



FREEDOM OF SPEECH CODE OF PRACTICE

Approved by the Board of Governors, 24th June 2026

For any queries relating to this Code of Practice please contact the University Secretary.

1.0 Introduction and Purpose

- 1.0 Kingston University recognises that freedom of speech within the law and academic freedom have fundamental importance for universities as places of education, learning and the objective pursuit of truth.
- 1.1 This Code of Practice ("Code") sets out the University's commitment to freedom of speech, outlines the various legislative frameworks under which such freedoms must be upheld, and summarises the procedures used by the University to manage these issues.
- 1.2 The purpose of this Code is to ensure that, as far as reasonably practicable, freedom of speech within the law is secured for staff and students of the University, as well as for visiting speakers, and that academic freedom within the law is secured for academic staff of the University.
- 1.3 This Code and the requirement to have particular regard to the importance of free speech must be considered in the implementation of all other codes, policies and procedures of the University.

2.0 Scope

- 2.1 This Code is applicable to:
 - (i) all members, staff and registered students of the University and affiliate staff who have a recognised formal relationship with the University;

- (ii) visiting (external) speakers and all other persons invited or otherwise lawfully participating in University activities on University premises or otherwise under its auspices, including through its IT systems.
- 2.2 Kingston University Students' Union has its own code of practice that outlines its approach to the relevant legal obligations.

3.0 Key Concepts and Legislative Framework

- 3.1 This Code is issued in accordance with the free speech duties required of Higher Education Institutions. These duties are enshrined in the Higher Education and Research Act 2017, as amended by the Higher Education (Freedom of Speech) Act 2023 ("The Act") and also meet the expectations of the Office for Students (OfS) as set out in [Regulatory advice 24: Guidance related to freedom of speech](#).
- 3.2 Clause 12.1 of the University's Articles of Government requires the University to take steps as are reasonably practicable to ensure that freedom of speech within the law is secured for its students and staff and for visiting speakers. Clause 12.1 also requires the University to ensure that the use of its premises is not denied to any individual or body of persons on any ground connected with their beliefs or views, or their policy or objectives, provided these are within the law.
- 3.3 **Freedom of speech** means the freedom, within the law, to receive and impart ideas, opinions or information by whatever form that may take including (but not limited to) speeches, debates, meetings, demonstrations, written publications and through the use of social media.
- 3.4 **Academic freedom**, in relation to academic staff at the University, means their freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, within an academic context, without institutional censorship and without placing themselves in jeopardy of losing their jobs or privileges as further provided for under clause 8.2 of the University's Articles of Government.
- 3.5 This Code is intended to comply with the three-step framework set out in OfS Regulatory Advice 24: (1) determining whether the speech is within the law; (2) identifying and taking all reasonably practicable steps to secure the speech; and (3) considering restrictions only where they are prescribed by law and proportionate.

4.0 Expectations

- 4.1 Every person to whom this Code's obligations apply shall:
- (i) comply with and uphold this Code;
 - (ii) refrain from organising or engaging in or otherwise being associated with any conduct intended to prevent the enjoyment of rights under the Code;

- (iii) not engage in or encourage others in conduct or speech which is unlawful;
 - (iv) uphold and comply with all related University's policies and procedures; and
 - (v) uphold the University's wider duties at law and to its community.
- 4.2 The University recognises that lawful speech may include views that some may find controversial, offensive or provocative. Such speech will not be restricted solely on the basis of disagreement, offence or reputational considerations.
- 4.3 Peaceful protest is itself a legitimate expression of freedom of speech. However, protest must not shut down debate. The respect which the University expects all members of the University community to demonstrate towards each other is particularly important where it comprises respect for the right of others to speak freely and to exercise their academic freedom.
- 4.4 The University shall take such steps as are reasonably practicable to secure that the obligations under this Code are complied with. Possible actions following a breach of the Code are covered in Section 8.

5.0 Principles relating to freedom of speech

- 5.1 The University's values are: Inclusive, Innovative, Ambitious and Enterprising and they play an important role in helping everyone have the best possible experience at the University. In the spirit of these values, the University's principles relating to freedom of speech are set out below:
- (i) We recognise, uphold and promote the fundamental importance of academic freedom and freedom of speech in support of education, research, free enquiry, and the scientific method, helping us to learn, educate and add to the sum of human knowledge.
 - (ii) We learn from those who disagree with us, as well as from those who share our views.
 - (iii) Our University hosts a range of speakers and views. That does not mean that we all endorse the views they may represent or express.
 - (iv) We will treat others with respect, even if we disagree with their views.
 - (v) Academic freedom and freedom of speech are bounded by the law.
 - (vi) Harassment, threats and discrimination will not be tolerated.
 - (vii) The University has other fundamental legal duties, such as its duty to eliminate unlawful discrimination, to advance equality of opportunity and participation in public life, to have due regard to the need to prevent people

being drawn into terrorism, and to care for its campus communities. Balancing these rights and duties can be complex and the University will always strive to fulfil its duties and promote the rights of all within its community.

