



Freedom of Speech and External Speakers Policy

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Freedom of Speech Code of Practice and External Speakers Policy

The College's statement of Academic and Artistic Freedom:

Rose Bruford College values and defends the principle of freedom of thought, practice, and expression within its academic and artistic community, in accordance with the law and regulatory requirements. The College is committed to securing freedom of speech and academic freedom for all staff, students, and visitors, while recognising its responsibilities to promote tolerance and cultural understanding. Material is chosen for study and performance on the basis of its educational and artistic value, including its capacity to examine a broad range of practices and ideas. From time to time, such material may challenge the perspectives and values of students and staff. The College expects students and staff to engage with chosen material without censorship and encourages a spirit of openness, creative expression, and intellectual debate, provided this is conducted lawfully and with tolerance for the rights of others.

1.0 Introduction

- 1.1 The College supports freedom of speech, artistic, creative expression and enquiry, within the law. We believe that this is a founding, core principle of Higher Education. The College is committed to taking reasonably practicable steps to secure freedom of speech and academic freedom within the law.
- 1.2 Staff and students must be aware that being part of our community involves obligations and responsibilities, consistent with the above, and the law. Our Board of Governors requires all staff and students to tolerate and protect the expression of opinions within the law, to use their time at the College as an opportunity to learn and to seek to understand - whether or not these opinions are shared by them, and even where they consider views to be offensive The College has duties to promote and protect freedom of speech within the law. That means that limits may be placed on those freedoms, including in accordance with laws that seek to maintain public order and safety, and other circumstances where speech may lawfully be restricted
- 1.3 Academic freedom means the freedom of our academic staff, within the law (a) to question and test received wisdom, and (b) to put forward new ideas and controversial or unpopular opinions, without placing themselves at risk of being adversely affected.
- 1.4 We recognise that tensions may arise between legal duties that promote freedom of speech and those that restrict certain forms of expression, such as those related to extremism or unlawful conduct. The College acknowledges its responsibility to assess such situations on a case-by-case basis, ensuring that decisions are fact-dependent and proportionate, while upholding its legal obligations to secure and promote freedom of speech within the law.

- 1.5 We believe in the enrichment to learning that external speakers and organisations can bring to students and staff and we are committed to creating a tolerant environment for everyone, regardless of the lawful opinions they may hold or express.
- 1.6 This policy outlines the procedures relating to Freedom of Speech and use of external speakers and visitors in activities. It details our approach to ensuring that risks are considered and managed appropriately in order to protect students and staff, whilst fulfilling our obligations under Freedom of Speech, the “due regard” duty under the Prevent legislation and the Office for Students’ E6 condition of registration
- 1.7 This Policy and Code will not prevent College staff from taking necessary steps to ensure the safety of the College community, staff or visitors, or to safeguard its premises and property, such steps may include reasonable restrictions on freedom of speech where required to protect safety, security or wellbeing, and where consistent with legal obligations.
- 1.8 Where there is a reasonable belief that a speaker or event may pose a risk of inciting hatred, promoting extremism, or breaching lawful rights, the College will consider whether it is appropriate to escalate the matter to the College’s Prevent process. The College will also consider other ways in which lawful rights may be breached, such as data protection obligations or duties under the Equality Act.2.0

2.0 Legislation & Regulations

- 2.1 Rose Bruford College will have regard to the [Office for Students \(OfS\) three-step framework](#) as the foundation for decision making under this policy.

2.2 Commitment to Freedom of Speech

The College will take reasonably practicable steps to secure freedom of speech within the law. We affirm our commitment to uphold the legal right to freedom of speech and academic freedom for all members of our community, including staff, students and visiting speakers.

2.3 Taking Reasonably Practicable Steps

- 2.4 In fulfilling our statutory duty under the Higher Education (Freedom of Speech) Act 2023, the College applies the three-stage test when securing freedom of speech within the law:

1. **Identify the risk**

Determine whether an event, speaker or activity poses a risk to freedom of speech or to lawful rights.

2. **Consider the steps**

Decide what reasonably practicable measures can reduce or remove that risk, including conditions or proportionate restrictions where necessary.

3. Balance the factors

Weigh the importance of freedom of speech against other relevant considerations, such as safety, wellbeing, legal obligations and the efficient use of resources.

