

Freedom of Speech and Expression Policy

Policy Code:	SW13
Policy Start Date:	January 2020
Policy Review Date:	January 2023

Please read this policy in conjunction with the policies listed below:

- SW4 Student Behaviour and Discipline Policy
- SW5 Safeguarding and Child Protection (Promoting Pupils' Welfare) Policy
- SW6 Anti-Bullying Policy
- SW11 Educational Visits Policy
- ICT2 E-Safety Policy – staff
- ICT3 E-Safety Policy - students

1. Policy Statement

- 1.1 This policy outlines the framework within which staff, trustees, governors, volunteers and students of The Priority Federation of Academies Trust and its visitors enjoy the right to freedom of expression. It relates to the Human Rights Act 1998, the Race Relations (Amendment) Act 2000, the Equality Act 2010 and the Public Order Act 1986.
- 1.2 Freedom of expression can be defined as the right to express one's ideas and opinions freely through speech, writing, and other forms of communication but without deliberately causing harm to others' character and/or reputation by false or misleading statements.
- 1.3 References to the Trust or Academy within this policy specifically include all primary, secondary and special academies within the Trust, as well as Robert De Cheney Boarding House, the Early Years setting at the Priority Witham Academy, Priority Training, Priority Apprenticeships, Lincolnshire Teaching School Alliance and Lincolnshire Teaching School Alliance SCITT.
- 1.4 This policy does not form part of any employee's contract of employment and it may be amended at any time.

2. Roles, Responsibilities and Implementation

- 2.1 The Education & Standards Committee has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. This committee delegates day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Director of Student Welfare.
- 2.2 Leaders and Managers have a specific responsibility to ensure the fair application of this policy and all employee are responsible for supporting colleagues and ensuring its success.

3. Aims

- 3.1 The aims of this policy are to ensure that:
 - freedom of speech within the law is secured for all of the Trust's staff, trustees, governors, volunteers, students and visiting speakers;
 - each Academy promotes and encourages free debate, enquiry and, where appropriate, peaceful protest and its staff, volunteers, trustees governors and students tolerate a wide range of views, political as well as academic;
 - all staff, trustees, governors volunteers, students and external speakers recognise the freedom of speech is limited, by legislation to

protect national security and public safety, prevent disorder or crime, protect the reputation or rights of others, and prevent the disclosure of information received in confidence;

- freedom of speech is set in the context of the Trust's values, as well as British values; and
- all staff, trustees, governors, volunteers and students are protected from extremist ideologies and those organisations/individuals seeking to radicalise others.

4. Educational visits abroad

This policy also applies to Federation or Academy visits abroad. If, in any situation on such a visit, the law of that country differs from the policy statement, staff, volunteers and students should not put themselves in a position where they are acting outside of that country's domestic legislation.

5. External events taking place on Academy premises

5.1 When deciding whether or not to allow a particular event to take place on its premises, each Academy will consider whether the event is likely to constitute a breach of the Equality Act 2010, the Public Order Act 1986 or any other legislation. In addition each Academy has to consider:

- whether the views or ideas to be put forward, or likely to be put forward (or the manner of their expression)
 - infringe the rights of others, or
 - discriminate against them
- whether the activity in question
 - constitutes a criminal offence
 - constitutes a threat to public order or to the health and safety of individuals
 - incites others to commit criminal acts, or
 - is contrary to the civil and human rights of individuals

5.2 A key test is whether a proposed event is likely to give rise to an environment in which people will experience – or could reasonably fear – harassment, intimidation, verbal abuse or violence, particularly because of their ethnic background, race, religion and belief, sexuality, gender, disability or age. If it is felt that an expression of views or beliefs is offensive and has the potential to develop into harassment, radicalisation or may constitute criminal activity then the Academy will restrict that activity.

5.3 Staff who wish to host external organisations or speakers on Academy premises must first seek the permission of their Senior Leadership

Team, who will make their decision in line with the considerations in 5.1 and 5.2.

