

## Freedom of Speech and Expression Policy

Policy Code:	SW13
Policy Start Date:	December 2022
Policy Review Date:	December 2025

Please read this policy in conjunction with the policies listed below:

- ICT2 Online Safety Policy (Staff)
- ICT3 Online Safety Policy (Students)
- SW4 Student Behaviour and Discipline Policy
- SW5 Safeguarding and Child Protection Policy
- SW6 Anti-Bullying Policy
- SW11 Educational Visits Policy

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## **1. Policy Statement**

- 1.1 This policy outlines the framework within which staff, Trustees, governors, volunteers and pupils of The Priory Federation of Academies Trust and its visitors enjoy the right to freedom of expression. It relates to the Human Rights Act 1998 (particularly Article 10), the Race Relations (Amendment) Act 2000, the Equality Act 2010 and the Public Order Act 1986.
- 1.2 Freedom of expression can be defined as the right to express one's ideas and opinions freely through speech, writing, and other forms of communication but without deliberately causing harm to others' character and/or reputation by false or misleading statements.
- 1.3 References to the Trust or Academy within this policy specifically include all primary, secondary and special academies within the Trust, as well as the Early Years setting at the Priory Witham Academy, Priory Apprenticeships and Lincolnshire SCITT.
- 1.4 This policy does not form part of any member of staff's contract of employment and it may be amended at any time.

## **2. Roles, Responsibilities and Implementation**

- 2.1 The Education & Standards Committee has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. This committee delegates day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Director of Student Welfare.
- 2.2 Leaders and Managers have a specific responsibility to ensure the fair application of this policy and all employee are responsible for supporting colleagues and ensuring its success.

## **3. Aims**

- 3.1 The aims of this policy are to ensure that:
  - freedom of speech within the law is secured for all of the Trust's staff, Trustees, governors, volunteers, pupils and visiting speakers;
  - each setting promotes and encourages free debate, enquiry and, where appropriate, peaceful protest and its staff, volunteers, Trustees, governors and pupils tolerate a wide range of views, political as well as academic;
  - all staff, trustees, governors volunteers, pupils and external speakers recognise that freedom of speech is limited by legislation to protect national security and public safety, prevent disorder or crime, protect

the reputation or rights of others, and prevent the disclosure of information received in confidence;

- freedom of speech is set in the context of the Trust's values, as well as British values; and
- all staff, Trustees, governors, volunteers and pupils are protected from extremist ideologies and those organisations/individuals seeking to radicalise others.

#### **4. Educational visits abroad**

- 4.1 This policy also applies to Federation or setting visits abroad. If, in any situation on such a visit, the law of that country differs from the policy statement, staff, volunteers and pupils should not put themselves in a position where they are acting outside of that country's domestic legislation.

#### **5. External events taking place on Trust premises**

- 5.1 When deciding whether or not to allow a particular event to take place on its premises, each setting will consider whether the event is likely to constitute a breach of the Equality Act 2010, the Public Order Act 1986 or any other legislation. In addition each setting has to consider:

1. Whether the views or ideas to be put forward, or likely to be put forward (or the manner of their expression):

- infringe the rights of others; or
- discriminate against them.

2. Whether the activity in question:

- constitutes a criminal offence;
- constitutes a threat to public order or to the health and safety of individuals;
- incites others to commit criminal acts; or
- is contrary to the civil and human rights of individuals.

- 5.2 A key test is whether a proposed event is likely to give rise to an environment in which people will experience – or could reasonably fear – harassment, intimidation, verbal abuse or violence, particularly because of their ethnic background, race, religion and belief, sexuality, gender, disability or age. If it is felt that an expression of views or beliefs is offensive and has the potential to develop into harassment, radicalisation, incite hate or may constitute criminal activity then the setting will restrict that activity.

- 5.3 Staff who wish to host external organisations or speakers on Trust premises must first seek the permission of their Senior Leadership

Team, who will make their decision in line with the considerations in 5.1 and 5.2.

