



FORMISSION

Learning Community Agreement 2023-24

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List of Related Policies:			
Policy No	Policy Title		
9	Disciplinary Policy and Code of Conduct		
11	Equal Opportunities and Diversity Policy		
15	Freedom of Speech Policy		
25	Prevent Policy		
45	External Speakers Policy		

Learning Community Agreement 2023-24

1. Introduction

ForMission College (FMC), as a Higher Education Institution (HEI), carries certain legal responsibilities concerning the provision and safeguarding of information, knowledge, understanding, formation, training and skills-development in its provision of academic programmes. Furthermore, as a Christian College, it seeks to ensure that such learning provision is fostered and administered in a manner which is respectful, affirming and enhancing for both students and staff. This interaction is vital in fostering a positive and stimulating learning environment.

The sections below deal with academic freedom, protection and support of students' learning, ensuring the college complies with its statutory obligations and providing guidance for encouraging a community of learning. This is to ensure that the core values of FMC (especially *relational - community-focused learning support*) are adhered to in order to fulfil the College's cornerstone *missional* vision and principles, which is *'to encourage and equip Christians to transform the world through missional presence and action. The college seeks to be a learning community of reflective practice, community engagement, leading-edge missional theology, and participation in God's mission. Our core values are being relational and missional; committed to diversity, excellence, and service.'* It is this outcome, along with the need to be fully compliant with all statutory requirements that drives the vision and content of this Learning Community Agreement.

2. Academic Freedom

This freedom relates to the rights and responsibilities of the staff of FMC to ensure that students receive the best learning possible in the pursuit of the academic programmes that FMC offers.

Academic freedom is necessary for the effective discharge of the duty of a HEI in order to comply with its charitable aims and to advance learning, knowledge, understanding and formation by teaching and research, and to comply with all relevant statutory provisions.

Reference should be made to the Freedom of Speech Policy, the External Speakers Policy and the provisions of the new Higher Education (Freedom of Speech) Act 2023.

Appendix A sets out these rights and responsibilities relating to FMC staff.

3. Freedom of Expression

This freedom relates to the rights and responsibilities of the students and staff of FMC to contribute to the fostering of a positive, safe and stimulating environment in which to best pursue the academic programmes offered by FMC.

Freedom of expression is a key part of the Higher Education (HE) experience. Sharing ideas is crucial for learning, and allows students to think critically, to challenge opposing issues/views and to engage with different perspectives within the general context of theological education, through reasoned and carefully evidenced debate and discussion.

The five core ideas governing freedom of expression in the context of HE are:

1. *Everyone has the right to free speech within the law*
2. *HEIs should always work to widen reasoned and evidence-based debate and challenge, never to narrow it*
3. *Any decision about speakers and events should seek to promote and protect the right to freedom of expression*
4. *Peaceful protest is a protected form of expression; however, protest should not be allowed to shut down debate or infringe the rights of others*
5. *Freedom of expression should not be abused for the purpose of unchallenged hatred or bigotry. HEIs should always aim to encourage balanced, reasoned and evidence-based debate**

Freedom of expression is enjoyed within the limitations of the law and to ensure the wider pursuit of a peaceful, democratic society. The guidance document published in 2019 by the Equality and Human Rights Commission (link below) sets out these five core ideas and provides further information for both staff and students to help them understand the wider context of how and why the right of freedom of expression may be exercised, in line with the College's Prevent policy, and in accordance with the general learning culture that this document seeks to foster:

*<https://www.equalityhumanrights.com/en/publication-download/freedom-expression-guide-higher-education-providers-and-students-unions-england>

Appendix B sets out FMC's provisions governing freedom of expression.

In balancing its responsibilities in terms of both ensuring freedom of speech and academic freedom, and also protecting student and staff welfare, FMC will seek to act reasonably and proportionately and in accordance with the law.

