

Freedom of Expression

Scope

1. The policy applies to the whole of Start Training Limited which includes staff, Student's and external visitors.

Purpose

2. The Education (No 2) Act 1986 (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.
3. The Act further requires the institution to issue a code of practice setting out the procedures to be followed by learners and employees of the company in connection with the organisation of meetings and other activities which are to be held on Start Training's premises and the conduct required of such persons in connection with any such meeting or activity.
4. Every individual and body of persons concerned in the company 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.
5. In addition, clear guidance is required to learners, staff and external agencies as to how the Start Training manages freedom of speech as part of its Prevent Duty Guidance and in line with the Counter-Terrorism and Security Act 2015.
6. Start Training affirms its commitment to freedom of speech. It 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).
7. All meetings taking place on Start Training premises are private, unless the public is expressly invited to attend.

Speakers

8. The code is concerned with ensuring that all learners and employees of Start Training, and visiting speakers, have freedom of speech within the law.
9. In the case of meetings organised by learners, speakers normally should come by invitation of the learners or society recognised by the learner. An invitation should not be sent by a learner individually without prior consultation with the tutor or management.
10. In the case of meetings organised by staff, they must first consult the management.
11. In all cases the Curriculum Manager must be informed before the issuing of any invitation.
12. In the case of meetings organised by Start Training, speakers must come at the invitation of the Managing Director.

Other Requirements

13. Where a meeting is organised by a collective body or by two or more individuals, the organisers should appoint one person as the principal organiser in order to simplify communication and liaison between the organisers and Start Training to avoid confusion.
14. The principal organiser of a meeting must give the Curriculum Manager notice 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. Within one week of receiving notice from the organiser, the Curriculum Manager will communicate to the organiser where s/he grants permission and attach any conditions which s/he considers necessary for the fulfilment of Start Training's legal obligations to protect and secure freedom of speech and/or any other legal obligation and/or fulfil any other Start Training requirements.

15. 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 Curriculum Manager must be satisfied about their suitability; or that other members of Start Training must be present, to help in keeping order.
16. The Curriculum Manager 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.
17. The Curriculum Manager has discretion to consult the police and, if s/he does so and then thinks it appropriate, to attach further conditions. S/he may for example, require a meeting to be declared public (which would allow for police presence).
18. The Curriculum Manager may at his or her discretion refuse permission for a meeting or later withdraw permission already given.
19. The organisers may appeal, within five days of receiving the Curriculum Manager’s decision to the Managing Director against the whole or part of the Curriculum Manager’s decision. The Managing Director’s ruling will be final and will be communicated to the principal organisers within five days of receiving full details of the appeal.
20. 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.
21. It is the ongoing duty of any person involved in organising a meeting or other activity, and also the duty of any person responsible for processing the booking of rooms to inform the Curriculum Manager as soon as there are reasonable grounds to believe that:
 - (a) The activity may be disrupted, for example, by reason of:
 - (i) the status of the speaker; or
 - (ii) the nature of any of the subjects to be discussed; or
 - (iii) the views or beliefs (whether or not related to the activity) of any person attending; or
 - (iv) the coincidence of the activity with another activity.
 - (b) The personal safety or property of any person attending may be at risk by reason of their involvement in the activity; or
 - (c) Intimidation, duress, or harassment might be applied to any person in an attempt to prevent their attending the activity; or
 - (d) The activity might be picketed.
22. No articles or objects may be taken inside the building where a meeting is taking place, or taken or used elsewhere on Start Training’s premises, in circumstances where the presence or use of those articles or objects is likely to lead to injury or damage.
23. The responsibility for conducting a meeting rests with the appointed chairperson. This calls for a close liaison and consultation beforehand between the chairperson and the principal organiser, especially if the Curriculum Manager has attached any conditions to permission to use the company’s premises.
24. At the meeting, the chairperson has a duty to keep order and, so far as possible, to secure that both the speaker and the audience act in accordance with the law. The chairperson should issue warnings of unlawful conduct, such as when the use of violence is threatened or takes place, and where such conduct continues, should require the offenders to withdraw or be removed by the stewards. The chairperson may call upon the help of any security officers whose presence the Assistant Principal -Services for Students has made a condition of holding the meeting.
25. However, if the chairperson has made all reasonable efforts to keep order but the meeting goes or continues out of control, any “controlling officer” present will take charge. In the absence of a “controlling officer”, the chairperson must send for help from others.
26. Start Training 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. Payment in advance, or evidence of ability to pay, may be required before a meeting takes place.

Sanctions

28 Failure to observe the requirements of this code or of any conditions laid down by the Curriculum Manager makes any student or member of staff concerned liable to disciplinary action by Start Training and, at the discretion of the Managing Director, to regard any booking of a room as void

Related policies and procedures

- Safeguarding Policy
- Freedom of Expression Policy

Please feed back to the management any constructive suggestions on how any aspect of the procedure may be clarified or improved

Actual Date	Reviewed by	Next review planned for
24 th September 2017	Esu Hill	2018