Policy: Freedom of Speech Policy

Author	**Associate Principal – Quality, Data and Standards**
Date last reviewed	October 2026
Approval route	College Leadership Team
Date Approved	19 March 2025
Review cycle	3 Years or earlier, as and when there are relevant changes in legislation
Date Review Due	January 2028
Contractual or Non-Contractual	Non-contractual
Location of copies	Website
Policy version	Version 3

FRANKLIN COLLEGE TRUST

Contents

		Page
1.	Introduction	3
2.	Scope	3
3.	Equality Statement	3
4.	Law and Legal Obligations	3
5.	Principles of Freedom of Speech	4
6.	Student and Staff Responsibilities	4
7.	Code of Practice	5
8.	Procedures for Handling Complaints or Concerns	6
	8.1 Informal Resolution	6
	8.2 Formal Complaint	6
	8.3 Investigation	7
	8.4 Outcome	7
9.	Events, Guest Speakers, and External Groups	7
10.	Review and Amendments	7
11.	Access to the Policy	7
12.	Conclusion	7
13.	Contact Information	7
	Appendix A – Procedure for inviting a Visitor	8

1. Introduction

At Franklin College Trust, we are committed to fostering an environment where open dialogue, respectful debate, and the free exchange of ideas are encouraged. We recognise that freedom of speech is a fundamental right, and as an educational institution, we aim to promote critical thinking, understanding, and mutual respect among students, staff, and visitors. However, this right is not unlimited, and there are certain boundaries in place to ensure that speech does not infringe upon the rights or safety of others. The Trust must, however, 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 (for example, they must not make statements which are actionable for defamation).

This policy outlines the framework for upholding freedom of speech within the Trust community and establishes procedures for addressing any concerns or disputes that may arise. All meetings taking place on Trust premises are private, unless the public is expressly invited to attend. This policy is concerned with ensuring that all students and employees of the Trust and visiting speakers have freedom of speech within the law.

2. Scope

This policy applies to all students, staff, visitors and third parties for example contractors at the Trust and covers all activities that take place on Trust premises or in any Trust-related events, both on and off-site. It also applies to the use of digital communication platforms, including Trust-provided email, websites, social media accounts, and other online resources.

3. Equality Statement

This policy applies to all Trust staff regardless of age, race, disability, religion or belief, gender, sexual orientation, marital or civil partnership status, gender reassignment, pregnancy or maternity, or any other status. All individuals will be treated in a fair and equitable manner recognising any special needs where adjustments can be made. No individual will suffer any form of unlawful discrimination, victimisation, harassment or bullying as a result of this policy.

4. Law and Legal Obligations

The role of the Trust in promoting and encouraging free debate and enquiry is reinforced in three pieces of legislation:

- The 1986 Education Act states that: 'persons concerned in the government of any establishment…shall take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers.'
- The Trust will not, therefore, as far as is reasonably practicable, deny access to its premises to individuals or bodies on the basis of their beliefs, views or policies.
- The Equality Act 2010 covers the following protected characteristics: age, disability, gender, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief and sexual orientation.
- In addition, clear guidance is required to students, staff, governors and external agencies as to how the Trust manages freedom of speech as part of its Prevent Duty Guidance and in line with the Counter-Terrorism and Security Act 2015. Training has been provided to all members of staff regarding their obligations to Prevent Duty.
- Any legislation that relates to the themes and topics of this policy – that has not been explicitly named

The associated public sector equality duty requires trusts in the exercise of their functions to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited under the Act
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and
- Foster good relationships between people who share a relevant protected characteristic and those who do not share it.

The right to freedom of expression is limited, for example, by laws to protect national security and public safety, for the prevention of disorder or crime, for the protection of the reputation or rights of others, and to prevent the disclosure of information received in confidence, which is what the Trust must follow.

Freedom of expression also has to be set in the context of the Trust's ASPIRE values (being Aspirational, Supportive, Persistent, Inclusive, Respectful, Even and Consistent) and so the Trust expects students, employees, visitors and third parties that are associated with the Trust, to respect those values, to be sensitive to the diversity of its inclusive community, and to show respect to all sections of that community.

5. Principles of Freedom of Speech

- **Encouragement of Open Discussion:** The Trust supports the right of individuals to express their ideas, opinions, and beliefs, provided these expressions do not disrupt the functioning of the Trust or harm others.
- **Respect and Tolerance:** While we encourage the free exchange of ideas, all speech must be conducted in a manner that is respectful and considerate of others. We expect all members of the Trust community to demonstrate tolerance, civility, and sensitivity to diverse perspectives.
- **Limitations:** Freedom of speech does not extend to speech that may:
  - Incite violence, discrimination, or hatred against individuals or groups based on race, religion, gender, sexuality, disability, or other protected characteristics such as those under the Equality Act 2010.
  - Cause harm to the reputation or safety of individuals or groups within the Trust community.
  - Violate UK law, including speech that could be deemed libellous, defamatory, or that constitutes harassment.