- 5.4 If the Academy is contacted by an external organisation or speaker wishing to use the Academy premises, whether or not staff, trustees, governors, volunteers are involved, their request will be considered by the Senior Leadership Team, who will make their decision in line with the considerations in 5.1 and 5.2.
- 5.5 Each Academy will keep a register of visiting speakers. It will be the responsibility of each Academy's Designated Safeguarding Lead (DSL) to maintain this register. If the DSL has any concerns about an individual or organisation visiting the Academy then will seek advice from the relevant authority.

6. Distribution of leaflets/publicising material

- 6.1 If an external individual/organisation makes a request for an Academy to distribute (including electronically) information promoting or informing others about their cause or seeking support, or to recruit members, then each Academy will consider the points outlined in 5.1 and 5.2 before agreeing to the request. This will also apply if a student, member of staff, trustee, governor or volunteers asks for a cause of their choosing to be promoted.
- 6.2 The Senior Leadership Team (including the DSL) at each Academy must first give their permission before any material is distributed within the Academy. Any unsolicited material found within any Academy will be removed.
- 6.3 If the DSL has any concerns about an individual or organisation the Academy then will seek advice from the relevant authority.

7. Educational programme

- 7.1 Through the academic curriculum and the Personal Development programme students will be provided with a safe space to talk about key issues and be encouraged to ask questions. Each Academy's educational programme has been designed to provide students with sufficient information so that their opinions are supported by knowledge and understanding.
- 7.2 The curriculum is set out to encourage debate and discussion, while ensuring that students have mutual respect for and tolerance of those with different faiths, beliefs and lifestyles.
- 7.3 Each Academy should ensure that their curriculum builds students' resilience to radicalisation by promoting fundamental British values,

including the Trust and Academy values, and enabling them to challenge extremist views.

8. Staff training

- 8.1 Academy staff will receive training and support to ensure they are confident in challenging beliefs and ideas which might infringe the rights of others or discriminate against them, and in challenging extremist views.
- 8.2 Academy staff will receive training on how to identify vulnerable students and the additional supportive measures needed to ensure their resilience towards extremist views or ideas. Staff need to recognise that certain groups of students are more vulnerable to radicalisation than others and therefore recognise the need for additional safeguarding measures.

9. Procedures for restricting views or ideas

- 9.1 In the event of an individual or group expressing views or ideas which are likely to give rise to an environment in which people will experience – or could reasonably fear – harassment, intimidation, verbal abuse or violence, particularly because of their ethnic background, race, religion, belief, sexuality, gender, disability or age, this should be reported immediately to the Academy DSL. The Trust will not tolerate views or ideas of this nature and the individual or group may be subject to Academy discipline procedures and for external individuals or organisations may be banned from Academy premises.
- 9.2 When responding to reported incidents the Academy must prioritise the safety of the young person and those around them. Each case will be considered on an individual basis and the Academy's pastoral team will consider what action is appropriate, including whether or not any support from an external organisation is necessary, for example through the Channel programme. If deemed appropriate, a referral to Childrens Services will be made by a member of the safeguarding team.
- 9.3 If the Academy believes that any reported incident may be sufficiently serious as to be a breach of the Public Order Act 1986 in respect of racial hatred, hatred against persons on religious grounds or hatred against persons on the grounds of sexual orientation then they shall inform the relevant authorities which may result in criminal action being taken against that individual or organisation.

10. Policy changes

This policy may only be amended or withdrawn by The Priory Federation of Academies Trust.

The Priory Federation of Academies Trust Freedom of Speech and Expression Policy

This Policy has been approved by the Education and Standards Committee:

Signed..... Name..... Date:

Trustee

Signed..... Name..... Date:

Chief Executive Officer

Signed..... Name..... Date:

Designated Member of Staff

Please note that a signed copy of this policy is available via Human Resources.