



UKMC Academic Freedom of Speech and Expression

Code of Practice Policy

Date	Author	Summary of Changes	Version	Authorised
08/10/2025	Head of Quality and Compliance	Policy adjustment in line with governance and include reference to Risk Assessment and procedure form	1	EDI Committee (October 25, Academic Committee (December 25)
Policy/Procedure Management and Responsibilities				
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Linked Documents	Procedure for Holding Events and Guest Speakers Harassment and Sexual Misconduct Policy Safeguarding Policy			
Dissemination Plan	Public availability on the UKMC website and also E6 website area. Include reference within relevant trainings and academic learning areas.			
Accessibility	Alternative formats on request. Email Quality@ukmc.ac.uk			

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Introduction

UK Management College (UKMC) is committed to upholding the fundamental principle of freedom of speech and expression. This Code sets out how the College secures that freedom within the law, consistent with its mission to foster academic excellence, respectful debate, and the safety and dignity of all members of the community.

Freedom of speech is central to higher education. It enables the testing of ideas, the pursuit of knowledge, and the development of students and staff as independent thinkers.

The College recognises that freedom of speech may include the expression of views that some may find offensive or unpopular. Such expression will be protected, provided it remains within the law.

This Code applies to all College staff, students, governors, contractors, visitors and guest speakers. It governs all College-related premises, facilities and activities, whether on-campus, online, or in public spaces where the College name is used.

Purpose

The Higher Education and Research Act (HERA) 2017 (as amended by the Higher Education (Freedom of Speech) Act 2023) requires the UKMC Executive Board and Board of Directors to take steps that are reasonably practicable in order to:

- secure freedom of speech within the law for its staff, students and for visiting speakers
- secure academic freedom for members of academic staff

The Higher Education (Freedom of Speech) Act 2023 amends the Higher Education and Research Act 2017 to strengthen the legal requirements placed on universities and colleges relating to freedom of speech and academic freedom. This Act requires the Board of Directors:

a. to take the steps that, having particular regard to the importance of freedom of speech, are reasonably practicable for it to take in order to secure freedom of speech within the law

for its students, staff and members and for visiting speakers. This includes, in relation to academic staff, securing their academic freedom (section A1 and section A4 of Part A1 of HERA) (the ‘secure duty’); and

b. to maintain a code of practice setting out matters relating to freedom of speech (section A2 and section A4 of Part A1 of HERA) (the ‘code’ duty).

The Act defines freedom of speech as: ‘the freedom to impart ideas, opinions or information (referred to in Article 10(1) of the European Convention on Human Rights (“the Convention”) as it has effect for the purposes of the Human Rights Act 1998) by means of speech, writing or images (including in electronic form).

[Source: OfS Regulatory Advice 24]

This Code of Practice on Freedom of Speech sets out the rights and obligations inherent in supporting the principles of freedom of speech and academic freedom within the law, and the procedure to be followed by students and staff in connection with the organisation of events and meetings which fall under this Code of Practice.

This document should be read in conjunction with the **UKMC Procedure for Holding Events and Guest Speakers.**

Scope and Implication

This Code of Practice applies to:

- all UKMC members of staff and students
- visiting speakers and all other persons invited or otherwise lawfully present on the UKMC campuses

This Code of Practice applies to all meetings, activities and events (this will include tutorials, meetings, seminars, lectures, debates, workshops, committee meetings, conferences and related activities) taking place on the UKMC campuses. This will also include online or virtual learning and communication spaces.

This Code of Practice will be posted on the [UKMC | Policies and Legislation](#)

Key Principles Informing Freedom of Speech and Academic Freedom

UKMC is committed to protecting and promoting freedom of speech within the law. 'Freedom of speech' means that everyone has the right to hold and express lawful views and opinions freely, in speech or in writing, without unwarranted interference.

Freedom of speech 'within the law', which includes both criminal and civil law, is protected.

The Equality Act 2010 dictates that UKMC has a duty to protect its staff and students from unlawful discrimination, harassment, intimidation or threats of violence on the grounds of any of the following: race, sex, age, religion or philosophical belief, sexual orientation, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity.

Within this context, freedom of speech and academic freedom, however, will also be observed. This will mean that the student learning experience and the working environment of staff may include exposure to research, course materials, discussions or visiting speaker's views that they find offensive or unacceptable, but are within the law and unlikely to be considered unlawful under the Equality Act 2010.

The Higher Education (Freedom of Speech) Act 2023 defines 'academic freedom' as the freedom within the law (includes both criminal and civil law):

- to question and test received wisdom, and
- to put forward new ideas and controversial or unpopular viewpoints without placing themselves at risk of being adversely affected.

