Academic Freedom and Freedom of Speech Policy

Version 9.0

Approved by the Board of Governors

Last reviewed: October 2026

This policy sets out the School's approach to safeguarding freedom of speech and upholding the principle of academic freedom, including the expectations, key aims and principles, procedural approach and responsibilities for the implementation, monitoring and review of the policy.

Due regard has been given for the following legislation and/or external quality assurance frameworks:

i. *Education (No 2) Act 1986* (Section 43)
ii. *Higher Education (Freedom of Speech) Act 2023*
iii. *Education Reform Act 1988*
iv. *Human Rights Act 1998*
v. *Counter Terrorism and Security Act 2015 (Section 26(1))*
vi. *HM Government: The Prevent Duty Guidance: for higher education institutions in England and Wales*
vii. *Equality Act 2010*
viii. *Office for Students guidance and regulation on Freedom of Speech.*

DOCUMENT INFORMATION

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*The document owner is responsible for maintaining and updating the content of this document and ensuring that it reflects current practice at the School.

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Free speech is fundamental to our society. It is the lifeblood of democracy and the cornerstone of a free and liberal society. Throughout history, free speech has been a constant sword against tyranny, injustice and oppression.

The Rt Honourable Gavin Williamson MP Secretary of State for Education, 2021

1. OUR COMMITMENT TO ACADEMIC FREEDOM

1.1. The London School of Science and Technology (LSST) has a statutory duty to promote freedom of speech and academic freedom within the law under the *Higher Education (Freedom of Speech) Act 2023* and to ensure that it meets the requirements of Section 26(1) of the *Counter-Terrorism and Security Act* 2015 to have due regard to the need to prevent people from being drawn into terrorism.

1.2. To actively promote a culture of lawful free speech and academic freedom, LSST will take positive measures including:

- Organising debates, public lectures, and panel discussions on diverse topics.
- Offering training for staff and students on the rights and responsibilities associated with freedom of speech and academic freedom.
- Issuing guidance for event organisers and external speaker requests to ensure lawful compliance.

1.3. LSST will maintain appropriate records of decisions related to freedom of speech, including the approval or rejection of external speaker requests and restrictions imposed. These records will be retained in line with LSST Data Protection Policies and will be made available to regulators if required.

1.4. This policy underlines LSST's commitment to preserving an academic environment in which staff and students are not prevented from exercising their civil rights as citizens, including the right to contribute to social change through free expression of opinion on matters of public interest.

1.5. The School has in place clear policies and processes for the protection of academic freedom and freedom of speech within the law, and ensures that oversight of their effectiveness is maintained at senior levels of governance.

1.6. In respecting the right of staff and students to exercise academic freedom and freedom of speech the School requires that they, in return, adhere to this policy in exercising this right.

1.7. Specifically, LSST encourages that:

- Staff and students with a diverse range of views feel comfortable, and are actively encouraged, to express, debate and expand their views on campus and online, within the law.

- Staff and students are not disadvantaged (or reasonably feel that they might be) if they choose not to align with a certain viewpoint.

- Those who feel their speech has been unlawfully restricted in the context of higher education have clear routes to make complaints and have access to redress.

- Individuals may also escalate complaints to the Office for Students (OfS) via the Free Speech Complaints Scheme, overseen by the Free Speech Adjudicator, in accordance with the Higher Education (Freedom of Speech) Act 2023.

1.8. LSST promotes and upholds academic freedom and recognises that staff while engaging their roles have freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions without fear of detriment in employment or promotion and without risk of losing their employment or benefits.

1.9. However, there are limitations that need to be observed. Whilst freedom of speech is a human right, it is not absolute and is subject to restrictions in certain circumstances. Higher Education Providers (HEPs) and all staff members in the institution, when exercising their freedom of speech, must also consider their other legal duties, in particular their duties under the Equality Act 2010, which includes the Public Sector Equality Duty. Nevertheless, lawful speech can only be limited in certain circumstances. The attention of all staff and students of LSST is drawn to the fact that there may be a range of circumstances in which speech may be in breach of criminal law, including:

- Speech causing fear, or provocation of violence.

