

UK Graduate College

Freedom of Speech and External Speakers Policy & Procedure

Policy no.	6.8
Version no.	1
Policy Owner	HE Academic Quality Manager
Date of Last Update	N/A
Date Approved	29/10/2025
Approval Authority	Academic Board
Next Review Date	November 2028
Related Policies	• Equality, Diversity and Inclusion Policy • Harassment and Bullying Policy
External Reference Points	• OFS Regulatory Advice 24

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1. Introduction

- 1.1. The Higher Education (Freedom of Speech) Act 2023 amended the Higher Education and Research Act 2017 (HERA) to strengthen the legal requirements placed on universities and colleges relating to freedom of speech and academic freedom. Free speech and academic freedom are core to the pursuit of knowledge and without these, there is no productive debate, no new ideas, and no social progress.
- 1.2. All staff and students are entitled to debate in an open culture, where difficult and contentious topics can be discussed, in an environment that has a high tolerance of lawful speech, with steps taken to avoid unlawful speech.
- 1.3. UK Graduate Colleges (UKGC) believes that everyone has the right to free speech within the law, and that may include views that some or all students might find shocking, disturbing or offensive. This policy provides the guidance to ensure that free speech is not curtailed without good reason.

2. Purpose

- 2.1. The purpose of this policy is to:
 - Outline the responsibilities of the UK Graduate Colleges (UKGC) and other stakeholders in promoting freedom of speech while ensuring the UKGC remains a safe and nurturing environment for teaching, learning and research.
 - Provide information and guidance on how to correctly identify and address freedom of speech issues.
 - Create a safe space for UKGC staff and students to understand the risks associated with terrorism, develop the knowledge and skills to be able to challenge extremist arguments, and enhance their personal, social and emotional development. This policy acknowledges that the Prevent Duty is not intended to stop prevent the discussion of controversial issues.

3. Scope

- 3.1. This policy sets out the UKGC commitment to promoting the principles of freedom of speech and academic freedom so far as that is reasonably practical within the law. The UKGC believes that an attitude of tolerance is essential to enable academic debate of a wide variety of ideas, including some which may be controversial, while having due regard to the welfare of its staff and students. The UKGC also has a duty to promote freedom of speech under the Education Act 1986.¹
- 3.2. The UKGC seeks to ensure that the use of its premises is not denied on grounds connected with the beliefs, views, policies or objectives of an individual body or body of individuals, as long as such use is at all times within the law. This policy and the procedures set out within it are designed to promote freedom of speech and to enable events to proceed when it is safe and

legal for them to do so. It should be noted that the use of the term 'premises' throughout this policy also includes the UKGC's virtual teaching, learning, meeting and event environments and any space they hire.

- 3.3. However, the UKGC has a zero-tolerance approach to discrimination, bullying, harassment or extremism or acts which could incite or promote terrorist activity. It has a duty to maintain safety under the Working Together to Safeguard Children.² (2018) and Keeping Children Safe in Education.³ (2021) and is also under a duty to prevent individuals being drawn into terrorism under the Counter Terrorism & Security Act.⁴
- 3.4. All persons to whom this policy applies are required to observe the principle of freedom of speech whilst on UKGC's premises and shall show respect and tolerance towards the expression of views, opinions and beliefs of others, even though those views, opinions or beliefs may run contrary to their own personal views, opinions or beliefs.

4. Aims & Objectives

- 4.1. This policy aims to ensure freedom of speech, as defined in Article 10 of the European Convention on Human Rights:
- 1) Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
 - 2) The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society; in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.
- 4.2. This policy uses the OfS (2025) three step framework for assessment to assure compliance with the 'secure' duty:
- 4.2.1. Is the Speech within the law? If yes, go to step 2. If no, the duty to 'secure' speech does not apply.
 - 4.2.2. Are there any 'reasonably practicable steps' to secure the speech? If yes, take those steps. Do not restrict the speech. If no, go to step 3.
 - 4.2.3. Are there any restrictions 'prescribed by law' and proportionate under the European Convention on Human Rights.

