

## 1.0 Fundamental Principles

- 1.1 As an institution of Further Education, which values academic freedom, the College is committed to promoting and positively encouraging free debate and enquiry. This means that it accommodates a wide range of views, political as well as academic, even when they are unpopular, controversial or provocative.

The role of the College in promoting and encouraging free debate and enquiry is reinforced in two pieces of legislation:

1. The 1966 Education Act states that: 'persons concerned in the government of any establishment...shall take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers.'

The college will not, therefore, as far as is reasonably practicable, deny access to its premises to individuals or bodies on the basis of their beliefs, views or policies.

2. The Equality Act 2010 covers the following protected characteristics: age, disability, gender, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief and sexual orientation.

The associated public sector equality duty requires Colleges in the exercise of their functions to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited under the Act;
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

## 2.0 Code of Practice

- 2.1 This Code of Practice applies to all staff, students, governors and visitors invited to speak at or take part in meetings, events or other activities.

The College expects students, staff, governors and visitors invited to speak at or take part in meetings, events or other activities to ensure that freedom of speech **within the law** is assured.

- 2.2 There is no legal prohibition on offending others. Nevertheless, the College believes that discussion that is open and honest can only take place if offensive or provocative action and language is avoided. Students, staff, governors and visitors invited to speak at or take part in meetings, events or other activities are therefore required to demonstrate sensitivity to the diversity of the College's inclusive community and to show respect to everyone in this inclusive community. Inclusivity and Respect are two integral College values.

- 2.3 A meeting, event or other activity which is likely to give rise to or creates an environment in which people will experience fear, harassment, intimidation, verbal abuse or violence, particularly because of their age, gender, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief and sexual orientation (protected characteristics), is likely to be unlawful.
- 2.4 If students, staff and/or Governors believe that a meeting, event or other activity that is being organised poses a risk of the above, they are required to report the matter in the first instance to the Assistant Principal Marketing, Schools Liaison and Community Partnerships. No advertising of the meeting, event or activity is permitted until a decision is reached on its compliance with this Code of Practice.
- 2.5 The Assistant Principal Marketing, Schools Liaison and Community Partnerships will refer the matter to the Deputy Principal, who will decide if the meeting, event or activity complies with the College's Code of Practice and if it can go ahead. They may, however, require the organiser to put in place safeguards, such as a strong and well informed Chair for the meeting, event or activity, before it can go ahead. They may also require the organiser to record the meeting or event or activity, so there is no dispute afterwards about what is said by whom.
- 2.6 A named organiser should be identified for all meetings, events or activities organised on the College's premises, and the visiting speakers' pro forma must be completed (see **point 3** of the policy document below).
- 2.7 If the Deputy Principal decides the meeting, event or activity poses too great a risk, they will make a recommendation to the Principal to deny access to the College's premises. The Deputy Principal may decide to consult with students, staff or other groups or take legal advice before coming to such a recommendation.

The Principal's decision will be final and not subject to appeal.

- 2.8 The expression of views that may be controversial, but do not breach the law, will not constitute reasonable grounds for refusal for a meeting, event or activity. Reasonable grounds for refusal would include: incitement to commit a criminal act, unlawful expression of views (Freedom of Expression is limited by laws to protect national security, such as the Counter Terrorism and Security Act 2015, and public safety, for the prevention of disorder or crime, for the protection of the reputation or rights of others and to prevent the disclosure of information received in confidence. A speaker from an organisation proscribed by law would therefore not be allowed. A significant strand in the regulatory framework is the duty (under the Equality Act 2010) to promote good relations between persons of different racial groups, infringement of the civil and human rights of others, support for an organisation whose aims are illegal, the creation of an environment likely to promote violent extremism, to pose a threat to the health and safety of individuals or which gives rise to a breach of the peace.
- 2.9 If a meeting, event or activity has been advertised, students and staff may still make representations to the Deputy Principal if they feel it breaches this Code of Practice. If the event is allowed to take place, they will be allowed the right of peaceful protest for one hour prior to the meeting, event or activity taking place. They will not be permitted to interfere with the running of the meeting, event or event.
- 2.10 The Student Union encourages debate and political activity. As representatives of the student body at the College, they have a responsibility to ensure that student led events are conducted in a safe space and are free from discriminatory activity. Any individual student or groups of students wanting to organise a meeting, event or activity at the College must contact the President of the Student Union and the Student Engagement Manager to ensure that the meeting, event or activity proposed is feasible logistically and complies with this Code of Practice. Ultimately, it is the College's decision whether to allow a meeting, event or activity to take place on its premises.
- 2.11 College students will be allowed to distribute leaflets or other publicising material (including electronic) in College provided that material produced is not in breach of the College's Equal Opportunities Policy. If an individual student or group of students wants to distribute leaflets or other publicising material (including electronic) they must contact the Assistant Principal, People and Place before doing so, so

that a decision can be made as to whether this material complies fully with the College's Equal Opportunities Policy.

