

Higher Education Freedom of Speech Policy and Code of Conduct

2025-2027

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1. Purpose

Tameside College is committed to securing freedom of speech within the law for all staff, students, and visitors, in accordance with the Higher Education (HE) (Freedom of Speech) Act 2023 and Office for Students (OfS) guidance.

The College will take all reasonably practicable steps to ensure that lawful speech is protected, including speech that may be controversial, offensive, or unpopular. Only speech that is unlawful (e.g., harassment, incitement to violence, or hate speech) may be restricted.

This policy constitutes as a codes of practice which explains how we will discharge our duties in relation to freedom of speech and academic freedom, our values in relation to freedom of speech and the procedures in relation to organising meetings and other activities.

2. Scope and Application

The rights and obligations of this Code of Practice shall apply to:

- The members of the HE staffing body of the College
- The members of Corporation and its committees
- HE Students enrolled on a programme of study at the College
- HE External speakers and attendees at events to be held on College premises

This code of practice enables the College to take steps as are reasonably practicable to ensure that the rights to freedom of speech within the law is secured for HE staff, HE students, external speakers and visitors to the College, even if such speech is controversial, contentious or provocative. This principle extends to online communication platforms, social media and digital communication/resource.

3. Principles of Freedom of Speech

- The College will not deny use of premises or facilities to any individual or organisation on the grounds of their beliefs, views, or objectives, provided their speech is within the law.
- Academic staff have the right to question and test received wisdom, and to express new, controversial, or unpopular opinions, without fear of losing their jobs or privileges, provided their speech is lawful.
- The College recognises that academic discourse may include ideas that offend, shock, or disturb. Such expression is protected unless it is unlawful.
- The College will not require staff or students to adhere to or promote any particular viewpoint as a condition of employment, study, or promotion.
- Any person applies to become a member of academic HE staff, their application is not adversely affected by having exercised their academic freedom within the law
- The College will not enter into agreements with external organisations that restrict academic freedom or freedom of speech.
- The College has banned the use of Non-Disclosure Agreements or any form of contractual documents (for staff, students and external speakers) that would prevent or restrict any student or staff member from disclosing information about any allegation cases of bullying, harassment, sexual abuse or misconduct.

4. Lawful and Unlawful Speech

Freedom of speech is protected unless it is unlawful. Unlawful speech includes, but is not limited to:

- Harassment or discrimination as defined by the Equality Act 2010.
Incitement to violence or hatred.
- Breaches of criminal law, public order, or anti-terrorism legislation.
- Regulation of speech for reasons of time, place, and manner is permitted, provided it is proportionate and necessary to protect the College's core functions, safety, or the rights of others.

5. Organisation of Events

The College will not permit any event on its premises or to be hosted by the College or on other premises that is likely to:

- Result in a breach of criminal law or incite attendees to commit a criminal offence
- Result in a civil disorder or breach of peace
- Result in discrimination or abuse of its staff and/or students
- Result in an increased risk to health and safety
- Result in a security risk
- Result in a detrimental effect on college reputation

Organisers of events must give at least 28 days' written notice to the Principalship for any event involving external speakers or where freedom of speech may be a concern.

- All event organisers must ensure appropriate security and organisation to protect both freedom of speech and the safety of participants.
- In order to secure freedom of speech within the law, we will ensure that no individual or body (for example an external speaker or a student society) is required to bear the costs of security for the use of the HE provider's premises, unless there are exceptional circumstances. (This is to prevent an HE provider from requiring a controversial speaker to cover their own security costs with a view to causing them to cancel their own event and avoid the provider being seen to restrict freedom of speech).
- Events may only be cancelled or restricted on specific, credible grounds of unlawful speech or safety risks, not on the basis of controversial or unpopular views.

The provisions of this Code apply primarily to events; however, it should be understood that the principles also apply to protect freedom of speech and its associated rights during social, private and recreational events. Therefore all staff and students of the college should observe the principles at all times whilst on the premises or whilst representing the college name.

6. Compliance and Reporting

All staff and HE students and visitors are expected to promote and comply with the code of conduct outlined in this policy.

Breaches of this policy may result in disciplinary action in accordance with the college regulations, policies and procedures for example referred to the [HE Acceptable Behaviour Policy](#) and, where appropriate, referral to external authorities.

Where a breach of this code takes place, the college may take steps to assist the police, Crown Prosecution Service or any other relevant external body, to secure identification of the persons committing offences with a view to appropriate action being taken against them.

Reporting mechanisms are available for concerns about unlawful conduct, but not for the lawful expression of views, please contact hequality@tameside.ac.uk for further details.

Complaints about freedom of speech will be handled in accordance with [HE Complaints Policy and Process](#) and may be referred to the [OfS notifications process](#).

7. Training and Review

The College will provide regular training for staff and students on freedom of speech and academic freedom.

The SLT is responsible for ensuring compliance and will review this policy biennially, or as required by changes in law or OfS guidance.

8. Equality, Diversity, and Inclusion statement

Policies are inclusive of all Tameside Students, Learners, Enquirers and Alumni, regardless of age, civil status, dependency or caring status, care experience, disability, family status, gender, gender identity, gender reassignment, marital status, marriage and civil partnerships, membership of the Traveller community, political opinion, pregnancy and

maternity, race, religion or belief, socio-economic background, sex, sexual orientation, or trades union membership status.

9. Review and Monitoring

- We will provide an annual report on our feedback processes, to the College Corporation for monitoring and evaluation. An evaluation of feedback by relevant demographics will be undertaken to evidence the impact of the College's Equality Scheme.
- We work closely with our university partners to ensure that our procedures are reviewed and updated on an annual basis. If we need to make a change to this policy and procedure it will be reviewed and signed off by the Senior Leadership Team (SLT) and these changes will be noted in the version log on the front page of this document.
- A regular report will be provided to Senior Leadership Team by the Head of Quality and an annual report will be presented to the Governors as part of the College's quality assurance arrangements.

10. Related documents

[HE College Charter](#)

[HE Acceptable Behaviour Policy](#)

Employee Code of Conduct