An individual member of staff would be deemed to have been adversely affected if they had either lost their job or privileges or experienced a reduction in the likelihood that they would secure a promotion or different job. UKMC is committed to ensuring this will not materialise. Furthermore, no applicant for a post at UKMC will be disadvantaged on the grounds of having previously exercised these rights. For students, this commitment relates to retaining their rights and opportunities available to them as registered UKMC students.

UKMC is committed to ensuring that all academic staff, (including any invited visiting or guest lecturers), have the freedom to question and test received wisdom and put forward new ideas and opinions without placing themselves at risk of losing their job, privileges or future opportunities. UKMC recognises that academic discourse includes the expression of ideas that may offend or disturb and will protect the rights of academic staff to undertake

such discourse without fear of disciplinary action. However, any academic discourse must be carried out in a manner that is lawful, without malice and in the public interest.

UKMC has legal obligations to prevent harassment of and discrimination against individuals or specified groups within the wider learning and working community. The range of UKMC policies and procedures, including disciplinary procedures, would be applied in circumstances where it considers that any actions or potentially unlawful expressions are justified in discharging those legal responsibilities.

Creating an environment conducive to academic freedom and free speech does not mean that UKMC endorses any perspective being shared.

UKMC Values

UKMC recognises, supports and promotes freedom of speech and academic freedom within the law as a fundamental principle of a democratic society and one that is central to higher education. In the pursuit of knowledge, the principles of free speech and academic freedom provide an environment to advance new ideas, encourage productive debate and challenge conventional wisdom. These freedoms help ensure that students develop the skills to question, debate, think critically and develop confidence in forming and discussing their own views and opinions.

Fundamentally, speech is permitted, unless otherwise restricted by law. Freedom of speech is limited within the law where this may threaten public safety, discriminate, incite hatred or terrorism or defames individuals. Free speech cannot include threatening, abusive or insulting words or behaviour intending or likely to cause harassment, alarm or distress, or a breach of the peace. UKMC will ensure that the use of its campuses is not denied on grounds connected with the beliefs, views, policies or objectives of an individual or body, as long as such use is within the law. UKMC believes that free speech is not undermined, but rather is strengthened, by the robust exchange of opposing views through civil, respectful and peaceful debate. All students and staff should feel confident to study, explore and debate contentious questions in the knowledge that they will be treated respectfully.

All UKMC staff and students are entitled to teach, learn and research in a culture that values vigorous debate, including in relation to difficult, contentious or uncomfortable topics. It is recognised that this may sometimes include speech that is offensive but otherwise lawful or

academic study relating to controversial matters including political discourse and conflict. UKMC expects academic staff and students to identify clear links between the academic purpose, objectives and learning outcomes of such work, including in relation to any material downloaded or disseminated.

UKMC senior leaders will avoid issuing official statements in relation to public matters with the exception of where these would directly affect the core function of teaching and learning or research.

Procedures to Protect and Promote Academic Freedom and Freedom of Speech

Academic programmes

UKMC will endeavour to ensure that its teaching, curricula, policies and procedures reflect its duties to ensure, so far as is reasonably practicable, freedom of speech and academic freedom within the law. In particular:

- the processes for course development and approval, quality assurance and academic assessment will respect the rights of freedom of speech and academic freedom
- the processes for facilitating research will respect the rights of freedom of speech and academic freedom
- no individual will be subjected to disciplinary action or other less favourable treatment because of the lawful exercise of freedom of speech or academic freedom

Ensuring awareness of the Code

UKMC will:

- bring the provisions of section A1 of the Higher Education and Research Act 2017 and this Code of Practice to the attention of students annually through VLE resources, and in the good practices of teaching and learning activity.
- ensure that this Code of Practice is brought to the attention of new students at registration, such as through induction and Virtual Learning Environment.

- ensure that all staff receive training on freedom of speech and academic freedom as part of internal staff development, and a training record kept.

Monitoring and Review of the Code

UKMC will:

- conduct surveys of staff and students to gain their views on whether freedom of speech and academic freedom at the institution are being adequately protected and take the findings into account
- ensure that there are adequate measures in place to raise concerns about freedom of speech and academic freedom
- ensure that the introduction of new policies and procedures will consider any potential impact on freedom of speech and academic freedom
- monitor any concerns raised about freedom of speech and academic freedom to ensure that they are addressed so far as is reasonably practical and that any lessons learned are incorporated into a review of relevant policies, practices and procedures
- ensure that Academic Board exercises effective oversight of the Code of Practice and reports annually to the Board of Governors on any concerns raised and that any lessons learned are incorporated into the review of relevant policies and practices
- ensure continuing compliance with OfS regulatory advice through the annual review process

Governance and Review

The Executive Board, authorised by the UKMC Board of Directors to act on its behalf to ensure compliance with this Code of Practice.