- Acts intended or likely to stir up hatred on grounds of race, religion or sexual orientation.

- Causing a person harassment, alarm, or distress.

- There are also circumstances in which speech may be found to be unlawful in respect of civil law, including defamatory speech. This can include defamatory material on social media.

2. RESPONSIBILITY FOR ACADEMIC FREEDOM AND FREEDOM OF SPEECH

2.1. It is the responsibility of all members of the School's community (extending to all staff, students, and governors), as well any external parties invited by the School to contribute to the learning experience, to uphold this policy and exemplify the behaviours given in its Code of Practice (outlined in section 6).

2.2. Ultimate responsibility for academic standards within the School resides with the Academic Board, which is responsible for the implementation of effective policies and procedures associated with quality assurance; the Academic Board is the custodian of

academic freedom and freedom of speech at the School, and shall oversee the monitoring and review of this policy.

3. DEFINITIONS

3.1. Academic Freedom

3.1.1. The School observes the definition of Academic Freedom established by the Education Reform Act 1988 and ensures that members of the academic community are free to:

- Question and test received wisdom.
- Put forward new ideas and controversial or unpopular opinions without fear of legal or disciplinary action.

3.1.2. The School considers the principle Academic Freedom to be central to the development of its academic policies and teaching strategies, reflecting the mission of higher education to enable the advancement of new ideas within an environment where free and objective debate can take place.

3.1.3. The School is aware of its legal obligations, as a higher education provider in the UK to inculcate with students the values of democracy and the competencies of healthy scepticism, critical and introspective thinking, rational methodologies, understanding of history, and media and internet literacy.

3.2. Freedom of Speech

3.2.1. Freedom of speech (or expression) as defined under the Human Rights Act 1998 refers more broadly to the rights of all people ‘to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers’.

3.2.2. Within the context of higher education, the School interprets this as being able to ‘express, encounter, negotiate and enjoy difference in a climate of respect and learning’.

4. LEGAL OBLIGATION

4.1. The Higher Education (Freedom of Speech) Act 2023 places a statutory obligation on Higher Education Providers to promote freedom of speech and academic freedom.

4.2. Section 43(1) of the Education (No 2) Act 1986 places a statutory obligation on Higher Education Providers in England and Wales to ‘take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers’.

4.3. This duty ‘within the law’ extends to ensuring ‘so far as is reasonably practicable, that the use of any premises of the establishment is not denied to any individual or body of

persons on any ground connected with (a) the beliefs or views of that individual or of any member of that body; or (b) the policy or objectives of that body'.

4.4. For the purposes of the Act, the School's duty extends to Student Union activities. The Student Union at LSST is independently responsible under the 2023 Act for securing freedom of speech within the law for its members, students, staff, and visiting speakers. LSST will ensure that the Student Union adopts appropriate policies, records relevant decisions affecting speech, and can demonstrate how it meets its obligations. LSST will also review the Union's performance in this regard and hold it accountable through annual reviews, risk assessment audits, and engagement with OfS if necessary.

4.5. Legal obligations also exist which may set limits on certain freedoms, in order to protect the rights and freedoms of others. The School must ensure in preserving academic freedom and freedom of speech that it fulfils other relevant obligations and commitments under the following legislation:

- Human rights law
- Equality law
- Criminal law (including anti-terrorism laws and the Prevent Duty)
- The duty of care to staff, students and visitors
- Civil law claims relating to spoken words
- Data sharing
- Law relating to security staff
- Students' unions

4.6. As a recognised Higher Education Body seeking registration with the Office for Students, the School must pay particular attention to the requirements of the Prevent duty when implementing this Policy and Code of Conduct.

5. PRINCIPLES AND SHARED VALUES

5.1. LSST ensures that its principles of Academic Freedom and Freedom of Speech are applied in all aspects of the School's professional and academic work; the School will take deliberate measures to lawfully safeguard:

- Freedom in teaching and discussion.
- Freedom in carrying out research.
- Freedom to be heard.