6.0 Promoting Freedom of Speech

- 6.1 The Act requires that this Code of Practice sets out procedures to be followed in connection with the organisation of meetings, events and other activities held on University premises or under the auspices of the University.
- 6.2 The University has an External Speakers Policy which details the procedures to be followed for the organisation and holding of events within the scope of this Code (see section 2), which will be attended by external speakers. The External Speakers Policy also details the conduct expected during any such event.
- 6.3 The University takes reasonable steps to ensure that no individual or group is inappropriately denied access to its premises or services based on their beliefs, views, or the group's policy or objectives. The University acts in a risk-based and proportionate manner and will always aim to allow an event to go ahead, provided that it is within the law and does not pose unacceptable risks to the University's community and/or its purposes and we will work with the organisers towards this goal.
- 6.4 This Code also covers a range of other activities undertaken by the University. Policies and procedures in relation to the activities listed below should be compatible with the University's free speech duties and this Code:
- (i) admission, appointment, reappointment and promotion;
 - (ii) disciplinary matters;
 - (iii) employment contracts;
 - (iv) equality/equity, diversity and inclusion, including the Public Sector Equality Duty;
 - (v) harassment, bullying and sexual misconduct;
 - (vi) IT, including acceptable use policies and surveillance of social media use;
 - (vii) Prevent duty;
 - (viii) Principles of curriculum design;
 - (ix) Research ethics;

- (x) Staff and student codes of conduct.

6.5 The following principles underpin our policies and procedures regarding staff and students' membership of the University:

- (i) The University's student admission policies and procedures do not provide for the withdrawal of offers on the grounds of that person's legally held opinions or ideas.
- (ii) The University does not admit students on the basis of funding arrangements or other criteria that have the effect of restricting their free speech within the law.
- (iii) The University's staff recruitment and selection processes do not disadvantage candidates from exercising their freedom of speech and academic freedom within the law.
- (iv) The University's promotion procedures will not disadvantage academics for exercising their freedom within the law to question and test received wisdom, or to put forward new ideas or controversial or unpopular opinions.
- (v) Processes for the approval of visiting academics will not be based upon funding arrangements that have the effect of restricting their free speech or academic freedom within the law.
- (vi) The University will not terminate the employment of any member of staff because they have exercised their lawful free speech and/or academic freedom within the law.

6.6 The following principles underpin our policies and procedures regarding teaching and research at the University:

- (i) When teaching potentially sensitive or controversial views, organising activities such as research seminars, or other academic activities within a School or Department, the Organiser should consider what steps they can take to ensure that freedom of speech and academic freedom is protected. This includes creating an inclusive environment that ensures that all students or participants are given the opportunity to present and argue in favour of alternative viewpoints, and supporting students to develop the principles that enable them to 'disagree well', such as using evidence and rational argument to explain their views.
- (ii) In relation to research more generally, academic staff are expected to exercise their academic freedom and their research should be conducted in a way that is consistent with the University's Guide to Good Research Practice.

- (iii) If, when organising teaching or research, the Organiser identifies that there may be particular risks that require a fuller risk assessment and mitigations to be put in place, these risks should be escalated to their Deputy Dean or Head of Directorate in the first instance.

6.7 The University will ensure that all related policies, procedures and codes of conduct are reviewed and interpreted in a manner consistent with the University's duties to secure freedom of speech within the law. No internal policy shall be applied in such a way as to restrict lawful speech unless this is required by law and is proportionate.

7.0 Complaints

- 7.1 Complaints that the University has breached its duties in relation to freedom of speech under the Act may be raised by any individuals within the scope of this Code (see section 2).
- 7.2 Complaints by students should be raised within the Student Complaints Procedure.
- 7.3 Complaints by staff should be raised within the Grievance Procedures.
- 7.4 Complaints by anyone other than students or staff of the University should be directed to the University Secretary.
- 7.5 All complaints will be dealt with in a timely manner and in accordance with the relevant procedures.

8.0 Breach of the Code

- 8.1 Where those responsible for a breach of this Code are students, staff or governors of the University action may be taken against them under the relevant disciplinary procedure / code of conduct.
- 8.2 Where those responsible for the breach are students or staff of a partner organisation of the University, the University may inform any relevant third party, and/or the partner organisation, so that partner organisation can take any action it deems necessary (whether as well as, or instead of, the University) under its relevant disciplinary procedures.
- 8.3 Where those responsible for the breach are visitors to the University, the University may take such action in response as it considers appropriate and proportionate in the circumstances.

- 8.4 Where a breach of the Code takes place at an activity or as a result of an activity taking place, the University will cooperate as required with any police enquiries or investigation by other regulatory or enforcement bodies.

9.0 Review, Amendment and Communication of this Code

- 9.1 The Board of Governors will receive annual reports (and by exception if a breach or event is sufficiently material to be brought to its attention) on the operation of this Code from the University Secretary, together with any recommendations for revision of the Code.
- 9.2 The Code will be brought to the attention of students and staff in writing on an annual basis.
- 9.3 This Code will be amended as further provisions of the Higher Education (Freedom of Speech) Act 2023 are commenced and as the OfS issues additional regulatory guidance.

10.0 Further Information

- 10.1 Further information and/or clarification of this Code can be obtained from the University Secretary.

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