

Code of Practice on Freedom of Speech

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1. Introduction

1.1 Purpose and context

- 1.1.1. The Higher Education (Freedom of Speech) Act 2023 grants special protection to academic staff, students and visiting speakers at higher education providers, to ensure that lawful freedom of speech is upheld.
- 1.1.2. This Code of Practice sets out the ICR's values and expectations relating to freedom of speech and academic freedom, and how these apply across our education, research, and events held on- and off-site or online.

1.2 Scope

- 1.2.1 This Code applies to all ICR staff (including academic, research, clinical, technical and professional services staff), students, trustees, and contractors acting on behalf of the ICR.

- 1.2.2 It also applies to external individuals and organisations invited to speak at ICR events.
- 1.2.3 The Code applies to all relevant institutional policies relating to academic life, including HR, EDI, disciplinary, curriculum and digital services policies.
- 1.2.4 This Code applies to all events organised by or on behalf of the ICR (including academic or public engagement events, conferences, away days, and seminars) – whether held on-site, off-site, or online.
- 1.2.5 All ICR staff, in making or adopting any policy, must ensure that they act within the ICR’s statutory free speech duties as expressed in this Code.

1.3 Roles and responsibilities

- 1.3.1 The **Director of Estates and Facilities** is responsible for deciding any conditions that must apply in order for an event to take place; or, in exceptional circumstances, refusing permission for an event.
- 1.3.2 The **Chief Financial Officer** will authorise the recharge of any costs to event organisers, in exceptional circumstances.
- 1.3.3 The **Chief Academic & Research Officer** will consider any appeals made under this code.
- 1.3.4 Any reference to a particular post-holder shall be deemed to include their nominee or deputy where applicable.

1.4 Definitions

- 1.4.1 **Freedom of speech** means the freedom, within the law, to receive and impart ideas, opinions or information by means of speech, writing or images (including in electronic form).
- 1.4.2 **Academic freedom** refers to the freedom of academic staff, within the law, to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions without jeopardising their jobs, privileges, or promotion prospects.
- 1.4.3 An **event** includes any formally or informally organised activity, meeting, or gathering that is part of the ICR’s educational, research, or public engagement activity – whether held on ICR premises, off-site, or online.

- 1.4.4 In this Code, a **member** of the ICR includes staff (including employees and honorary contract holders), students, trustees, and contractors acting in connection with ICR business.
- 1.4.5 A **visiting speaker** is any individual invited to speak at an ICR event who is not a member of the ICR.
- 1.4.6 The **Act** means the *Higher Education (Freedom of Speech) Act 2023*.
- 1.4.7 The **Prevent** duty is the statutory responsibility of higher education providers to have effective procedures in place to safeguard people from being drawn into terrorism.

2. Values

- 2.1. The ICR values the freedom for students, staff and visiting speakers to express ideas, challenge received wisdom, and explore controversial or unpopular opinions within the law. We are committed to enabling academic freedom and protecting lawful freedom of speech across our education, research and public engagement activities.
- 2.2. We believe that the right to speak freely is essential to academic and scientific progress, to open and critical enquiry, and to the exchange of ideas that underpins our work. Discoveries are made when we challenge assumptions and ask difficult questions.
- 2.3. We recognise that the exercise of this right may sometimes include speech that is unwelcome, unpopular, or offensive to some. Provided it is within the law, such speech is protected and must not be prevented.
- 2.4. We encourage members of the ICR to engage critically and courteously with views they disagree with. We reject violence, intimidation, or the deliberate disruption of lawful discussion or events as a response to unpopular or controversial views.
- 2.5. We are also mindful of our responsibilities as a high education provider. These including our duties under:
 - 2.5.1. Prevent, which we implement in a proportionate manner that does not unnecessarily restrict lawful discussion or academic exploration;
 - 2.5.2. the Equality Act 2010, including the public sector equality duty; and
 - 2.5.3. our internal policy on Dignity at the ICR.

- 2.6. Finally, the ICR supports the University of London's shared statement on academic freedom and freedom of speech, and this Code builds on those shared principles.