They will review this Code of Practice annually for the Academic Board and recommend amendments to it for consideration by the Board of Directors as appropriate.

Day to day review or assembly of panel may be delegated to appropriate management colleagues to effectively assess and make recommendations based on the policy or operationalisation of the policy.

Breaches, Complaints & Appeals

If an offence is allegedly committed in connection with an event to which the provisions of this Code of Practice apply, there will be an internal investigation.

Should this justify further investigation UKMC will pursue any internal disciplinary procedures (staff or student) that may be appropriate through the Student Disciplinary Policy or Staff Disciplinary Policy. In addition, steps may be taken to assist the police in identifying any persons committing offences involving infringements of the criminal law.

Any concerns or complaints which are relevant to this Code of Practice should be directed to the Academic Registrar in the first instance.

The Office for Students (OfS) operates a free speech complaints scheme, under which the OfS can review complaints about free speech from members, students, staff, applicants for academic posts and (actual or invited) visiting speakers. Information about the complaints that the OfS can review is available on its website, accessible at [Raising concerns about free speech - Office for Students](#)

Appeals against the decision of the Freedom of Speech panel may be made within **5 working days** to the Provost, whose decision will be final. This will be reported to the next meeting of the Board of Directors

Endowments and Donations

UKMC is aware that the terms of certain overseas funding, including funding from endowments, gifts, donations, research grants and contracts, and educational or commercial partnerships, from any overseas country, may present a risk to freedom of speech and academic freedom. There are processes in place to ensure that the risks to freedom of speech or academic freedoms are appropriately managed and not impinged, such as through the UKMC Anti Bribery and Corruption Policy, conflict of interest policy, guest speakers and events request form.

More details can be found within the policies at [UKMC | Policies and Legislation](#).

Safeguarding

Safeguarding concerns should be raised via the UKMC Safeguarding Policy at [UKMC | Policies and Legislation](#).

The Designated Safeguarding Lead (DSL), safeguarding officers will also support and advise safeguarding matters that arise in relation to this policy.

Sexual Misconduct, Harassment and Bullying

UKMC does not enter into non-disclosure agreements related to complaints about sexual misconduct, bullying or harassment.

The Harassment and Sexual Misconduct Policy outlines procedures and definitions in the event of report. Further information can be found on the UKMC policies area, and E6 Report and Support webpage (within [UKMC | Policies and Legislation](#))

UKMC Procedure for Holding Events and Guest Speakers

The procedure document and form can be found at [UKMC | Policies and Legislation](#).

It is to be expected that members of staff or members of the student body may wish to hold an event on UKMC premises for the expression of any views or beliefs held or lawfully expressed. Consent would not be unreasonably refused. Any conditions imposed on the holding of the event would be the minimum necessary to satisfy any risks identified in the risk assessment approval signed off by the Provost or Deputy Provost.

Where the event involves a visiting speaker or which is outside the normal academic curriculum, the UKMC Visiting Speakers Procedure should be followed and consulted with the Dean or Deputy Dean.

UKMC will refuse consent where it is reasonable to believe (from the nature of the speaker or from similar activities in the past) that:

- the views likely to be expressed by any speaker are contrary to the law
- the intention of any speaker is likely to be to incite breaches of the law or to intend resulting breaches of the peace
- the meeting will include or is likely to include the denial of the right to hold or to express an opposing opinion
- the speaker and/or the organisation they represent advocates or engages in violence or non violent extremism in the furtherance of their political, religious, philosophical or other beliefs

- in accordance with UKMC's responsibilities under the Prevent Duty, the views likely to be expressed by any speaker are for the promotion of any illegal organisation or purpose, including organisations listed on the government's list of terrorist groups or organisations
- it is in the interest of public safety, the prevention of disorder or crime or the protection of those persons lawfully on premises under the control of the UKMC, that the meeting does not take place

In cases where UKMC is reasonably satisfied that the lawful expression of views at an event or meeting on its premises is likely to give rise to potential disorder or threats to safety, additional steps will be taken to ensure the safety of all persons and the security of the premises.

These may include but are not limited to:

- the provision of security,
- the speaker being part of a panel
- ensuring that a member of staff is in attendance or requiring that the event takes place in alternative premises, at a later date or in a different format.
- The steps would be conditional within the approval of the risk assessment process.