2.5 Applying Policies and Decisions Consistently and Transparently

2.6 The College ensures that all decisions relating to freedom of speech, including the approval or refusal of events or speakers, are made using consistent criteria and are clearly documented and communicated. Decisions take account of obligations under the Higher Education (Freedom of Speech) Act 2023 and other applicable laws, including equality and data protection requirements.

2.7 These principles guide all decisions to ensure freedom of speech is protected while meeting our legal duties.

3.0 Office for Students (OfS) Registration

3.1 Rose Bruford is registered with the Office for Students. We follow the OfS regulatory framework which states that we must take reasonably practicable steps to promote freedom of speech within the law at our college. The Academic Registrar has oversight of this Policy and Code of Practice.

3.2 All decisions affecting freedom of speech will be recorded and reviewed annually by the Academic Board.

4.0 Scope

4.1 This Code of Practice and Policy applies to all staff (inc. visiting tutors), students, external speakers and other visitors who attend meetings or functions (in the College's name) which have had prior approval to take place on or off our campus.

4.2 It sets out the rights and obligations inherent in supporting freedom of speech and expression within the law. The Code applies to:

- all governors and staff of the college
- all students at the college
- the Students' Union, societies, clubs and associations
- any visiting or guest lecturers invited by the college
- any alumnus invited by the college
- honorary doctors and fellows; and
- any person/organisation wishing to hire college premises for an event.

4.3 This Code is related to holding meetings or events on college premises, it also applies to:

- persons (or organisations) invited or lawfully present on our premises to speak to students and/or staff for the event

- persons who, if it were not for the provisions of this Code, would have been invited to the event.
 - those under a duty to observe and uphold the principles of freedom of speech within the College shall do so at all times.
- 4.4 This policy contains instructions and expectations for people managing meetings and functions held on our premises but fall outside teaching schedules or operations. It includes the process that must be followed to ensure that freedom of speech (within the law) is secured for staff, students and visiting speakers. The policy also covers arrangements for branded events involving external speakers and which take place off campus.
- 4.5 For off-campus events held in the College's name, organisers must ensure that the same standards of conduct, risk assessment, and approval procedures are followed as for on-campus events. The College will take all reasonably practicable steps to secure freedom of speech within the law for such offsite activities, in accordance with its statutory duties.

5.0 Objectives

- 5.1 The objectives of this Code and policy are to:
- Confirm the College's commitment to freedom of speech
 - Balance this with other legal obligations, in relation to health and safety
 - Recognise the enrichment value that high quality visiting speakers and organisations bring to students and staff
 - Provide clearly defined and effective procedures to ensure that the law is upheld
 - Collaborate with others to reach sound evidenced judgements about proposed external speakers ensuring that the College meets its legal obligations
 - Provides clear instruction for organising an event with external contributors.

6.0 Code of Conduct: Freedom of Speech (including External Speakers)

- 6.1 Anyone attending meetings or events on our premises must behave in a lawful manner, in accordance with this Code of Conduct. The College encourages a tolerant approach, and lawful speech will not be restricted based on its viewpoint or perceived offensiveness.
- 6.2 Any breach of this Code that involves harassment, bullying, or sexual misconduct will be referred to the College's Harassment and Sexual Misconduct Policy for investigation and resolution
- 6.3 No action will be taken to prevent any lecture, tutorial, exhibition, or other academic activity because of views held and likelihood of those being expressed, (in or outside college) by the person/people concerned. The College will take steps to ensure that all speech and activity comply with the law. Unlawful speech is not protected.
- 6.4 No action will be taken to prevent any student from attending academic activity required or associated with their course, based on views or beliefs they hold or

lawfully express (whether in or outside the College), even where there is a reasonable likelihood that those views will be expressed.