FMC is committed to promoting equality, diversity and human rights, and to sustaining an environment which is free from all forms of unfair treatment, discrimination and harassment for all those who study, work and engage with FMC, in accordance with FMC's Equal Opportunities Policy.

4. Community Conduct and FMC

Within the context of the above academic freedom and the freedom of expression, staff and students agree to work to and abide by these provisions, to commit to actively encouraging a peaceful, stimulating and robust learning community context, and to contribute to the wider culture of tolerance and respect where the dignity and rights of all staff and students are upheld and , in particular, that the right to have and express opinions is appreciated and respected.

In order to help facilitate this environment, FMC staff and students agree to abide by the following code of conduct:

1. Class discussions shall be held in a healthy atmosphere that is respectful, encouraging robust, reasoned and evidence-based academic debate and discussion
2. Patronising, misogynistic, sexist, racist, defamatory, stereotyping and disrespectful attitudes of a personal or corporate nature, including non-verbal gestures as well as written and verbal expression by staff and students will not be tolerated and FMC's disciplinary policy will be implemented in all cases where such behaviour occurs, or is deemed to occur
3. Staff and students are reminded that in addition to the statutory provisions relating to such conduct, FMC strives for the highest standards of ethical and non-judgemental behaviour as a Christian college, and desires all staff and students to be mindful of this in abiding by recognised Christian virtues and attitudes

4. Staff and students should take a proactive stance in challenging all wrong behaviour and should seek to foster a culture of justice, forgiveness, reconciliation and peace in all relations among staff and students
5. Relationality and community spirit are to be encouraged strongly as the lived-out community expression of FMC's ethos and values
6. Staff and students will adhere to FMC's rules on the use of information and communication technology. These prohibit the creation, display, production or circulation of material which is illegal, gratuitously offensive or intended to cause offence. Students are also bound by FMC's Student Disciplinary Procedure, and staff by the Staff Disciplinary Procedures

Appendix A - Academic Freedom and Corresponding Responsibilities

1. FMC

Freedom

To govern its own affairs, in particular, in teaching and research in accordance with its obligations as a HEI, consistent in its relationship with its validating university, Newman University.

Corresponding responsibility

To maintain academic standards and independence of judgement

2. FMC Staff

Freedom

Within the law and within the general context of theological education and FMC's aims, objectives and values, to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs or privileges they may have at FMC (Education Reform Act 1988, section 202(2)(a)).

Reference should be made to the provisions of the Higher Education (Freedom of Speech) Act 2023 to the extent that they are relevant to this Agreement and as they affect staff and students, accordingly.

Corresponding responsibility

To support the same freedoms for those of differing views

3. Academic Staff

3.1 Freedom

To take an active part in the governance of FMC, where appropriate

Corresponding responsibility

To accept decisions properly arrived at

3.2 Freedom

To deliver validated programmes which have been properly agreed by the Academic Team, the Senior Management Team and the Trustees of FMC

Corresponding responsibility

To take full cognisance of the intellectual and professional needs of students and the requirement for the integrity and coherence of FMC's academic courses

3.3 Freedom

To select one's area of research, subject to constraints on the resources available and to publish subject to academic judgement

Corresponding responsibility

To maintain high standards of scholarship and to be responsive to reasoned debate and discussion

3.4 Freedom

To teach, facilitate and encourage the reading of a wide and diverse range of theological, secular and other religious principles, that may challenge normative Christian perspectives, doctrines and experiences and so adopt the stance of academically robust and open engagement on all of FMC's programmes

Corresponding responsibility

To maintain the FMC's principal theological and missional principles and values, and the values of Christianity more generally

Appendix B – Freedom of Expression

In order to give expression to this commitment, so far as is reasonably practicable, access to the premises of FMC shall not be denied to any registered student or staff member of FMC, or to any individual or body of persons invited to the premises of FMC by a registered student or staff member of FMC, on any grounds relating to:

- the beliefs or views of that registered student, staff member or person so invited; or
- the policies or objectives of that body;

except insofar as the expression of such belief, views, policies or objectives shall be unlawful and where it is reasonably anticipated that the unlawful expression of such beliefs, views, policies or objectives might occur on the relevant occasion.