If a person or group feels alarmed or intimidated from expressing their views or threatened by arguments being made, the Trust will make sure that those people feel supported.

6. Student and Staff Responsibilities

- **Students:** Students are encouraged to participate in discussions, express their views, and engage in debate in a constructive and respectful manner. Students should be mindful of the impact their words may have on others and must avoid speech that may cause distress or harm. Those students that do not comply with the above and the policy may face disciplinary action.
- **Staff:** Staff have a duty to model respectful dialogue in relation to freedom of speech and to support students in exercising their right to free speech. Staff should also ensure that discussions and debates are conducted in a manner that fosters inclusivity and learning. The Trust has a legal responsibility to forbid the promotion of partisan political views in the teaching of any subject. Staff must take such steps as are reasonably practicable and should present and encourage political balance where appropriate and to ensure that there is practice

of deliberating matters of concern in a way that seeks to expand knowledge and promote understanding.
- Those staff that do not comply with the above and the policy may face disciplinary action.

If staff or students, promote any organisations linked to extremism or any other organisation, by is contrary to the values of the Trust, and a potential criminal offence, and could, therefore, constitute misconduct.

- **Respect for Diversity:** All members of the Trust community (including third parties that are associated with the Trust) are expected to respect the diversity of thought, belief, and background that contributes to a vibrant learning environment.

7. Code of Practice

This is a Code of Practice that applies to all members of the Trust community such as all staff, students, governors and visitors (including third parties that are associated with the Trust) are expected to follow:

The Trust expects students, staff, governors and visitors invited to speak at or take part in meetings, events or other activities to ensure that freedom of speech within the law is assured.

A meeting, event or other activity which is likely to give rise to or creates an environment in which people will experience fear, harassment, intimidation, verbal abuse or violence, particularly because of their age, gender, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief and sexual orientation (protected characteristics), is likely to be unlawful.
If students, staff and/or Community Governors or Directors believe that a meeting, event or other activity that is being organised poses a risk of the above, they are required to report the matter in the first instance to the Principal and CEO, Associate Principal-Quality, Data and Standards or another member of the College Leadership Team. No advertising of the meeting, event or activity is permitted until a decision is reached on its compliance with this Code of Practice.

The Principal and CEO or Associate Principal-Quality, Data and Standards will decide if the meeting, event or activity complies with the Trust's Code of Practice and if it can go ahead. They may, however, require the organiser to put in place safeguards, such as a strong and well-informed Chair for the meeting, event or activity, before it can go ahead. They may also require the organiser to record the meeting or event or activity, so there is no dispute afterwards about what is said by whom.

A named organiser should be identified for all meetings, events or activities organised on the Trust's premises and the College Visitor System should be completed to inform the Principal and CEO or Associate Principal-Quality, Data and Standards of the meeting or activity.

If the Associate Principal-Quality, Data and Standards decides the meeting, event or activity poses too great a risk, they will make a recommendation to the Principal and CEO to deny access to the Trust's premises. The Principal and CEO or Associate Principal-Quality, Data and Standards may decide to consult with students, staff or other groups or take legal advice before coming to such a recommendation.

The Principal and CEO's decision will be final and not subject to appeal.

The expression of views that may be controversial, but do not breach the law, will not constitute reasonable grounds for refusal for a meeting, event or activity. Reasonable grounds for refusal would include: incitement to commit a criminal act, unlawful expression of views (Freedom of Expression is limited by laws to protect national security, such as the Counter Terrorism and Security Act 2015, and

public safety, for the prevention of disorder of crime, for the protection of the reputation or rights of others and to prevent the disclosure of information received in confidence. A speaker from an organisation proscribed by law would therefore not be allowed. A significant strand in the regulatory framework is the duty (under the Equality Act 2010) to promote good relations between persons of different racial groups, infringement of the civil and human rights of others, support for an organisation whose aims are illegal, the creation of an environment likely to promote violent extremism, to pose a threat to the health and safety of individuals or which gives rise to a breach of the peace.

If a meeting, event or activity has been advertised, students and staff may still make representations to the Principal and CEO or Associate Principal-Quality, Data and Standards if they feel it breaches this Code of Practice. If the event is allowed to take place, they will be allowed the right of peaceful protest for one hour prior to the meeting, event or activity taking place. They will not be permitted to interfere with the running of the meeting or event.

