



# **KENSINGTON COLLEGE OF BUSINESS**

## **FREEDOM OF SPEECH AND ACADEMIC FREEDOM POLICY**

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## **Freedom of Speech and Academic Freedom**

1. KCB observes freedom of expression and freedom as basic human rights protected by law and tolerates a wide range of political and academic views, including the unpopular, controversial, or provocative views. The College also considers freedom of expression and academic freedom as freedoms within the law and not as absolute freedoms.
2. Thus, open and honest debate is encouraged whilst the College ensures that this takes place within a safe environment. This means that staff have the right to question received wisdom and to put forward new ideas, even the controversial ones and should not have any fear of placing themselves in jeopardy of losing their jobs or privileges by so doing.
3. The College does not therefore deny the use of its premises to any individual, group or members of groups on the grounds of their beliefs, or on the grounds of the policies or objectives of the groups they represent.
4. However, freedom to express views needs to be balanced with the need to secure freedom from harm for staff. The College therefore applies these rights to freedom of speech within the Equality Act 2010, and in the interest of national security and public safety. This policy is integral to the College's Prevent Duty, contained within Section 26 of the Counter Terrorism and Security Act 2015. This states that specified authorities, in the exercise of their functions, must have "due regard to the need to prevent people from being drawn into terrorism". The policy therefore seeks to:
  - i. protect vulnerable individuals from being drawn into extremism,
  - ii. prevent disorder or crime,
  - iii. protect the reputation or rights of others;
  - iv. prevent the disclosure of information received in confidence.

## **KCB Obligations**

5. As an institution of higher learning, which values academic freedom, KCB is committed to promoting and positively encouraging free debate and enquiry. Wherever possible, practical and permissible, KCB will facilitate freedom of speech, scholarly enquiry and academic debate.
6. However, it is obliged to ensure that all its events, activities and initiatives are safe, without risk, and that they are lawful. The College will therefore apply reasonably practicable steps to ensure that for its staff, and visiting speakers have freedom to express themselves within a secure environment.

7. This policy requires that all staff, speakers and those taking part in activities must give their views with due sensitivity and respect to the diversity of the college's staff and students. Therefore, if an external speaker or their topic of discussion has the potential to go against the College's conditions for a safe event, the College will work with event organisers or where appropriate, with the external speakers themselves, to ensure that a reasonable, informed and lawful outcome is achieved.

### **How does KCB observe these Obligations?**

8. The College will invite and encourage students and staff to invite external speakers or trainers who are committed to enhancing the students' learning experience, through:
  - i. master classes,
  - ii. sharing industry experience
  - iii. motivating and educating students in areas that impact directly on the students' learning experience.
9. KCB will observe these obligations by ensuring that there are clear instructions for organising events with external contribution and for vetting external speakers, as follows:

The person or group arranging any event at which external speakers participate must inform the external speakers that they MUST NOT: -

- I. advocate or incite hatred, violence or call for the breaking of the law
- II. encourage, glorify or promote any acts of terrorism including individuals, groups or organisations that support such acts
- III. spread hatred and intolerance in the community and thus aid in disrupting social and community harmony
- IV. raise or gather funds for any external organisation or cause without express permission of Management
- V. insult any faiths or groups

### **Procedures for Screening and Checking External Speakers/Trainers to KCB**

10. All recommendations/proposals for events should be made to the Programme Leader on their programme of study using the template in Appendix 1.
11. If the event requires an external speaker/trainer, the speaker/trainer must be approved by the Programme Leader and invited by the College after necessary checks have been conducted.
12. All speakers/trainers, even if they are approved by the Programme Leader, should submit their details to the Prevent Lead and must complete a form which is kept by the Prevent Lead.
13. Staff, students and student groups of students can make their requests through any senior member of staff, who should complete the written request (Appendix 1).

and email it to the Programme Leader, complete with details of the activity or event the speaker/trainer will address, the topic, and the benefits of the speaker/trainer's address to the staff and/or students giving full details of date, time and venue.

14. In considering whether or not to allow the event to go ahead, the Programme Leader will apply a clear policy of freedom of speech within the law, i.e. consider whether the event:
- i. constitutes a criminal offence (and whether a participant has a previous conviction in relation to words either written or spoken);
  - ii. constitutes a threat to public order (including whether a participant is from organisation that is officially proscribed by the UK Government);
  - iii. constitutes a threat to the health and safety of individuals attending the event or in the locality, which cannot be satisfactorily managed;
  - iv. incites others to commit criminal acts;
  - v. is contrary to the civil and human rights of individuals.

## **Appeals**

15. Appeals against the rulings of the Programme Leader may be made in writing to the Principal, whose decision shall be final. Such an appeal must be received within two working days of the decision of the Programme Leader.

*Next Review Date:* July 2022  
*Reviewed By:* Academic Board