

Freedom of Speech Policy

Policy no:	7.5	Version number	V01
Version date	July 2024	Next review	July 2025
Produced by	Compliance Team	Approved by	Academic and Quality Board
Related Policies	<ul style="list-style-type: none"> • Academic Freedom Policy • Equality and Diversity Policy • Academic Appeals Policy • Learning Teaching and Assessment Strategy • Student Handbook 		
External reference points	<p>Higher Education (Freedom of Speech) Act 2023</p> <p>Public Interest Governance Principle VII</p>		

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1. Background and Scope

This policy aims to ensure that all members of the LCK Academy (LCKA) community, including students, faculty, staff, and other stakeholders, have the right to lawfully pursue knowledge and speak their mind through free and open debate without fear of discrimination or reprisals for their views. It guarantees that a wide range of perspectives, including those that are challenging and controversial, can be expressed and discussed in an environment of tolerance and understanding.

This policy affirms the right to free speech within the bounds of the law for all Academy stakeholders and should be read in conjunction with the Academic Freedom Policy. The Academy will collaborate closely with staff, the student body, and any external bodies through its committees to ensure the protection of freedom of speech. The Head of Academy Advancement reports to the Senior Leadership Team (SLT) on Freedom of Speech, and the SLT reports on Freedom of Speech to the BoG.

This policy should be read in conjunction with the LCKA Academic Freedom Policy, which addresses the right of students, faculty and guest speakers to freely debate ideas and share academic viewpoints without fear of adverse consequences. The Programmes Committee and Student Council reports on their capacity to freely debate ideas to the Academic and Quality Board (AQB), which, in turn, reports on academic freedom to the BoG. For further details, refer to the Academic Freedom Policy on the Academy [website](#).

2. Aims and Objectives

LCKA regards freedom of speech to be a fundamental element of the democratic principles we uphold, as well as a crucial aspect of the tolerance that is essential for people with different points of view. LCKA also acknowledges that the rights of others may need to be taken account of when balancing an individual's right to freedom of speech and the rights of others to be protected from abuse and harassment. Our objectives are to:

- Ensure that individuals are not impeded in their exercise of free speech, irrespective of the disapproval or disagreement of others.
- Ensure that individuals do not engage in abusive or discriminatory behaviour while exercising their right to freedom of speech.
- Maintain a balance that is both legally compliant and limits any restrictions to the minimum.

3. Application

It is the responsibility of the LCKA Academy Advancement Committee to ensure that the principle of Freedom of Speech is fully embedded in the Academy and extended to all Academy stakeholders equally and as broadly as possible. The Head of Academy Advancement chairs the Academy Advancement Committee and reports on Freedom of Speech to the Senior Leadership Team (SLT). The SLT reports on Freedom of Speech to the Board of Governors.

This policy should be read in conjunction with the LCKA Academic Freedom Policy, which is designed to protect the right of faculty, students and guest speakers to debate academic ideas freely and express different points of view at any of the Academy's campuses or at events the Academy has organised. The Programmes Committee and Student Council are responsible for reporting on their ability to engage in free and open academic debate to the Academic and Quality Board (AQB). The Academic Dean chairs the Academic and Quality Board and reports on Academic Freedom to the Board of Governors (BoG). For further information, please refer to the Academic Freedom Policy. For further details, refer to the Academic Freedom of Policy on the Academy [website](#).

3.1. Oral and Written Communications

This policy applies equally to written and oral communications, including emails and use of social media for work-related communications. When sending emails or using social media whilst representing the Academy, staff are encouraged to exercise their right to freedom of Speech and to afford the same rights to others they come into contact with.

4. External Speakers

LCKA will promote open dialogue by welcoming external guest speakers to Academy campuses for lectures and workshops on various topics. The Academy will impose minimal restrictions on events and activities proposed by students and staff, including the invitation of guest speakers. The following conditions will apply:

- Any event involving external speakers must be reviewed and approved by a member of the Senior Leadership Team.
- All external speakers will be required to undergo Safeguarding and Prevent checks before being permitted to participate in events or activities at the Academy.
- The External Speaker Approval Form must be completed and approved before a guest speaker can speak at an Academy event. Refer to the Academic Freedom Policy for the form with details of the approval process for external speakers at the Academy

5. Staff and Student Policies

As a general principle, no policy or procedure at the Academy shall impose restrictions on freedom of speech beyond those mandated by law. However, when determining what is acceptable speech it will be necessary to balance the rights of those who may be offended by

certain types of speech. The Academy will not permit individuals to abuse, threaten, harass or bully another individual. This approach is guided by the principles of tolerance and respect.

The Academy will not deny access or participation to any individual based on their ideas and opinions, provided that such expressions do not involve unlawful conduct, such as hate speech or incitement to violence or extremism.

6. Legal Restrictions

Not all forms of speech are legally permissible. While lawful speech may cover statements that are hurtful or offensive to others, it does not extend to speech that constitutes harassment or discrimination.

6.1. Discrimination

According to the Equality Act 2010 public bodies, such as LCKA, are obligated to prevent discrimination on the grounds of the following protected characteristics:

- age.
- disability.
- gender reassignment.
- marriage or civil partnership (in employment only)
- pregnancy and maternity.
- race.
- religion or belief.
- sex.
- sexual orientation

6.2. Prevent Duty

In accordance with the Counter-Terrorism and Security Act 2015, institutions such as LCKA are obligated to implement all necessary measures to prevent students and staff from becoming involved in or supporting terrorism or extremism.

Accordingly, the following types of speech are prohibited and deemed illegal:

- Incitement to criminal activities
- Promotion of violence against individuals or groups
- Advocacy for or involvement in terrorism, as defined under the Terrorism Act 2001

7. Borderline Speech

It is not unlawful to offend individuals or groups, and such speech may be permitted to a reasonable extent. However, it should be noted that there may be instances when the Academy must balance the rights of individuals against the principles of free speech. Achieving this balance may be challenging and ensuring that the Academy community fosters a culture of mutual respect and tolerance may not always be straightforward.

The Senior Leadership Team (SLT) is responsible for determining what constitutes permissible speech. It will impose the minimum restrictions required to mitigate the concerns of others and uphold the values of respect and tolerance.

Note that the Academy is committed to offering support to any stakeholder who may have been adversely affected by the free expression of ideas or opinions.

8. Complaints, Grievances and Disputes

Individuals wishing to file a complaint regarding the speech of others at the Academy are encouraged to utilize the complaints procedures outlined in the Complaints Policy. The Academy will investigate any complaint, grievance, or dispute, including those related to freedom of speech.

9. Review

In compliance with the Office for Students' registration conditions, the BoG is tasked with taking all reasonable measures to ensure that freedom of speech, within the bounds of the law, is upheld at the Academy. The BoG has delegated authority to the Audit & Risk Committee to review reports on freedom of speech at the Academy, as provided by the Senior Leadership Team, ***a minimum of three times per annum*** during SLT meetings.

This policy will be subject to review by the BoG at least annually.