The Student Union and Debate Club (for example) encourages debate and political activity. As representatives of the student body at the Trust, they have a responsibility to ensure that student-led events are conducted in a safe space and are free from discriminatory activity. Any individual student or group of students wanting to organise a meeting, event or activity at the Trust must contact the Principal and CEO to ensure that the meeting, event or activity proposed is feasible logistically and complies with this Code of Practice. Ultimately, it is the Trust's decision whether to allow a meeting, event or activity to take place on its premises.
Trust students will be allowed to distribute leaflets or other publicising material (including electronic) in the Trust provided that material produced is not in breach of the Trust's Freedom of Speech Policy and Trust's Equality, Diversity and Inclusion Policy. If an individual student or group of students wants to distribute leaflets or other publicising material (including electronic) they must contact the Principal and CEO before doing so, so that a decision can be made as to whether this material complies fully with Trust policies.

Non-Trust students or staff would need to agree any distribution of leaflets or other publicising material activity with the Principal and CEO. This material must also comply with the Trust's Equality, Diversity and Inclusion Policy. There may be a charge for this activity.

If you are proposing to run a meeting, event or activity and are concerned it may constitute a breach of this Code of Practice, please contact in the first instance the Principal and CEO.

Wilful breach of this Code will be dealt with under the Trust's disciplinary procedures and, if necessary, by recourse to law.

8. Procedures for Handling Complaints or Concerns
While we support freedom of speech, we acknowledge that there may be instances where speech causes concern or distress. In such cases, the following procedure should be followed:

8.1 Informal Resolution
If an individual feels that they have been subject to inappropriate or harmful speech, they are encouraged to speak directly to the individual responsible, if they feel comfortable doing so. In many cases, open and respectful dialogue can resolve misunderstandings or concerns.

8.2 Formal Complaint
If informal resolution is not appropriate or does not resolve the issue, the concerned party may file a formal complaint with the Trust. If a student is to file a complaint, this should be made in writing to the Associate Principal-Quality, Data and Standards. The complaint should clearly outline the nature of the concern and provide any relevant evidence. If a staff member or third party is to file a complaint, this

should be made in writing to either their Line Manager or a member from HR. The complaint should clearly outline the nature of the concern and provide any relevant evidence.

8.3 Investigation
Once a formal complaint is received, the Trust will conduct a thorough and impartial investigation. This may involve gathering statements from the individuals involved, reviewing any relevant documentation, and consulting with witnesses or other members of the Trust community.

8.4 Outcomes
If the investigation determines that the speech in question has violated the Trust's policies, the Trust will take appropriate action. This may include:

- Providing a warning or formal reprimand.
- Arranging restorative conversations between parties involved.
- In extreme cases, disciplinary action such as suspension or exclusion from Trust activities may be considered.

9. Events, Guest Speakers, and External Groups
The Trust welcomes a wide range of ideas and perspectives and recognises that guest speakers and external groups can contribute to enriching the learning experience of students. However, all events involving external speakers or organisations must be approved in advance by the College Leadership Team to ensure that they comply with the Trust values and the law.

Organisers of events are responsible for ensuring that any materials or speeches presented do not promote hate speech, illegal activity, or discrimination.

10. Review and Amendments
This policy will be reviewed by the College Leadership Team to ensure it remains up to date and effective. Any necessary amendments will be made in consultation with relevant parties.

11. Access to the policy
The policy will be published on the Trust's website www.franklin.ac.uk

12. Conclusion
Franklin College Trust is committed to creating a safe and inclusive environment where students and staff can express their views freely and respectfully. By adhering to the principles outlined in this policy, we can ensure that freedom of speech is upheld while maintaining the dignity, safety, and wellbeing of everyone within the Trust community.

13. Contact Information
For further information or assistance regarding Freedom of Speech, please contact the Designation Protection Officer
Email: [Information.Governance@franklin.ac.uk]
Postal Address: [Data Protection Officer, Franklin College Trust, Chelmsford Avenue, Grimsby, DN34 5BY]

APPENDIX A

Procedure for Inviting a Visitor:

1. Member of staff would like to invite in a visitor
2. Staff member to discus with immediate Line Manager / Head of Department
3. Staff member to advise visitor they will require a DBS check (if appropriate)
4. Staff member to complete 'Register an Appointment' including any PREVENT notes and whether the visitor will require IT support
5. A member of the College Leadership Team to consider visitor and sign off the request via 'Visitor System'
6. On arrival all visitors must sign in at reception
7. The visitor is to be collected by staff member, given the appropriate lanyard and must be accompanied around the Trust at all times
8. At the end of the visit the staff member is to escort the visitor back to reception to sign out before departing the Trust premises.