5. Responsibilities

- 5.1. All references to responsible officers include their nominees.
- 5.2. The Managing Director nominates **the Dean** to act on their behalf, to ensure compliance with this policy and its review. The Policy will be reviewed every three years, unless a change in the law requires an earlier review.
- 5.3. Responsibility for ensuring that activities (including events) comply with this policy shall rest with the following people, who shall be referred to as the **Responsible Person** in the rest of this policy.
- 5.4. For activities organised at or by one of our Centres – the Centre Manager will be responsible.
- 5.5. In any other case, the senior member of staff involved.
- 5.6. Although the individuals named above have overall responsibility for activities, every person at the UKGC has a duty to ensure that this policy is followed.
- 5.7. If you are concerned that there may be a breach of this policy then you must report it to the Responsible Person who should seek advice from the Director of Safeguarding, Prevent and Inclusion where appropriate.
- 5.8. Appendix 2 contains a guide to other types of conduct which are indicative of extremism and intolerance, and which could breach this policy. This list is indicative only and not definitive. The UKGC will review any accusations of a breach of this policy to determine whether the conduct complained of could reasonably be considered a breach of this policy on a case-by-case basis using its reasonable discretion.

6. Definitions and Relevant Legislation

- 6.1. In this policy, the following words shall have the following meanings:
- 6.2. An **event** is any gathering, online or in person (which would include meetings, teaching, events and other activities) conducted, hosted, or sponsored by the UKGC including those organised or managed by the Students' Society.
- 6.3. The person, society or group who takes responsibility for organising an event will be referred to as the **Event Organiser**.
- 6.4. **External speaker** event is any event that involves an external speaker addressing a group, including in a teaching, learning or research setting (lecture, conference, seminar) or in the context of extracurricular activity. This does not include meetings held in the normal course of the UKGC's administration or management, provided that (with the exception of the external speaker) they are attended exclusively by staff or officers of the UKGC. For events held in a

virtual environment this definition extends to content used both synchronously and asynchronously.

- 6.5. An **external speaker** is anyone who is not a member of the UKGC community and who is invited to speak at an event in order to provide or disseminate their views, ideas or opinions on a given topic. For example, a guest lecturer, member of a discussion panel, those giving religious addresses or prayer leaders would be an external speaker, a trainer who leads a fitness class would not usually be an external speaker.
- 6.6. The Centre Manager is responsible for external room bookings or where appropriate the Head of Operations with responsibility for co-ordinating external room bookings across all UKGC sites.
- 6.7. For events hosted in the virtual environment, those organising the event should still use the external speaker booking system, as set out in Appendix 1.
- 6.8. A Proscribed Group is an organisation which has been banned from the UK and placed on the UK government's proscribed groups list.⁵

7. The Policy

- 7.1. The policy applies to all staff, students, governors, employers, visiting appointments and visitors to the UKGC.
- 7.2. This policy applies to all activities undertaken by those listed in clause 5.1 above. Every individual has a duty to ensure that freedom of speech is protected on UKGC premises, including in lectures, tutorials, research and other activities. Individuals also have a duty to assist the UKGC in meeting its obligations under the Prevent duty.
- 7.3. By following this policy and (for external speakers) the guidelines set out in Appendix 1, in respect of external speaker events, individuals can ensure they balance their responsibilities effectively.
- 7.4. Also covered by this policy are events taking place off campus, where the UKGC is hosting (or co-hosting) an event; this includes venues in the UK, or at institutions or establishments overseas. Whilst the legal framework will differ in other countries, all activities led or hosted/co-hosted by the UKGC should comply with this policy, unless to do so would breach local law.
- 7.5. UKGC will not pass on security costs for outside events except in exceptional circumstances. Circumstances are "exceptional" when security costs exceed £500. In these circumstances we will pass on the residue of security costs to the organisers. Security costs would very rarely exceed £500.
- 7.6. Any activity or gathering which does not fall within the definition of event should uphold the spirit and intent of this Policy.

- 7.7. A summary of applications approved and declined will be reported to the Equality, Diversity and Inclusion Committee to ensure full transparency.
- 7.8. All UKGC staff will be trained on freedom of speech as part of their induction.
- 7.9. Freedom of speech will be included in the student induction for all students, to ensure they understand their own rights and the rights of others.

