



Freedom of Speech Policy

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1. Policy Statement

Warrington & Vale Royal College (WVR) is committed to upholding and promoting freedom of speech and academic freedom within the law. We recognise that open debate and the exchange of ideas are fundamental to academic inquiry and personal development, whilst being obliged under section 43 of the Education (No2) Act 1986 to take reasonable measures to protect freedom of lawful speech. In addition, a principle of freedom of lawful expression is enshrined in Article 10 of the European Convention on Human Rights. Teachers, staff and volunteers should be free, within the law, to question ideas, share new or controversial opinions and challenge received wisdom without risking their jobs. WVR has a responsibility to support and protect academic freedom as much as is reasonably possible.

This policy explains the rights and responsibilities related to free speech and academic freedom. It should be followed in a manner that supports these principles whenever reasonably possible within the law. The policy covers all forms of free speech and expression, including but not limited to speeches, debates, meetings, protests, written publications and social media.

2. Scope

This policy applies to:

- All students, staff, and governors of the College.
- Visiting speakers and external organisations using College premises.
- All College activities, including teaching, research, events, and online platforms.

3. Legal Framework

This policy is guided by:

- The Higher Education (Freedom of Speech) Act 2023.
- The Human Rights Act 1998 (Article 10 – Freedom of Expression).
- The Education (No. 2) Act 1986.
- The Equality Act 2010.
- Relevant anti-terrorism and public order legislation.

4. Principles

- Lawful Speech: The College will take all reasonably practicable steps to secure freedom of speech within the law.
- Academic Freedom: Staff and students are entitled to question and test received wisdom and to put forward new ideas without placing themselves at risk of losing their jobs or privileges.
- Neutrality: The College will not promote or require adherence to any particular political, religious, or ideological viewpoint.
- Constructive Dialogue: The College encourages respectful discussion, even on controversial or sensitive topics.

5. Examples of Lawful Speech

Protected speech includes:

- Academic debate on controversial topics.
- Political expression and peaceful protest.
- Religious expression and critique.
- Satire and parody (within legal bounds).
- Personal opinions shared respectfully.

6. Examples of Unlawful Speech

Speech is not protected under this policy if it violates UK law. Examples include:

- Incitement to violence or terrorism
- Hate speech
- Defamation; to include social media and google reviews but not exhaustive
- Harassment or bullying
- Obscenity or indecency
- Stalking or threats
- Encouragement of illegal activity
- Public order offences

7. Responsibilities

- The Governing Body is responsible for ensuring compliance with legal duties.
- The Principal oversees implementation and monitoring of this policy.
- All Staff and Students must respect the rights of others to express lawful views.
- The Director of Adults and HE will be responsible for the operational compliance

8. Code of Practice

The College will maintain a Code of Practice that:

- Sets out procedures for organising events with external speakers.
All external speakers must complete a declaration form prior to attending the college.
As part of the declaration they confirm that they will not share extremist views or incite hate or violence
- Defines how to assess and manage risks to lawful speech.
- Provides guidance on handling complaints or breaches of this policy.

9. Complaints and Review

- Any concerns or complaints regarding freedom of speech will be handled through the College's complaints procedure.
- This policy will be reviewed annually or in response to changes in legislation or through the Office for Students (OfS) guidance.

10. Sanctions and Penalties

Governing Body - could be removed from their position

Students or Staff – face disciplinary action through the College disciplinary procedure

If a breach occurs during an activity or because of an activity, the College will assist the Police to identify the people involved so that appropriate action can be taken against them

11. Admissions

All applicants will be treated fairly. They will not be discriminated against because of their opinions or views. This includes refusal of admission or changes to offers based on what someone believes. Admission decisions for students and visiting academics will not be based on funding or other reasons that could limit their right to free speech or academic freedom

Steps will be taken prior to the visit to prevent these risks

12. Appointments

During the hiring period of academic staff all applicants will not be treated unfairly because they have questioned ideas, shared new or controversial opinions, or tested received wisdom—things that are protected by law. During the hiring process, clear records of how decisions are made will be kept. If there are concerns about free speech, the records will show that no one was penalized for exercising their right to speak or think freely. People involved in the hiring process will receive training on the importance of free speech and academic freedom

Wherever reasonably practicable termination of employment, or denying reappointment to, any member of staff because they have exercised free speech within the law to express a particular viewpoint will be avoided. This means that those staff are free to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions without placing themselves at risk of being adversely affected by losing their jobs or privileges or reducing their likelihood of securing promotion or different jobs at the College or another provider

Staff should not be required to agree with or support a specific viewpoint. However, they are expected to teach within their subject area and follow disciplinary standards

Any process to dismiss a member of academic staff will include a sufficiently detailed record of all decisions. If appropriate (for instance, if concerns about academic freedom have arisen or might reasonably arise), this record should include evidence that the process did not penalise a member of staff for their exercise of academic freedom. This may include, for instance, written reasons for the decision

Training will be provided on free speech and academic freedom to anyone involved in making decisions about dismissing staff, to ensure these rights are respected.

13. Promotion

Reasonable, practical steps will be taken to achieve the objective of securing that, where a person applies for academic promotion, the person is not adversely affected in relation to the application because they have exercised their freedom within the law to question and test received wisdom, or to put forward new ideas and controversial or unpopular opinions. The promotion process will be carefully recorded, including reasons for decisions. If there are concerns about academic freedom, the records should show that the process didn't punish or unfairly treat the candidate for exercising their right to free speech and new ideas