- 6.5 The College affirms its commitment to freedom of speech within the law, including the right to hold and express views that may be unpopular or controversial, even those critical of free speech itself. While lawful speech is protected, behaviours that actively prevent others from exercising their right to speak and which interrupt the normal functioning of the College's business such as disruptive or violent conduct are not tolerated. The College will take appropriate steps to ensure that all members of its community can engage in open dialogue without fear of suppression or intimidation.
- 6.6 The College will not permit speech or activity that constitutes incitement to violence or other unlawful conduct, regardless of the political, religious, philosophical or other beliefs involved. Lawful speech, including the discussion of controversial topics, will be protected through reasonably practicable steps, in accordance with the College's duty to uphold freedom of speech within the law.
- 6.8 The College reserves the right to refuse access to speakers or organisations to its campus or activities where there it would pose a risk to the safety of students, staff or the public, and that risk cannot be managed through reasonably practicable steps. Any such decisions will be based on lawful considerations and will not be made on the basis of the speaker's views or opinions. The College will maintain appropriate records of such decisions in accordance with its governance and freedom of speech duties.
- 6.9 External speakers are required to act lawfully and must not breach the lawful rights of others. The following examples outline conduct that is not permitted under this Code of Practice. The College reserves the right to refuse or withdraw permission for an event, or halt an event in progress, if there is reasonable concern that a speaker may breach the law or this Code. No speaker shall:
- Act in breach of the law.
 - Incite hatred, violence, or other unlawful activity.
 - Encourage, promote or support proscribed organisations.
 - Behave in a discriminatory way against or harass any person or group on the grounds of gender reassignment, being married or in a civil partnership, being pregnant or on maternity leave, disability, race including colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation.
- 6.9.1 The College is committed to upholding freedom of speech and academic freedom within the law. This includes the right to express protected philosophical beliefs, provided such expression does not amount to unlawful harassment or discrimination. The College recognises protected characteristics under the Equality Act 2010 and nothing in this policy prohibits the lawful expression of any protected belief so long as it is not manifested in a way that constitutes harassment or discrimination against individuals or groups, or which is otherwise unlawful. All members of the College community are expected to engage in debate and discussion in a way that promotes a culture of tolerance.

6.9.2 During the event or meeting, external speakers will:

- Comply with this Code of Practice.
- Be able to present ideas and opinions, including those that may be contentious or potentially offensive, in the spirit of academic debate, and be open to challenge and questioning.
- Follow the College's policies and instructions relating to health and safety.

7.0 Booking External Speakers/Organisations/Events: Procedure

- 7.1 Staff can book rooms for meetings, classes and events that form an integral part of the academic/artistic schedule.
- 7.2 All bookings are subject to availability and compliance with health, safety and security, in addition to this procedure. We will not deny use of our premises to anyone seeking to host an event (within the scope of the law) on any ground connected with the belief or views of that individual or member of that body.
- 7.3 Events or meetings must not be advertised until express written permission has been issued by the College Executive Group where such events fall outside the normal delivery of programmes. Routine teaching and learning activities do not require approval. However, where an event/meeting within normal delivery raises potential freedom of speech issues as described in this policy, College Executive Group sign-off is required.
- 7.4 This Code of Practice must be communicated with all external speakers, to ensure that requirements are upheld during the activity or event.

8.0 External Speaker Check and Review Form Completion for Approval

- 8.1 The Organiser must complete the External Speaker Check and Review Form (Appendix 1) and complete searches and checks shown below and send to the College Executive Group – no less than 6 weeks prior to event/meeting.
- Full name, address and contact details
 - Requesting contact details
 - Calling organisation linked to
 - Checking website information
- 8.2 The organiser must carry out relevant research, including internet and social media searches, to identify any concerning content and report findings prior to applying for approval. Examples of relevant checks include (but are not limited to):
- Reports of mainstream media coverage (national, regional or local) that raise legitimate concerns about the lawfulness of the speaker's conduct or affiliations.
 - Confirmation that the speaker is affiliated with the organisation they claim to represent, via website or direct contact.

- Identification of speakers listed on the [UK Government's register of proscribed organisations](#).
- Confirmation that, following reasonable checks (including internet and media searches), the organiser has found no evidence that the speaker has previously incited violence, promoted terrorism, or caused unlawful intimidation.
- Assessment of crowd control or health and safety risks due to the speaker's public profile or following.
- The College will not restrict speakers based solely on their views, reputation, or controversial status. Where there is sufficient concern about a speaker's potential to breach the law, or this Code, the matter may be referred to the DfE Prevent Coordinator if appropriate.