Subject to the above, it shall be contrary to this Agreement for any person to take any action other than by reasonable and peaceful persuasion or peaceful protest, and to prevent any student or group of students from attending any lecture, tutorial or other academic activity required by, or properly associated with, the programme for which they are duly enrolled because of the lawful views held or expressed or which are reasonably likely to be expressed as part of that academic activity, whether or not it takes place within FMC.

However, the commitments to academic freedom (Appendix A) and freedom of speech (Appendix B) within the law are not absolute.

FMC is not required to provide a platform for views which are contrary to civil or criminal law. It is mindful of its other legal obligations which may require it to have regard to what is said on its premises, so in addition to affirming FMC's commitment to promoting academic freedom and freedom of speech within the law, this Agreement also specifies circumstances in which academic freedom and freedom of speech might properly be restricted.

Therefore, FMC may itself apply restrictions (see procedure below) in circumstances where they are necessary for FMC:

- to discharge its obligations under the Education (No 2) Act 1986, The Education Reform Act 1988, the Higher Education (Freedom of Speech) Act 2023, or the Counter Terrorism and Security Act 2015; or
- to safeguard the safety, health and welfare of its registered students, staff and other persons lawfully upon the premises or engaged in activities associated with FMC, including giving effect to the safeguards set out in the Equalities Act 2010; or
- to enable use of FMC's premises to be consistent with maintaining and promoting the efficient conduct and administration of FMC's functions.

Just as FMC will not restrict reasoned and well-evidenced debate or deliberation simply because the views being expressed might be considered unwise or even offensive (except for views considered gratuitously offensive or intended to cause offense), it also expects members of FMC's community to show commitment to this same principle by not obstructing or interfering with the rights of others to hold and express views with which they might disagree profoundly, as set out in this Agreement.

The principle of freedom of expression set out here shall extend to the performance of the proper functions by academic staff including all tutors and visiting and guest lecturers legitimately present by invitation of FMC in accordance with its approved policies and processes.

Where any person or organisation wishes to hold a meeting or event for the expression of views as set out in this agreement on premises which FMC controls, FMC shall not unreasonably refuse consent. FMC reserves the right to refuse consent to any meeting or event which involves, or is reasonably expected to involve, the expression of views that are in breach of this Agreement or where there are other reasonable grounds for refusal. All such requests should be made and will be considered by FMC in accordance with its policy for governing the organisation of external speakers and events.

Procedure for Implementing Restrictions on Freedom of Expression

If there is a concern about freedom of expression, FMC will consider whether the activity in question:

- constitutes a criminal offence
- constitutes, or is likely to cause, a threat to public order or to the health and safety of individuals
- incites, or is likely to incite, others to commit criminal acts
- breaches the rights of others

And whether the views or ideas to be put forward (or the manner of their expression):

- infringe the rights of others
- draw, or are likely to draw, others into terrorism
- discriminate against groups or members of groups

FMC is entitled to intervene if it deems that it 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 age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexuality. It will also restrict an activity or event if it deems that the views being expressed, or likely to be expressed, constitute extremist views that risk drawing people into terrorism or are shared by terrorist groups.

In reaching its decision, FMC will take into account whether adequate arrangements can be made to mitigate risk, safeguard the safety of participants in the event and other people within the vicinity, and to ensure that public order is maintained. This includes ensuring that, where any event is being allowed to proceed, speakers with extremist views are challenged with reasoned and well-evidenced opposing views as part of that same event, rather than in a separate forum.

Acceptance

I agree with the content of, and commit to, this Learning Community Agreement by signing below:

Signature.....

Name.....

Position.....

Date.....