- Freedom in publication.
- Freedom of expression.
- Freedom to participate in professional and representative academic bodies.
- Freedom for staff in carrying out their roles.

5.2. In the management of its learning opportunities, its premises and its off-campus activities, the School will be guided by its core values, which are the fundamental British values of:

- Respect for democracy and support or participation in the democratic process.
- Respect for the basis on which the law is made and applies in England.
- Support for the equality of opportunity for all.
- Support and respect for the liberties of all within the law.
- Respect for and tolerance of different faiths and religious and other beliefs.

5.3. The School will ensure the above tenets are incorporated within its policies and procedures for the management of external speakers and off-campus events.

5.4. The School will ensure the use of its premises is not denied on grounds connected with the beliefs, views, policies or objectives of an individual or body of individuals, as long as such use is at all times within the law.

6. CODE OF PRACTICE

6.1. In the exercise of academic freedom, all staff, students, governors and any external third parties contributing to the delivery of learning opportunities at the School are expected to exemplify the following behaviours, namely:

- To be objective and open to new ideas and opinions at all times.
- To ensure academic debate is guided by rational enquiry and supported by sound and reliable evidence.
- To have regard for appropriate ethical considerations when conducting research.
- To differentiate clearly one's personal beliefs from objective academic observations and judgments.
- To challenge in a way that is not harmful to others or to the reputation of the School or disruptive to teaching, and discussion.

- To refrain from all forms of discrimination or exclude others form academic activity whether on grounds of sex, racial background, sexual orientation, age, disability, religious belief, marital status, caring responsibilities or any other personal characteristics.

- To be respectful to the personal beliefs, cultural attitudes and opinions of others, and not to cause unnecessary distress in the expression of contrary ideas and opinions.

- Not to attempt to impose a set of beliefs on others.

- To listen and take account of views and arguments contrary to one's own beliefs and opinions, whether these be personally or institutionally held.

- To ensure that professional or academic activities do not conflict with applicable laws and statutes.

- If communicating in public, staff and students should indicate clearly that they are not communicating on behalf of the School unless expressly authorised to do so.

6.2. The School is committed to resolving of problems and controversies by the method of rational discussion. Acts or threats of physical force or disruptive acts which interfere with campus activities, freedom of movement on the campus, or freedom for students to pursue their studies are the antithesis of academic freedom and will not be tolerated by the School.

7. MONITORING

7.1. The Academic Board will periodically review teaching strategies and practices at the School in order to satisfy itself that principles and code of practice outlined herein are duly upheld throughout the institution; it will report its activities and findings to the Board of Governors.

7.2. Concerns about breaches of this policy should be reported to the appropriate Course Leader, or where they regard the Course Leader, the Principal.

7.3. Alternatively, the School's complaints procedures or student engagement forums can be used to report and address risks associated with academic freedom and freedom of speech.

7.4. Serious breaches of this policy may be reported through the School's Protected Disclosures (Whistleblowing) Policy and Procedures; these take on board the principles of openness, accountability and natural justice which are embedded in the Public Interest Disclosure Act 1998 and the Enterprise and Regulatory Reform Act 2013.

7.5. The School will ensure that no member of staff, governor, student or third party will be treated less favourably by the School where they raise concerns about academic or professional standards at School, where such matters are raised in good faith. The

School will take all such disclosures seriously and investigate in accordance with the appropriate policies and procedures.

8. THE PREVENT DUTY

8.1. As a Recognised Higher Education Body, the School has a statutory duty to have due regard for the need to prevent people from being drawn into terrorism; this is formally referred to as the Prevent Duty. The Prevent Duty should not be obstructive to academic freedom, freedom of speech or balanced discussion of controversial issues such as religion, politics and current affairs, rather it should ensure an environment in which these can thrive.

Further information can be found in the School's Preventing Extremism and Radicalisation Policy, and its External Speakers and Events Policy.

9. REVIEW AND UPDATE

9.1. This policy will be reviewed and updated annually by the Executive Committee; changes to it will be ratified by the School's Board of Governors.

VERSION HISTORY

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