



Adult Learning Kirklees

Freedom of Expression Policy

2022-2024

Adult Learning Kirklees is part of Kirklees Council and as such follows all KC policies, procedures and guidance.

All policies will be reviewed annually by the ALK Advisory Board unless there are in year changes required according to legislation or policy change.

Providers will be made aware of any new policies or changes to inform and amend their own policies and guidance. Policies highlighted will need to be devised, reviewed and revised by the provider annually.

Policies created by: Jeanette Palmer Nina Barnes	Date Created: July 2022	Date of Renewal: July 2024
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This policy describes the framework within which members Adult Learning Kirklees, including learners and visitors, enjoy the right to freedom of expression. People have the right to express their opinions verbally or in writing but also have a duty to behave responsibly, within the remit of the law and to respect other people's rights.

The law states:

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.
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 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.

Policy statement

1. As an adult and community learning provider, which values freedom of expression (including in particular critical independence and creativity), ALK is committed to promoting and positively encouraging debate and enquiry. This means that it tolerates a wide range of views, even when they are unpopular or controversial.

2. ALK has a duty to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for all members, including learners, employees and visiting speakers. This duty includes a responsibility to ensure that the use of premises is not denied to any individual or group on the grounds of the belief or views of that individual or any member of that group or on the grounds of the policy or objectives of the group.

3. This does not mean, however, that the right to freedom of expression is unchallenged. It is limited, for example, by laws to protect national security 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 significant strand in the regulatory framework is the duty (under the Race Relations (Amendment) Act 2000) to promote good relations between persons of different racial groups.

4. Freedom of expression also has to be set in the context of ALK ethics and values, and the values of a civilised, democratic, inclusive society. ALK expects speakers and those taking part in learning activities to respect those values, to be sensitive to the

diversity of its inclusive community, and to show respect to all sections of that community.

5. In considering whether or not to allow a particular event or freedom of expression to take place on its premises or elsewhere under its authority, ALK has to consider:

- whether the views or ideas to be put forward (or the manner of their expression) infringe the rights of others, or discriminate against them.
- whether the activity in question constitutes a criminal offence/ constitutes a threat to public order or to the health and safety of individuals or incites others to commit criminal acts, or is contrary to the civil and human rights of individuals.

6. A key test is whether a proposed event or freedom of expression 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 ethnicity, race, religion and belief, sexuality, gender, disability or age.

7. Another key test is to ensure the safeguarding and the safety of all participants and to ensure that public order is maintained; and (b) whether the risks of an event/ freedom of expression drawing people into terrorism can be sufficiently mitigated.

8. The general rule is that ALK will intervene to restrict freedom of expression in any particular case on the grounds indicated in 5-7 above.