- 2.12 Non-College students or staff would need to agree any distribution of leaflets or other publicising material activity with the Assistant Principal Marketing, Schools Liaison and Community Partnerships<sup>1</sup>. This material must also comply with the College's Equal Opportunities Policy. There may be a charge for this activity.
- 2.13 Wilful breach of this Code will be dealt with under the college's disciplinary procedures and, if necessary, by recourse to law.

If you are proposing to run a meeting, event or activity and are concerned it may constitute a breach of this Code of Practice, please contact in the first instance the Assistant Principal Marketing, Schools Liaison and Community Partnerships.

### 3.0 Review

- 3.1 This policy shall be reviewed not less than every three years from the date of the Governor Meeting when it was approved.

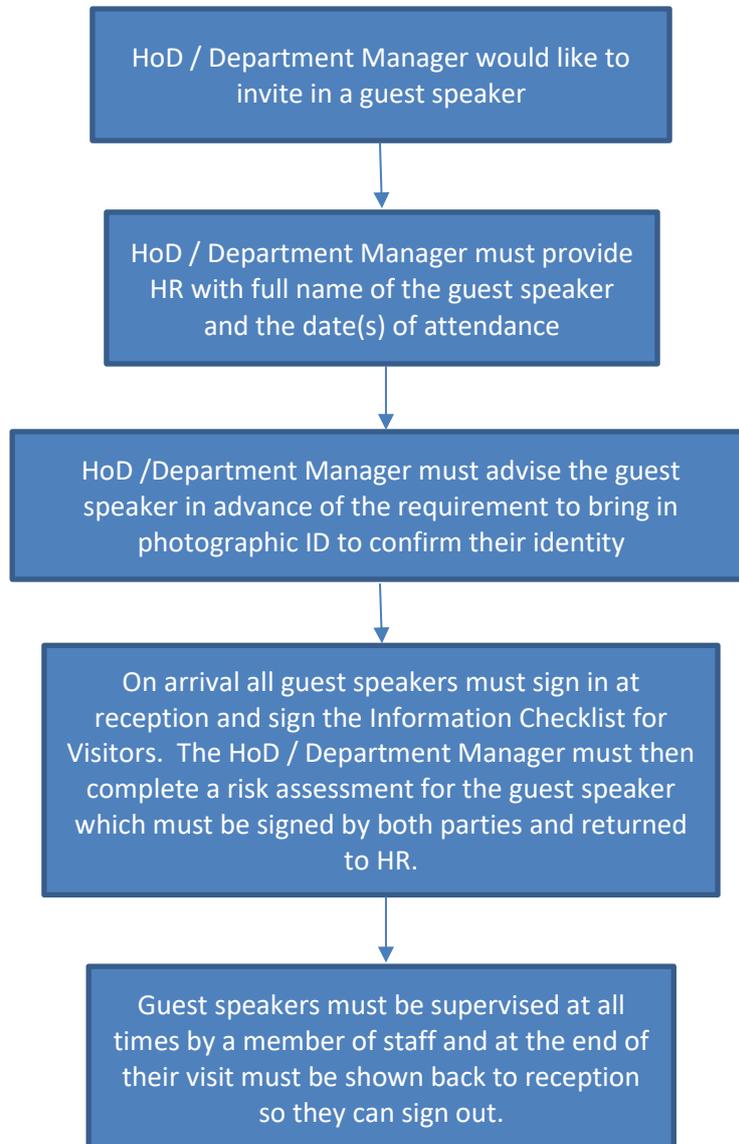
Version	Date	Policy Owner	Comments	Approval Route and Date	Provenance	Date of Next Review	Equality Impact Assessment Completed (Y/N)
1	December 2015	Angela Williams	New policy to reflect the College's statutory obligations	Corporation December 2015	Good practice in the sector	December 2017	Y

<sup>1</sup> Job titles may be subject to change from time-to-time.

**APPENDIX ONE**  
**Procedure for Accommodating Guest Speakers**

In line with the College’s Safeguarding and PREVENT responsibilities, we must keep a record of all guest speakers who visit the College in each academic year.

Please see the flow diagram below, which outlines the actions required. Please also complete an Events Pro Forma as applicable.





