

Code of Practice

Freedom of Speech - CCOP SS008

Scope of the code

1. The requirement of this code applies to all the staff of the College, the students registered at the College, the officers of the Student Union and the Governors of the College.

Requirements of the Act

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. There is also a requirement that, so far as is reasonably practicable, the use of College premises shall not be denied to any individual or body of persons on grounds connected with the beliefs or views of that individual or any member of that body, or with the policy and objectives of that body.
4. The Act further requires the governing body of the institution to issue a code of practice setting out the procedures to be followed by students and employees of the establishment in connection with the organisation of meetings and other activities which are to be held on College premises and the conduct required of such persons in connection with any such meeting or activity.
5. Every individual and body of persons concerned in the governance of the College 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.
6. In addition, clear guidance is required to students, staff, governors and external agencies as to how the College manages freedom of speech as part of its Prevent Duty Guidance and in line with the Counter-Terrorism and Security Act 2015.

Principles of the Code

7. Dudley College of Technology 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).
8. All meetings taking place on College premises are private, unless the public is expressly invited to attend.
9. It is the responsibility of any individual organising a meeting or visiting speaker to ensure all external speakers are aware of the requirements of the code.

Operational arrangements

10. All requests for an external speaker are to be submitted by the student union or individual making the request using the External Speaker Consent Form ([QS/185](#)) to the appropriate Assistant Principal or Head of Learning at least 10 working days before the planned event.
11. All staff to have consulted with their line manager prior to submitting the form. The request must be accompanied by a written undertaking to abide by the provisions of this procedure and to uphold the college policies on equality and diversity. A transcript of the intended talk may be requested. Requests that do not comply with this provision will be refused.
12. The College Principal and Senior Leadership Group (SLG) reserve the right to require references for the proposed speaker and also to refuse permission for the speaker to visit the college.
13. A member of Dudley College of Technology staff must be present at all times at talks involving their learners and an external speaker. Please refer to the Safeguarding Policy, 7.3 – Staff Responsibilities. Additionally, SLG may be present at talks and may intervene if the speaker significantly deviates from the transcript, where this has been requested and agreed, or causes offence.
14. Talks may be recorded/filmed by the college. These recordings are for future reference and to prevent the abuse of trust.

Monitoring

15. There will be a termly report to SLG and the Corporation on requests received and events held.

Sanctions

16. Failure to observe the requirements of this code or of any conditions laid down by the Senior Leadership Group makes any student or member of staff concerned liable to disciplinary action by the College.
17. If any actions involve breaches of the criminal or civil law, the College will assist the prosecuting authorities as appropriate.

Associated Documents

[External Speaker](#)

[External Speaker Form \(QS/I85\)](#)

Issue No: 001

Document Change Note Ref: 2000

Date: 17.12.2018

Review Date: 16.12.2020

EIA Date: 17.12.2018

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