3. Conduct

- 3.1. All members of the ICR community are expected to behave in a way that supports the lawful exercise of freedom of speech and academic freedom by others.
- 3.2. We encourage debate and disagreement, and we expect individuals to engage critically and courteously with views they may find unwelcome, controversial, or offensive – provided those views are expressed within the law.
- 3.3. Everyone involved in an event or discussion has the right to:
 - 3.3.1. speak freely (within the law);
 - 3.3.2. listen and participate without disruption; and
 - 3.3.3. challenge views they disagree with, respectfully and constructively.
- 3.4. We recognise that protest is itself a form of expression. Peaceful protest is permitted, provided it does not prevent others from exercising their right to speak, cause intimidation or harassment, or disrupt a lawful event.
- 3.5. Intimidation, threats, harassment, and deliberately disruptive behaviour are not protected by the law and are not tolerated by the ICR. Where appropriate, concerns may be raised under the:
 - Dignity at the ICR Policy;
 - Student Disciplinary Procedure;
 - Disciplinary Policy; and
 - Report & Support system.
- 3.6. Speakers themselves are responsible for ensuring that their contributions comply with the law. Where there is a risk that a speaker may cross a legal boundary, the ICR may require assurances about content, format, or moderation before approving participation.

4. Organising meetings and events

- 4.1. The ICR encourages open discussion and debate, including through the organisation of talks, seminars, and other events involving external contributors. These freedoms are protected under law and supported by the ICR, provided that events are conducted lawfully and in a manner consistent with this Code.
- 4.2. Any member of the ICR who wishes to organise an event that is not part of normal academic or administrative business – particularly events involving external speakers or those open to non-ICR attendees – must seek approval by contacting the Operational Services Manager in the first instance. Where relevant, the Use of Meeting Rooms Policy should also be consulted.
- 4.3. ICR events held off-site or online also fall under the scope of this Code. Organisers may exercise discretion, and should escalate these for approval only where there is a foreseeable risk of unlawful speech, safety concerns, or disruption.
- 4.4. The Facilities Services team will coordinate the event approval process and act as the single point of contact, including for any cases requiring escalation. Where needed, advice may be sought from the Director of Estates and Facilities, who will maintain an appropriate record of decisions taken under this Code.
- 4.5. If an organiser – or any other member of the ICR – believes an event may carry a risk of:
 - unlawful speech;
 - the presence of a proscribed organisation or extremist content;
 - threats to health and safety; or
 - likely disruption or intimidation,they must raise this promptly with the Director of Estates and Facilities.
- 4.6. Where there is uncertainty about whether an event falls under the scope of this Code, the Director of Estates and Facilities will make a determination, based on the law and the principles set out in this document.

5. Providing information and seeking approval

- 5.1. To enable the ICR to consider an event under this Code, organisers must provide the following information at the time of making a booking or request:
 - proposed date and time of the event;
 - location or format (e.g. on-site, off-site, online);
 - names and contact details of the event organisers;
 - name of the organising group or affiliated body, if applicable (e.g., the student union, a supplier, or an external collaborator);

- name(s) of any speakers, and whether they are members of the ICR;
 - a short overview of the event, including the topic(s) to be covered;
 - whether the event is open to the public or restricted to specific invitees;
 - estimated number of attendees; and
 - details of how the event will be advertised or promoted (e.g. social media, posters).
- 5.2. This information should be submitted to the Operational Services Manager, who will liaise with the Director of Estates and Facilities as required.
- 5.3. Organisers are encouraged to provide this information as early as possible. As a guideline, information should normally be submitted at least 10 working days before the proposed event. Shorter notice may prevent the event from being approved or supported.
- 5.4. The ICR reserves the right to request further information, clarification, or assurances before confirming approval for an event.

6. Decision-making and conditions

- 6.1. Responsibility for decisions under this Code rests with the Director of Estates and Facilities, who will consider all information and assess whether the event can proceed in accordance with the ICR's legal duties and statutory responsibilities.
- 6.2. The starting point is that events should proceed wherever reasonably possible. Cancellation will be considered only as a last resort.
- 6.3. In reaching a decision, the Director will give due regard to:
- the ICR's duty to uphold freedom of speech within the law;
 - the safety and rights of those lawfully present on ICR premises;
 - the prevention of unlawful discrimination, harassment or intimidation;
 - relevant legislation including the Equality Act 2010, the Prevent duty, and the Terrorism Act 2000; and
 - the University of London's intercollegiate Freedom of Expression Positioning Statement.