# Huddersfield New College Events Pro-forma

## 1 EVENT INFORMATION

Name of Event \_\_\_\_\_

Brief Description \_\_\_\_\_

Organiser \_\_\_\_\_

Date of Event \_\_\_\_\_ Time of Event: From \_\_\_\_\_ To \_\_\_\_\_

Room Booked Yes  No  Room Number \_\_\_\_\_

External Tickets Sold Yes  No

Risk Assessment Completed Yes  No

Line Manager Approval Yes  No

Pre-Marketing Yes  No

Photographer for the Event Yes  No

Local Newspaper Required Yes  No

Approx Number of People (incl. staff) \_\_\_\_\_ Dept Staff on Duty \_\_\_\_\_

Staff on Front Doors/Reception Yes  No  Name(s) \_\_\_\_\_

Student Ambassadors Yes  No

Caretakers informed Yes  No

HR informed (for s/guarding) Yes  No

Fire Marshalls/First Aiders Yes  No  Name(s) \_\_\_\_\_

Fire Evacuation Procedures will be given at the beginning of the event

## 2 SET UP REQUIRED

Parking Spaces Required Yes  No  How Many \_\_\_\_\_

Access to Café Yes  No

Catering Required Yes  No  How Many \_\_\_\_\_

Audio/Visual Equipment Yes  No  Who \_\_\_\_\_

Chairs Required Yes  No  How Many \_\_\_\_\_

Tables Required Yes  No  How Many \_\_\_\_\_

Description of Layout \_\_\_\_\_

SLT/Governors Invited Yes  No  By Who \_\_\_\_\_

## 3 OTHER COMMENTS/DETAILS

Any other special guests, e.g. Mayor Yes  No  Who Responsible \_\_\_\_\_



## EQUALITY IMPACT ASSESSMENT



### INTRODUCTION

The purpose of carrying out an Equality Impact Assessment (EIA) is to provide the basis for creating equality objectives and performance indicators that will drive improvement and change in ensuring the College meets the needs of different groups of people with different protected characteristics, as defined in the Equality Act 2010.

#### What is an impact assessment?

An EIA is a systematic and thorough consideration of how every aspect of the College's functions (i.e. policies, procedures, practices and plans) is affecting, or is likely to affect different people. EIAs should be reviewed a part of a rolling programme and the Action Plan updated accordingly.

It is good practice to carry out EIAs, although they are no longer mandatory. When conducting EIAs must explicitly consider impact on students, staff and other key groups in terms of race, disability, gender (including gender identity), sexuality, age, and religion and belief, and publish the results. Consultation with customers and potential customers, external clients, staff and students will be part of the EIA procedure and will also link to the Self-Assessment Report (SAR) and strategic plan for the College. The involvement of different stakeholders will evidence our commitment to embedding equality and diversity within all our services and the curriculum. The EIAs will be led and monitored by the Assistant Principal – Corporate Services.

#### What needs to be impact assessed?

The EIA process will encompass all policies, procedures, practices and plans. When and where these are identified, each will need an EIA or review as part of a rolling programme, to determine whether they have a differential impact in relation to equality.

#### Findings of EIAs

The findings of an EIA may provide a number of possible outcomes:

1. The EIA shows that employment practices or services have a different impact measured by one or more protected characteristic.
2. The EIA shows a different impact which is demonstrated to be adverse impact.
3. The EIA shows no differential impact in employment practices or service delivery.
4. There is insufficient evidence to judge whether there is differential impact.
5. The EIA indicates that there are needs that are not being met.

#### Can I assess my own policies, procedures, practices and plans?

EIAs will usually be completed by the owner of the policy, procedure, practice and plan in conjunction with another colleague who is familiar with the process of conducting EIAs. The nominated person should not be involved with the design, maintenance or enforcement of the policy, plan, practice or procedure. This is to ensure that the EIA process is objective and robust, as a neutral party is more likely to highlight elements that will lead to positive change.

## Part One – The Impact Assessment

Date of last assessment (if applicable)	-
Date this assessment commenced	4 <sup>th</sup> January 2016
Name of policy/procedure/practice/plan being assessed	Freedom of Speech Policy
Name and job title of policy/procedure/practice/plan owner	Angela Williams, Principal
Name(s) of independent colleague(s) appointed to contribute to the assessment	Sonia Ross Zoe Shackleton
Is this a new or existing policy/procedure/practice/plan?	New policy

