

Code of Practice on Freedom of Speech and Academic Freedom

1 Purpose and Scope

This Code sets out how London Brookes College (LBC) secures and promotes lawful freedom of speech and academic freedom in accordance with the Education (No. 2) Act 1986 (section 43), the Higher Education (Freedom of Speech) Act 2023, and Office for Students (OfS) Condition E2. It should be read in conjunction with the Academic Freedom, Freedom of Speech, and Collegiality Policy, which outlines the College's overarching principles and institutional commitment to these freedoms.

This Code applies to all staff, students, governors, contractors, and authorised visitors involved in teaching, learning, or academic activity, whether on campus, online, or off-site.

LBC is a charitable, teaching-focused provider and does not host public or non-curriculum-related events. Accordingly, this Code is proportionate to that low-risk context.

2 Legal and Regulatory Framework

- The College fulfils its duties under:
- Education (No. 2) Act 1986 (section 43)
- Higher Education (Freedom of Speech) Act 2023
- OfS Condition E2
- Equality Act 2010
- Counter-Terrorism and Security Act 2015 (Prevent Duty)
- Human Rights Act 1998 (Article 10 – Freedom of Expression)

The College will take all reasonably practicable steps to secure lawful freedom of speech while discharging safeguarding, equality, and welfare obligations.

“Reasonably practicable steps” means proportionate, evidence-based actions appropriate to LBC's size, activities, and resources.

3 Statement of Commitment

LBC fully upholds the principles of freedom of speech and academic freedom as defined in the Academic Freedom, Freedom of Speech, and Collegiality Policy.

Within the law, all members of the College community have the right to question, debate, and express ideas, even if controversial or unpopular, without fear of reprisal. These rights carry responsibilities to act lawfully, respect the rights of others, and maintain civility in academic discourse.

4 Core Principles

The College will:

- Uphold and promote lawful freedom of speech and academic freedom in all teaching and learning.
- Encourage open, evidence-based discussion free from intimidation.
- Prevent unlawful speech, harassment, or incitement to hatred or violence.
- Treat the Prevent Duty as a safeguarding responsibility, not a restriction on academic debate.
- Balance rights and responsibilities to ensure dignity, safety, and inclusion.

5 Academic Freedom in Practice

Academic freedom entitles staff and students to:

- Critically question established ideas and orthodoxies.
- Explore sensitive or contested topics relevant to their discipline.
- Express lawful opinions and publish academic work without fear of disadvantage.
- Participate in scholarly or professional associations freely.

These rights are exercised responsibly and within the law, having due regard to the College's charitable purpose, inclusive ethos, and academic standards.

6 External Speakers and Curriculum-Linked Activities

LBC does not host non-curriculum-related events or public lectures. Guest contributors may be invited only when directly relevant to the curriculum or employability activities.

All proposed contributors must:

- Obtain prior approval from the Principal or nominee.
- Be recorded in the departmental activity log.
- Undergo a brief Safeguarding and Prevent risk assessment.

Before any refusal, the College will consider reasonable mitigations such as moderated discussion, alternative formats, or staff oversight. Approval may only be refused where the proposed activity would be unlawful or where risks to safety or welfare cannot be mitigated.

Decisions will be issued within five working days, and appeals may be made to the Head of Higher Education within a further five working days.

7 Collegiality and Participation

LBC promotes a collegial, respectful academic culture that values constructive dialogue and shared decision-making. Staff and students participate through the Academic Board, staff–student forums, and quality enhancement processes. Decisions are made transparently and with respect for diverse perspectives.

8 Responsibilities

All members of the College community are expected to:

- Respect others' lawful right to free expression.
- Exercise speech responsibly and courteously.
- Avoid harassment, discrimination, or unlawful incitement.
- Comply with the College's Safeguarding, Prevent, and Conduct policies.

Academic staff must actively embed critical thinking and open debate within their teaching practice.

9 Governance, Oversight, and Monitoring

The Board of Governors holds ultimate responsibility for compliance with this Code. The Principal oversees implementation, and the Academic Board monitors academic practice and training. The Prevent and Safeguarding Steering Group (PSSG) monitors risks and reports termly to the Audit and Risk Committee.

The operation of this Code is reviewed through the College's Quality and Safeguarding frameworks. A summary of related activity, such as guest speaker approvals, complaints, and

training, is included in the Annual Quality and Safeguarding Report to the Academic Board and Audit and Risk Committee.

10 Complaints and Redress

Anyone who believes their lawful freedom of speech or academic freedom has been restricted may raise the issue through the College's Complaints and Appeals Procedure. Students who remain dissatisfied may escalate their case to the Office of the Independent Adjudicator (OIA), while staff or visiting speakers may submit eligible cases to the Office for Students (OfS) Free Speech Complaints Scheme once it becomes operational.

11 Review and Publication

This Code is reviewed annually by the Head of Quality Assurance (Prevent Lead) and approved by the Academic Board to ensure continuing compliance with legislation and OfS requirements. It is published on the College website alongside the Academic Freedom, Freedom of Speech, and Collegiality Policy and forms part of the College's governance and quality assurance framework. The College does not use non-disclosure agreements (NDAs) in any way that could inhibit lawful freedom of speech or academic freedom.

Version	Owner	Approved By	Next Review
1	Principal	Academic Board	October 2026