9.0 Mandatory Risk Assessment

- 9.1 It is mandatory that **an event risk assessment is carried out and sent with every request**. The risk assessment will be reviewed as part of the event by Director of Corporate Affairs and the Executive Team.
- 9.2 The Organiser must complete a risk assessment and indicate whether, in their opinion, an event is likely to give rise to difficulties in relation to freedom of speech, or to the safety of the speaker or others within the audience. This will inform any judgment concerning whether it is reasonably practicable to host an event.
- 9.3 No approval will be given for an External Speaker request, without an accompanying risk assessment.
- 9.4 The risk assessment form must include explicit prompts to assess potential risks related to harassment, sexual misconduct, and safeguarding, in line with [Condition E6](#).

10.0 Approval

- 10.1 The College Executive Group will review the proposed request and risk assessment and reach a judgment considering the following:
 - Whether the decision would restrict freedom of speech within the law, and if so, whether the College has considered what reasonably practicable steps could be taken to secure the speech; and whether the restriction is proportionate.
 - Whether the speaker's presence presents a credible risk of unlawful activity or breach of the peace that cannot be reasonably practicably managed.
- 10.2 When reaching a decision, the designated Senior Manager will confirm in writing whether permission is granted/declined, or steps required in order for the event to proceed safely. This policy is intended to facilitate events to proceed except in exceptional circumstances. The outcomes and steps might be (not exhaustive list):
 - Permit the event and speaker to go ahead

- Request a postponement of the event or speaker, whilst arrangements are discussed
- Refuse permission for the event or speaker to proceed
- Set reasonable conditions or steps to reduce risk, these might include but are not limited to:
 - Additional security arrangements necessary,
 - Restrictions on external attendance - ticketing
 - Start or end time of event
 - Observation
 - Independent filming,
 - Inclusion of opportunities to debate or challenge the view being held.
 - Request copy of speech and/or point of discussion or materials prior to event
 - For online events, consideration of muting participants or disabling chat function.

10.3 Events **must not** be advertised until express written permission has been issued by the Senior Manager or nominee.

10.4 A decision about whether the event can take place will be communicated to the organiser normally within six weeks of receiving the request.

10.5 Security costs will only be passed on in exceptional circumstances where safety risks are demonstrable and not based on the speaker's views. A written summary of the cost calculation and an appeal process will be provided.

11.0 Breach of Policy or Code

11.1 Any breach of this policy or Code may be subject to college disciplinary proceedings.

11.2 Any action involving a breach of law, the College will assist prosecuting authorities where appropriate.

11.3 When a breach of this Code occurs, it shall be a duty of all to whom this Code applies to take reasonable steps to secure the identification of the people involved.

11.4 Where a breach of this Code involves allegations of harassment or sexual misconduct, the matter will be escalated in accordance with the College's Harassment and Sexual Misconduct Policy and may involve external reporting obligations.

11.5 Complaints about lawful speech will be triaged promptly to avoid undue investigation. Lawful expression of views will not be penalised based on viewpoint alone.

12.0 Sharing information

12.1 Sharing information with third parties relating to external speakers, speaker requests or use of premises by groups and speakers, must be authorised in advance by the College Executive Group, where the activity falls outside of the

normal delivery of programmes unless there is a reasonable expectation that sharing such information requires scrutiny by the College Executive Group.

13.0 Training and support

- 13.1 All staff and students will receive annual training or induction on their rights and responsibilities under this Code.
- 13.2 Training will not require staff or students to endorse any particular political or ideological viewpoint and will respect the right to freedom of speech within the law.
- 13.3 All staff involved in implementing this policy will receive training on identifying and responding to harassment and sexual misconduct. Students will be signposted to support services when concerns arise.

14.0 Appeals

- 14.1 If an event has been cancelled, postponed or conditions applied and the organiser wants to challenge the decision, they may make an appeal to complaintsandappeals@bruford.ac.uk.
- 14.2 All appeals will be heard by the Principal, or their nominee as soon as is reasonably practicable. The Principal or nominee may set up and seek advice of a Freedom of Speech panel (which may include members of the Executive Group, and Student Union). The Principal's ruling shall be final. External organisations have no right of appeal.

15.0 Review of Code and Procedure

- 15.1 In accordance with the Higher Education and Research Act (HERA), as amended by the Higher Education (Freedom of Speech) Act 2023, the Board of Governors shall issue and maintain an up-to-date Code of Practice on Freedom of Speech. To comply with this statutory duty, the Board of Governors will formally review the operation of the Code on an annual basis.
- 15.2 This Code will be published on the College website and shared annually with all staff and students

Appendix 1 External Speaker Approval form

The College reserves the right to be informed of all visiting guests, including those being hosted virtually. In allowing such speakers, consideration will be given to any safety issues, topics of discussion, the background of the guest and the potential to disrupt studies or the business of the College.