- 6.4. Where concerns are identified, the Director may impose reasonable and proportionate conditions on the event to reduce any risks to an acceptable level. Such conditions may include (but are not limited to):
- changing the time, location, or format of the event;
 - restricting the event to ICR members only;
 - requiring moderation, a chair, or written assurances from speakers;
 - requiring tickets or pre-registration;
 - arranging for additional stewards or staff presence;
 - consultation with police or external partners, where relevant.
- 6.5. If, having considered all reasonable options, the Director determines that the risks associated with the event cannot be sufficiently mitigated, the event may be postponed or cancelled. This decision will be taken only where necessary to uphold the law or protect safety and rights.
- 6.6. The Director will communicate their decision to the event organiser promptly, and will provide brief written reasons where approval is refused or conditions are applied. A record of all such decisions will be kept in line with ICR records retention schedules.

7. Recharge of costs

- 7.1. Except for purely social events, the ICR will not ordinarily require organisers to bear the cost of any conditions imposed on an event.
- 7.2. In exceptional circumstances, where the cost of safety or security measures is expected to exceed a defined threshold (currently £500), the ICR may ask organisers to contribute to reasonable and proportionate costs, but only where such measures are necessary to enable the event to proceed safely and lawfully.
- 7.3. Examples of additional costs may include but are not limited to:
- additional on-site security – such as for events exceeding 50 attendees that are outside of the usual working hours of 8am to 6pm;
 - specialised venue or access arrangements;
 - engagement of external stewards or crowd management teams.
- 7.4. A breakdown of any proposed cost will be provided to the organiser in writing, with sufficient time for the appeals process to be followed if necessary.

- 7.5. Organisers will not be charged for measures arising solely from the views likely to be legally expressed at the event; the identity of speakers; an individual or organisation's ideas, opinions, policies or objectives; or anticipated reputational concerns.
- 7.6. Any decision to pass on costs above the threshold must be approved by the Chief Financial Officer.

8. Appeals and complaints

- 8.1. If an event organiser is dissatisfied with a decision made under this Code – including decisions to impose conditions, postpone, or cancel an event – they may request a formal review by writing to the Chief Research and Academic Officer (CRAO), setting out the reasons for their concern.
- 8.2. The CRAO will consider the appeal promptly, and may:
 - uphold the original decision;
 - modify the conditions applied;
 - allow the event to proceed with alternative arrangements; or
 - overturn the original decision.
- 8.3. The decision of the CRAO will be communicated to the organiser in writing, including brief reasons. Their decision shall be final within the internal process.
- 8.4. Where a member of the ICR believes that the handling of an event under this Code raises broader concerns – for example, involving discrimination, unfair treatment, or breach of rights – they may also raise a formal complaint through:
 - the ICR's Student Complaints Procedure;
 - the Grievance Policy; or
 - other appropriate internal routes as applicable.
- 8.5. Complaints from invited speakers or applicants should be addressed to the Director of HR in the first instance.
- 8.6. The Office for Students (OfS) also operates a free speech complaints scheme. Under that scheme, the OfS can review complaints about free speech from members, students, staff, applicants for academic posts and invited visiting speakers (whether or not they have visited).

9. Mechanisms for implementation

- 9.1. This Code will be published on the ICR website, intranet site (Nexus), and taught course learning environment (Canvas).
- 9.2. It will be communicated to all incoming staff and students as part of their onboarding pack.
- 9.3. An annual reminder will be provided to staff and students through the Inside ICR staff newsletter.
- 9.4. The Code will be reviewed in line with the usual ICR policy cycle: every four years or sooner if in response to changes in legislation, regulatory guidance or institutional practice.
- 9.5. All decision-makers under this Code will receive periodic training or updates on freedom of speech duties, including any relevant regulatory changes.

10. Related documents

This Code should be read in conjunction with the related institutional policies listed below:

- Dignity at the ICR Policy
- Disciplinary Policy
- Student Disciplinary Procedure
- Prevent: Referral of Concerns
- Equality Opportunity Policy
- Use of Meeting Rooms Policy
- Student Complaints Policy
- Grievance Policy
- University of London Freedom of Expression Statement