the individual/organisation will be shared with the DfE Prevent Coordinator.

12.0 Mandatory Risk Assessment

- 12.1 It is mandatory that **an event risk assessment is carried out and sent with every request** (Appendix 3). The risk assessment will be reviewed as part of the event by Director of Academic Affairs and the Executive Team.
- 12.2 The Organiser must complete a risk assessment and indicate whether, in their opinion, an event is likely to give rise to difficulties in relation to freedom of speech, or to the safety of the speaker or others within the audience. This will inform any judgment concerning whether permission to host an event is given.

- 12.3 No approval will be given for an External Speaker request, without an accompanying risk assessment.
- 12.4 The risk assessment form must include explicit prompts to assess potential risks related to harassment, sexual misconduct, and safeguarding, in line with Condition E6.

13.0 Approval

- 13.1 The **Director of Corporate Affairs, Dean or Registrar** will review the proposed request and risk assessment and reach a judgment considering the following:
- The potential for any decision to limit freedom of speech
 - The potential for the event going ahead to cause reputation risk to the College
 - The potential for the speaker's presence on site to cause fear or alarm to students or members of staff and/or to give rise to breach of peace.
- 13.2 When reviewing the request and risk assessment; further information may be requested, which could include consulting other members of the **Executive Team and if appropriate with the College Principal**.
- 13.3 When reaching a decision, the **designated senior manager** will confirm in writing whether permission is granted/declined, or steps required in order for the event to proceed safely. The outcomes and steps might be (not exhaustive list):
- Permit the event and speaker to go ahead
 - Request a postponement of the event or speaker, whilst arrangements are discussed
 - Refuse permission for the event or speaker to proceed - leading to cancellation
 - Set reasonable conditions or steps to reduce risk, these might include but are not limited to:
 - Additional security arrangements necessary,
 - Restrictions on external attendance - ticketing
 - Start or end time of event
 - Observation
 - Independent filming,
 - Inclusion of opportunities to debate or challenge the view being held.
 - Request copy of speech and/or point of discussion or materials prior to event
 - For online events, considerable of mute participants or disable chat function.
- 13.4 Events **must not** be advertised until express written permission has been issued by the Director or nominee.
- 13.5 A decision about whether the event can take place will be communicated to the organiser within **10 working days** of receiving the request.

- 13.6 Security costs will only be passed on where they exceed £X and pose a demonstrable risk to safety, not based on speaker views.

14.0 Breach of Policy or Code

- 14.1 Any breach of this policy or Code will be subject to college disciplinary proceedings.
- 14.2 Any action involving a breach of law, the College will assist prosecuting authorities.
- 14.3 When a breach of this Code occurs, it shall be a duty of all to whom this Code applies to take all reasonable steps to secure the identification of the people involved.
- 14.4 Where a breach of this Code involves allegations of harassment or sexual misconduct, the matter will be escalated in accordance with the College's Harassment and Sexual Misconduct Policy and may involve external reporting obligations.
- 14.5 Complaints about lawful speech will be triaged promptly to avoid undue investigation

15.0 Sharing information

- 15.1 Sharing information with third parties relating to external speakers, speaker requests or use of premises by groups and speakers, must be authorised in advance by the Dean

16.0 Training and support

- 16.1 All staff and students will receive annual training or induction on their rights and responsibilities under this Code.
- 16.2 Training will not require staff or students to endorse any particular political or ideological viewpoint
- 16.3 All staff involved in implementing this policy will receive training on identifying and responding to harassment and sexual misconduct. Students will be signposted to support services when concerns arise.

17.0 Appeals

- 17.1 If an event has been cancelled, postponed or conditions applied and the organiser wants to challenge the decision, they may make an appeal to Complaintandappeals@bruford.ac.uk.
- 17.2 All appeals will be heard by the principal, or his nominee as soon as is reasonably practicable. The principal or nominee may set up and seek advice of a Freedom of Speech panel (which may include members of the Executive Team, The Principal and Student Union). The principal's ruling shall be final. External organisations have no right of appeal.

18.0 Review of Code and Procedure

- 18.1 Section 43(3) of the Education (No.2) Act 1986 requires that the Board of Governors shall issue, and keep up to date, a Code of Practice on Freedom of Speech. In order to comply with this duty, the Board of Governors will review formally the operation of the Code on an annual basis.
- 18.2 This Code will be published on the College website and shared annually with all staff and students

DOCUMENT CONTROL BOX		Version1.0
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Lead contact:	Registrar	
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Related Statutes, Ordinances, General Regulations		
Related Policies, Procedures and Guidance:	Academic Misconduct Student Academic Appeals Student Anti-bullying and Anti-harassment Policy Safeguarding & Prevent Policy Student Complaints Policy Sexual misconduct and harassment	