The event organiser must complete this form for each external speaker.

Before submitting, carry out all required checks.

If any check raises a concern, or if clarification is needed, approval is required. Send the completed form to sophie.wilkinson@bruford.ac.uk at least six weeks before the event.

For events with multiple speakers, complete a separate form for each speaker.

To be noted, no confirmation of event nor speaker, must take place until formal approval has been given by the Executive Team.

Name of Organiser	
Contact Email	
Contact telephone number	
Date of application	

Event Details

Name of Event	
Date of Event	
Start and End Time of Event	
Venue/location/virtual platform to be used for the event	
Extended number of attendees	
Type of attendees, speakers, assistants or facilitators etc (please include age range)	

Will this event be:

1. Rose Bruford Students/staff only
2. Invitation/ticket only event
3. Open to general public

External Guest Details

Guest Name	
Organisation	
Contact Email	
Contact Telephone Number	

About the guest – the organiser must include the subject they will be speaking/presenting about

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Checks Undertaken by the organiser

Check Performed and Date	Type of Check – news items of concern, press mentions, inflammatory posts/mentions; racism etc	Findings What found, where and when
Internet Search – appears in 1 st six pages	Visibility – press mentions – news items of concern,	Mention on page 5 – showing linked in profile
Organisation Website Search		
Social Media Search – Facebook, Instagram, X, Threads, Tik Tok, Shapchat, LinkedIn, Other		
Colleagues/Peers knowledge of previous talks		

Is this event likely to attract media interest, if yes, please describe why.

1. Yes
2. No

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Where are you planning to promote this event? i.e. members only, Facebook, Posters etc.

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Approver

Position

Date

Approved	Yes	No
Restrictions Required for event to Proceed	Yes	No
Permission Declined – Event/Speaker cancellation	Yes	No

Restriction/Steps Required to allow permission


Restriction/Step	By Whom
<i>i.e. Observation of Event</i>	<i>Director</i>

Appendix 2 Safety Risk Assessment Form

[illegible]

Risk Scoring Key	Severity		Likelihood	
	Fatality	5	Certain or imminent	5
	Major injury, disabling illness, major damage	4	Very likely	4
	Lost time injury, illness, damage	3	May happen	3
	Minor injury, minor damage	2	Unlikely	2
	Delay only	1	Very unlikely	1

Risk Rating Categories	10 to 25	Unacceptable	Do not proceed; seek immediate guidance from the safety team
	6 to 9	Tolerable	Proceed with caution but seek to reduce risk further if possible
	1 to 5	Acceptable	Proceed

Order of Control Measures	Most effective  Least effective	Eliminate	Ask yourself if the activity needs to be carried out
		Substitute	Ask yourself if the same effect can be achieved with something less risky
		Reduce	Ask yourself if you can use less of something, or limit the time etc
		Isolate	Make sure that the risk is contained to the smallest possible area
		Enclose	Make sure that no-one can get to the hazard
		Other Engineering Controls	Emergency stop buttons, automated controls etc
		Safe System of Work	Carry out the work according to a specific step by step programme with training
		Training/Communication	Safety team can advise
		PPE	Use of ear defenders, hard hat, steel toe cap boots etc.
		Discipline and Enforcement	Telling people to be careful

Facilities Manager:			Reviewed:	
Sign:	Date:		Sign:	Date:

DOCUMENT CONTROL BOX	Version1.2
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Policy owner:	Quality Office
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Audience:	Academic staff/Students/Public
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Previous review dates:	N/A
Next review date:	Annually
Related Statutes, Ordinances, General Regulations	
Related Policies, Procedures and Guidance:	<p>Academic Misconduct Student Academic Appeals Student Anti-bullying and Anti-harassment Policy Safeguarding & Prevent Policy Student Complaints Policy Sexual misconduct and harassment Update July/Aug 2025 to comply with newly published guidance from the Office of Students (Regulatory advice 24: Guidance related to freedom of speech - Office for Students)</p>