

Freedom of Speech

What?

BMet has a Freedom of Speech policy which sets out the College's commitment to freedom of speech within the law and within the context of a culture of mutual respect and tolerance.

Why?

The policy has been developed in response to the Office for Students' requirement for all HE providers to have a Freedom of Speech policy. Under the Education Act 1986 educational institutions have a duty to protect freedom of lawful speech and expression and academic freedom.

The policy supports students and staff to explore, challenge, discuss and debate sometimes contentious matters within a framework of being respectful and safe.

The policy acknowledges:

- The complexities of balancing the rights of diverse individuals including allowing freedom of speech whilst safeguarding freedom from harm
- That valuing diverse perspectives can sometimes mean engaging with views which are controversial or provocative
- That freedom of speech is not absolute and without restriction

When?

The policy applies to all sites, all provision and includes events and activities in which external speakers are engaged.

Who?

The policy applies to all stakeholders including visitors to the College.

How?

Students and staff will be made aware of the Freedom of Speech policy when they come to college through induction activities, workshops and training and in lessons and tutorials.

The policy commits the college to provide:

- environments which are safe and open and which encourage critical thinking and debate
- teaching, learning and enrichment activities which allow for the exploration, challenge, discussion and debate of contentious matters and which encourage a balance of opinion

Teachers should feel confident to:

- Allow students to own their choice of topic
- Allow students to challenge each other, and debate and discuss topics in class. (Students generally welcome the opportunity to discuss issues and are usually capable of conducting themselves respectfully as a result!)
- Challenge student perspectives themselves, particularly any discriminatory or offensive language or behaviour to protect all students in the group
- Develop critical thinking skills for students at all levels

- Embrace content which encourages natural student conversations and reflection
- Use topics that are raised as an opportunity to promote equality, diversity and inclusion
- Nurture an environment where students feel safe to have discussions
- Develop their own skill set of managing difficult conversations and their awareness, understanding and knowledge of topics which may be contentious
- Seek support from the learning and development team if necessary

See the appendix for examples of how the Freedom of Speech policy works in practice.

Further information

Link [here](#) for the Freedom of Expression policy

Link [here](#) for the Child Protection and Safeguarding policy which includes the external visitors vetting procedure (Appendix 6, page 37)

Appendix – Examples

In an employability session for adults students needed to present to their peers as part of the assessment criteria. One student, who was adamant he wasn't going to present decided he would after a conversation with a peer the previous lunchtime. He put together and presented a PowerPoint on Colonel Gaddafi and how he had been an excellent ruler of Libya. His fellow students questioned his assertions:

- "Why was he overthrown by the people?"
- "Wasn't he actually a dictator?"
- "But he didn't always deliver on his promises did he?"

He answered these points calmly, using evidence and his own opinions. Although contentious, the discussion was completely respectful on both sides. The teacher was confident that the topic was acceptable and was pleased that the student participated at all. She said she would have been happy to calm things down if the topic had provoked ill feeling.

An Access to Education group were discussing transgender issues as a result of 2 news articles in the daily press. The topic became contentious when the talk changed to gender neutral toilets and 2 Muslim students in the group felt they would be uncomfortable about adjusting their headscarves in these facilities. One of the male students also agreed that he would feel uncomfortable. Despite this provoking strong arguments the students sorted it out amongst themselves and the teacher did not need to intervene or remind them to be respectful.

A music production student has created a piece of work which included many uses of the 'n' word. The teacher initially explored this with the student who advocates that the word is very much a part of their contemporary culture. The teacher decided to facilitate a classroom discussion on this and asked the students first to look at the origins of the term, the potential for offense as well as the endemic use in hip hop/grime etc. They asked students to find examples of tracks/videos which might challenge sexism or discrimination. In a follow up session, the teacher invited 2 members of staff with particular perspectives of the use of the 'n' word to the lesson to help explore racism, slavery and freedom of speech and the appropriateness of language. The student still advocated the use of the n word in his music but agreed that by changing some of the lyrics he would make his work more suitable for a range of audiences and a local commercial venture.

Some students want to use an LGBT history month event at College to protest about the use of gender specific facilities by trans people. They advocate that trans women are not real women and should not be allowed to use the female toilets for example. The event organiser organises a meeting with the students to discuss their concerns and to share the college policy on Trans* inclusion. The students are invited to attend the LGBT event to hear from others' perspectives as well as their own.

A Chinese student complained about a film showing the state discrimination of Tibetans in China and which contained an offensive phrase. The teacher used this as an opportunity to explore the topic of freedom of D&I in practice FS 6

speech and its limitations with all of the students in the group – increasing understanding of everyone’s perspectives of the subject. As a result the group agrees to use a different film which still shows the discrimination against Tibetans but without the offensive language.

During the EU referendum campaign a speaker at college talks about the advantages of Brexit, especially having a cap on freedom of movement and immigration which they say costs the country too much money and British people their jobs. The event organiser made sure to also include a speaker who presented an opposing argument about the advantages of remaining within the European Union and another who looked at the social and economic value of immigration for the country. Students were encouraged to evaluate the information through discussion and debate. The event organiser ensured that all the external speakers at the event went through the vetting policy.

A member of staff has made a complaint about the inclusion of one of David Irving’s books, alongside routine historical texts, in the library. David Irving is a Holocaust denier and the member of staff asserts that Irving’s writings are dangerous, extremist and immensely offensive. The College library agrees to keep the book on catalogue but moves the work into a restrictive access category where it is only available on request.