- 5.4 If the setting is contacted by an external organisation or speaker wishing to use the Trust premises, whether or not staff, Trustees, governors, volunteers and/or pupils are involved, their request will be considered by the Senior Leadership Team, who will make their decision in line with the considerations in 5.1 and 5.2.
- 5.5 Each setting will keep a register of visiting speakers. It will be the responsibility of each setting's Designated Safeguarding Lead (DSL) to maintain this register. If the DSL has any concerns about an individual or organisation visiting the setting they will seek advice from the Trust DSL or the relevant authority, for example, the local police.

## **6. Distribution of leaflets/publicising material**

- 6.1 If an external individual/organisation makes a request for a setting to distribute (including electronically) information promoting or informing others about their cause or seeking support, or to recruit members, then each setting will consider the points outlined in 5.1 and 5.2 before agreeing to the request. This will also apply if a pupil, member of staff, Trustee, governor or volunteers asks for a cause of their choosing to be promoted.
- 6.2 The Senior Leadership Team (including the DSL) at each setting must first give their permission before any material is distributed. Any unsolicited material found within any setting will be removed.
- 6.3 If the DSL has any concerns about an individual or organisation the setting will seek advice from the relevant authority.

## **7. Educational programme**

- 7.1 Through the academic curriculum and the Personal Development Programme pupils will be provided with a safe space to talk about key issues and be encouraged to ask questions. Each setting's educational programme has been designed to provide pupils with sufficient information so that their opinions are supported by knowledge and understanding.
- 7.2 The curriculum is set out to encourage debate and discussion, while ensuring that pupils have mutual respect for, and tolerance of, those with different faiths, beliefs and lifestyles.
- 7.3 Each setting should ensure that their curriculum builds pupils' resilience to radicalisation by promoting fundamental British values, including the

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Trust and individual academy values, and enabling them to challenge extremist views.

## **8. Staff training**

- 8.1 Staff will receive training and support to ensure they are confident in challenging beliefs and ideas which might infringe the rights of others or discriminate against them, and in challenging extremist views.
- 8.2 Staff will receive training on how to identify vulnerable pupils and the additional supportive measures needed to ensure their resilience towards extremist views or ideas. Staff need to recognise that certain groups of pupils are more vulnerable to radicalisation than others and therefore recognise the need for additional safeguarding measures.

## **9. Procedures for restricting views or ideas**

- 9.1 In the event of an individual or group expressing views or ideas which are likely to give rise to an environment in which people will experience – or could reasonably fear – harassment, intimidation, verbal abuse or violence, particularly because of their ethnic background, race, religion, belief, sexuality, gender, disability or age, this should be reported immediately to the setting DSL (or Trust DSL). The Trust will not tolerate views or ideas of this nature and the individual or group may be subject to disciplinary procedures (if internal) and external individuals or organisations may be banned from Trust premises.
- 9.2 When responding to reported incidents the setting must prioritise the safety of the pupil(s) and those around them. Each case will be considered on an individual basis and the setting's pastoral team will consider what action is appropriate, including whether or not any support from an external organisation is necessary, for example, through the Channel programme. If deemed appropriate, a referral to Childrens Services will be made by a member of the safeguarding team.
- 9.3 If the Academy believes that any reported incident may be sufficiently serious as to be a breach of the Public Order Act 1986 in respect of racial hatred, hatred against persons on religious grounds or hatred against persons on the grounds of sexual orientation then they shall inform the relevant authorities which may result in criminal action being taken against that individual or organisation.

## **10. Policy changes**

This policy may only be amended or withdrawn by The Priory Federation of Academies Trust.

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## **The Priory Federation of Academies Trust**

### **Freedom of Speech and Expression Policy**

This Policy has been approved by the Education and Standards Committee:

Signed..... Name..... Date:

Trustee

Signed..... Name..... Date:

Chief Executive Officer

Signed..... Name..... Date:

Designated Member of Staff

Please note that a signed copy of this policy is available via Human Resources.