

Policy Review

This policy will be reviewed in full annually

The policy was last reviewed and agreed by Adam Russell on the 8th August 2018.

It is due for review in August 2019

This policy applies to: All staff, students and visitors. It applies to all events [including fund raising and/or charitable organisations] on the Academy premises, as well as any funded or branded event held off-site. This approach is a single process for the Academy.

Context

Following the Counter Terrorism and Security Act 2015, educational institutions are required to have robust policies and procedures in place to mitigate the risks of people being drawn into terrorism. This includes making sure those risks around external speakers and events [including fund raising and/or charitable organisations] are rigorously assessed and managed.

Freedom of Speech

The Education Act 1986 imposes a duty on the Academy to take all reasonable steps to ensure that freedom of speech within the law is secured for both students and staff. This also applies to external visiting speakers. Freedom of expression and information is a protected freedom under Article 10 of the European Convention of Human Rights.

Article 10 – Freedom of expression

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

So far as is reasonably practicable, no premises or Academy branded external Event shall be denied to any individual or body of persons on any grounds connected with:

- The beliefs or views of that individual or body; or
- The policy or objectives of that individual or body.

Grounds for refusal or amendment

The Academy will refuse the holding of an event [including fund raising and/or charitable organisations] or require changes to be made where it reasonably believes it is likely to:

- Incite a breach of the law
- Lead to an expression of views which are contrary to the law*
- Promote or support an illegal organisation including any Proscribed Organisation

Furthermore the Academy will also refuse if:

- It is in the interests of public safety, the prevention of disorder or crime, or the protection of those persons lawfully on Academy Premises, that the Event [including fund raising and/or charitable organisations] does not take place.

The Academy has a strong relationship with the City of London Police Prevent team and we reserve the right to consult them before agreeing to allowing external guest speakers on site.

*Controversial, offensive or distasteful views which are not unlawful would not normally constitute grounds for refusing an Event. However, the encouragement of terrorism and/or inviting support for a proscribed terrorist organisation are both criminal offences, and would not be permitted as the Academy operates in accordance with all current anti-terrorism legislation and the Prevent duty guidance.

The Academy expects Members, External Speakers and visitors to abide by its Values. Principal Organisers are responsible for ensuring speakers and visitors at Events are aware of this Policy and the Academy's Values.

Procedure for inviting external speakers

Written permission from the Designated Safeguarding Lead must be completed for all lectures/events on the Academy premises, or any site where external speakers are invited to participate. Any student or member of staff who wishes to invite an external speaker, must complete the form and email it to the Designated Safeguarding Lead. The completed forms should be submitted at least 14 days prior to the event, and prior to any marketing/dissemination of information. The request must be approved before the event can take place.

Risk Assessment of Speakers

Assessing the risk		Action
Low	<p>Subject matter is clear and does not appear contentious i.e. visiting tutor speaking about jewellery, IT or other industry topic delivered as part of our curriculum delivery.</p> <p>Speaker/visiting tutor has previously attended the Academy with no issues arising.</p>	<p>Complete form and submit.</p> <p>Form needs to be submitted only once, unless there is any change or doubt.</p>
Medium	<p>Subject matter has not been made clear, and there is a potential for the speaker to misuse the opportunity and/or no informed assessment can be made.</p>	<p>No decision will be made until further research has been carried out and evidence provided to clarify the subject matter and the speakers intentions.</p>
High	<p>Subject matter is controversial and has the potential to be used to draw students and staff into terrorism and/or details of the subject matter remain unclear after further and thorough investigation.</p> <p>Investigations to include: Researching organisation or speaker in the public domain Designated Safeguarding Officer to contact Borough Prevent Lead</p> <p>See Proscribed Terror Groups – Folder 42 Safeguarding.</p>	

Appeals and Reviews

Appeals against the rulings of the Designated Safeguarding Lead may be made to the Head of Academy, whose decision shall be final. This decision shall be reported to the next meeting of the Board of Directors.

The Designated Safeguarding Lead may withdraw permission for the Event at any time if there are reasonable grounds for believing there is likely to be a breach of the law if the Event goes ahead. The DSL may take into account the advice of the police or any other authorised body.

The Organiser must advise the DSL immediately if:

- An approved speaker is replaced
- There are material changes to the proposed Event

The Academy reserves the right to review an Event decision if further information emerges about the proposed event which in its view may affect the safe conduct of it.

Compliance

Failure to comply with this Policy may result in one or more of the following measures:-

- Implementation of the Academy's disciplinary procedures.
- Suspected or actual breaches of the law will be reported to the police or appropriate authorised body. Any disciplinary proceedings may be stayed pending the outcome of any criminal proceedings.
- The Organiser may be banned from arranging future events for a specified period.
- The External Speaker or a visitor may be excluded from Academy Premises or Events for a specified period.
- Any other measures the Academy deems appropriate.

Further advice can be obtained from:

- Prevent duty guidance for further education institutions in England and Wales
- Freedom of speech on campus: rights and responsibilities in UK universities, Universities UK. 2011
- External speakers in higher education institutions, Universities UK, 2014
- Compliance Toolkit Protecting Charities from Harm, Charities Commission , 2013
- Promoting good relations on campus: a guide for higher and further education, Equality Challenge Unit, 2012
- Managing the risks associated with external speakers, National Union of Students, 2011
- Safe Campus Communities website: www.safecampuscommunities.ac.uk
- True Vision Stop Hate Crime website: www.report-it.org.uk

Managing External Speakers