### INITIAL SCREENING

<p><b>1. Please summarise the main aims of the policy/procedure/practice/plan. Include the intended benefits.</b></p>	<p>The Freedom of Speech policy sets out the College's approach promoting and positively encouraging free debate and enquiry. It is intended to provide a framework to stimulate healthy discussion on a range of subjects and for members of the College community to feel able to express views in a safe, respectful and non-discriminatory manner.</p> <p>The College is compliant with all associated statutory duties as set out in the Equality Act 2010 and the Education Act 1966 and is wholeheartedly committed to providing a safe and secure environment for its students, staff, Governors and visitors.</p>
<p><b>2. What consultation has been undertaken in the development of the policy/procedure/practice/plan?</b></p>	<p>This is a new policy that takes account of current legislation and general good practice.</p> <p>The Freedom of Speech Policy has been discussed within the College's Senior Leadership Team, Student Union and Governors, and the policy was approved by the Corporation.</p>
<p><b>3. What evidence, data or information is available to indicate how the policy/procedure/practice/plan might affect equality?</b></p>	<p>The policy reflects the College's approach to encouraging healthy debate on a variety of subjects and pays due regard to equality considerations that may arise from such debate. All statutory obligations under the Equality Act 2010 are referenced and are integral to the policy.</p>

<p><b>4. In what areas could the policy/procedure/practice/plan have a significant adverse differential impact?</b></p> <p>If you have selected one or more boxes for question 4, please go straight to question 5.</p> <p>If you have not selected any of the boxes for question 4 there is no need to complete the rest of this documentation. However, you must write the reasons why you believe there will be no differential impact, in respect of any of the protected characteristics listed, in the space opposite.</p>	<p>Disability <input type="checkbox"/></p> <p>Race <input type="checkbox"/></p> <p>Gender (including Gender Identity) <input type="checkbox"/></p> <p>Sexual Orientation <input type="checkbox"/></p> <p>Age <input type="checkbox"/></p> <p>Religion or belief <input type="checkbox"/></p>	
	<p>We are of the view that the Freedom of Speech Policy does not have a significant adverse differential impact on equality. The policy applies to staff, students and visitors and no discriminatory distinction is made.</p> <p>The policy ensures that there is a transparent procedure in place for discussion and debate and that any organised events and/or visiting speakers that have the potential to cause disruption and/or offence are appropriately screened in advance to protect individuals and the College from detriment and/or discrimination.</p>	

**ASSESSING IMPACT AND STRENGTHENING THE POLICY/PROCEDURE/PRACTICE/PLAN**

<p><b>5. What general concerns are there that the policy/procedure/practice/plan could have a differential impact on the protected characteristics you have indicated in question 4? Please give details.</b></p> <p>What relevant evidence is available to support these concerns? Please use data/statistics where possible.</p>	
<p><b>6. What are the risks associated with the effectiveness of the policy/procedure/practice/plan in relation to the differential impact?</b></p>	
<p><b>7. What are the expected benefits of the policy/procedure/practice/plan?</b></p>	

<p><b>8. Who are the 'interested parties' (i.e. adversely affected groups) in relation to this policy/procedure/practice/plan?</b></p>	
<p><b>9. How will these interested parties be consulted and communicated with?</b></p>	
<p><b>10. Which relevant experts and/or equality groups have been approached to explore the issues with which the policy/procedure/practice/plan is concerned?</b></p> <p><b>How have the views of these experts/groups been sought? (Please be as specific as possible, e.g. by letter, meetings, interviews, workshops, questionnaires, or any other method.)</b></p>	
<p><b>11. Please give details of the views of the experts/groups on the issues involved.</b></p>	
<p><b>12. Taking into account these views, and the available evidence, please outline the risks associated with the policy/procedure/practice/plan weighed against the benefits.</b></p>	

<p><b>13. What changes/modifications will now be made to the policy/procedure/practice/plan in the light of this Impact Assessment?</b></p>	
<p><b>14. How will these changes/modifications be communicated to interested parties (i.e. the groups which were adversely affected) and those consulted? (This should form part of the Action Plan.)</b></p>	
<p><b>Signed (completing officer 1)</b>  </p>	<p><b>Print Name and Job Title</b>  <b>Zoe Shackleton, Assistant Principal</b></p>
<p><b>Signed (completing officer 2)</b>  <b>Sonia Ross</b></p>	<p><b>Print Name and Job Title</b>  <b>Sonia Ross, Assistant Principal</b></p>
<p><b>Date of completion of Impact Assessment</b></p>	<p><b>8<sup>th</sup> January 2016</b></p>

Actions arising from screening										
(R = Race/Ethnicity, R&B – Religion and Belief, D – Disabled People, G – Gender (including gender identity), SO – Sexual Orientation, A – Age)										
R	R&B	D	G	SO	A	Action Required	By Whom	By When	Intended Outcome	Change resulting from EIA and date (include evidence if possible)