All individuals, groups or bodies to whom this Code of Practice applies are required to observe the principle of freedom of speech while on UKMC campuses and show respect and tolerance towards the expression of views, opinions and beliefs of others, even though these may run contrary to their own personal views, opinions or beliefs.

UKMC staff and students are required to ensure that they do not wilfully engage in conduct that prevents, obstructs or disrupts the holding or orderly conduct of any meeting or other lawful activity that takes place on the UKMC campuses.

UKMC recognises the lawful exercise of the right to peacefully protest. Any protests against an event, however, must be conducted without infringing the rights of others, including others' rights to freedom of speech and should not prevent an approved event from going ahead.

Infringements of, or departures from, this Code of Practice may render those responsible subject to disciplinary proceedings. In addition to disciplinary proceedings, breaches of the

law may give rise to prosecution. All students and members of staff are under an obligation to assist with any investigation into any allegation of a breach of this Code of Practice.

Responsibilities Relating to the Procedure for Holding Events and Guest Speakers

The organisers of any public meetings or activities shall ensure that a UKMC member of staff is identified as a first point of contact for the event.

The person appointed as a first point of contact (FPOC) shall be responsible for the booking and control arrangements, conduct of the event and completing a UKMC risk assessment..

The risk assessment should address the following questions:

Q1: Does the proposed title or theme of the ar guest speaker event present a potential risk that views/opinions expressed may raise Freedom of Speech issues?

Q2: Has the proposed activity previously been prevented from speaking at UKMC, or another educational institution, or previously been known to express views that may be in breach of the UKMC Code of Practice?

Q3: Is the proposed activity theme likely to attract attendance from individuals/groups that have previously been known to express views that may be in breach of the Code of Practice?

Q4: Is the proposed activity, and/or the theme or content of the event particularly controversial or polarising? Is it likely to attract protest or demonstration? Is there likely to be press interest? Does the proposed activity, or the theme or content of the event pose a significant reputational risk to UKMC?

The FPOC shall ensure that at least 10 working days before the proposed date for the event, notice is given to the Provost or Deputy Provost and Executive Secretary. This notice will contain a written statement of the name and position of the speaker(s), the subject and purpose of the event and the precise timing of the arrival and departure of the speaker(s). If the proposer believes that an event may pose a risk under the Code of Practice for Freedom

of Speech, this should be highlighted. No advertising of the event is permitted until the Provost or Deputy Provost (or nominee) has communicated a decision that the event can proceed in compliance with the Code of Practice. UKMC reserves the right to refuse or delay any event with a visiting speaker if this procedure is not followed.

Permission to proceed with any event that may pose a risk under the Code of Practice will be determined by a convened Freedom of Speech panel, consisting of the Provost and/or Deputy Provost and Academic Registrar, and Dean or Deputy Dean (or nominee) The decision will be communicated within 5 working days by written statement that will either grant (potentially subject to conditions) or withhold permission for the use of UKMC premises for the event.

The expression of views that may be controversial, but do not breach the law, will not constitute reasonable grounds for refusal. Reasonable grounds for refusal are set out in the Academic Freedom of Speech and Expression Code of Practice.

Permission to hold an event with a visiting speaker(s) may be granted subject to any conditions the Freedom of Speech panel considers reasonably necessary and practical steps to minimise risk and to secure fulfilment of UKMC's statutory responsibilities concerning the protection of freedom of speech within the law. For example:

- recording the event (with appropriate AV equipment), in order to ensure that there is no dispute afterwards about what is said by whom, and to make this clear to all attending;
- requesting submission of speeches, presentations, discussion topics or questions in advance of the event;
- limiting attendees;
- limitations on the promotion of the event, such as requiring approval of advertising material or restricting where material can be placed;
- declaration of attendees in advance of the event;
- stipulated presence of specific UKMC staff to ensure good order;
- not allowing banners, flags or similar items onto the campus
- closing down the event if there is a breach of the law or threat to the safety of attendees or event speakers, even if the event is already underway

The person appointed as the first point of contact and every other person concerned with the organisation of any event for which permission has been granted shall be required to comply with all conditions (if any) determined by the Freedom of Speech panel.

It is the responsibility of the person appointed as the first point of contact to ensure that both the audience and the speaker act in accordance with the law during the meeting/event, giving appropriate warnings in the case of unlawful behaviour, and the withdrawal of the person(s) concerned.

UKMC will keep a log of all events, meetings, visiting speaker requests and bookings that fall within this procedure.

- Not punishing students or staff for lawful expression of a viewpoint, including expression that is critical of the institution.
- Not requiring applicants for academic jobs or promotions to show commitment to a viewpoint.