8. Freedom of Speech Procedure

8.1. Written material (online and in Print)

- 8.1.1. Anyone responsible for posters, notices, signs or any other literature which are offensive, intimidating, threatening, indecent, illegal or circulated to promote terrorism or extremism or a proscribed group or make others fearful, anxious or apprehensive will be in breach of this policy.
- 8.1.2. Materials, including posters and flyers, may only be posted on designated notice boards with the permission of the relevant curriculum area, school or service. Any such materials should be in English and must clearly name the person or organization behind the poster.
- 8.1.3. Anyone wishing to place posters, flyers or advertisements for events off-campus which will feature an external speaker should obtain consent from the relevant school or service before placing any such items on the designated notice boards. If the speaker has been refused permission to speak on the campus, this must be brought to the attention of the relevant school or service when permission is sought.
- 8.1.4. This policy applies equally to postings, messages and other online communications, whether by email, on message boards or on websites. Anyone making postings which are discriminatory, defamatory, or which could constitute harassment will be in breach of this policy. Any such postings shall also be subject to the UKGC's social media policy.
- 8.1.5. The UKGC may remove any materials (whether online or otherwise) which it believes to be in breach of this policy.

8.2. Segregation:

- 8.2.1. Under the Equality Act (2010), any events held on campus must be held in such a way so as to ensure that no one is unfairly discriminated against.
- 8.2.2. Segregation of an audience at an event will constitute unlawful discrimination unless it is for one of the specifically defined purposes set out below. If the Event Organiser wishes to segregate the audience, they will need to obtain permission from the **Responsible Person** in advance of the event. Permission will only be granted if the segregation is for one of the following reasons:

- a. Sports sessions involving a high degree of physical contact or in sporting competitions where physical strength, stamina or physique are significant factors in determining success or failure.
- b. Positive action measures in order to overcome or minimise a disadvantage faced by a particular group or tackle low participation by a group provided that this is a proportionate means of addressing the disadvantage.
- c. Associations restricted to members who share a particular protected characteristic under the Equality Act; or
- d. Religious worship or religious purposes in order to comply with religious doctrine.

8.3. Conferences, External Speakers, Research and Teaching

8.3.1. Staff and students should be free to undertake academic research within the law and should not be restricted or compromised by the organisations policies or values, although ethical considerations remain paramount. If staff or students are unsure whether the research is within the law, they should consult with the **Responsible Person**.

8.3.2. Any **events** must be planned by following the procedure detailed in Appendix 1.

8.3.3. No **event** should be cancelled or declined without agreement from the **Responsible Person**.

8.4. Penalties for breach of this policy

8.4.1. Individuals who breach this policy may be subject to the UKGC's staff and/or student disciplinary procedure. It may also result in the withdrawal of services, including access to Computing and Library Services. They may also be liable to civil or criminal prosecution.

9. Who to Contact with Queries

Dean – steven@ukgraduate.org.uk

HE Academic Quality Manager – debbie@ukgraduate.org.uk

10. Communication

The policy will be made available electronically and hard copies will be made available on request.

11. Notes:

1 Education (No 2) Act 1986 s43 (1) Every individual and body of persons concerned in the government of any establishment to which this section applies shall 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.

2 HM Government (2018) Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children, Available at:
[Working_together_to_safeguard_children_2023](#)

3 HM Government (2024) Keeping Children Safe in Education: Statutory guidance for schools and colleges. Available at: [Keeping_children_safe_in_education_2024](#)

4 Counter Terrorism & Security Act 2015: S26 (1) A university must, in the exercise of its functions, have due regard to the need to prevent people from being drawn into terrorism.

5. <https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2>

Appendix 1 - External Speaker Events

1. How to obtain approval for an External Speaker Event

- 1.1. For all **external speaker events**, except those specifically mentioned below, the Event Organiser must, not less than 14 days before an event:
- 1.2. log details of the event on the UKGC's External Speaker log;
- 1.3. undertake a local assessment of the proposed external speaker(s), as summarised in paragraph 1.2 below, and if there are any concerns, escalate the decision about whether to invite that speaker as set out in paragraph 1.2 below; and
- 1.4. ensure that all proposed speakers are provided with a copy of this policy and are made aware of their responsibility to abide by the law.
- 1.5. Local Assessment of proposed external speaker(s):

Before an external speaker can be confirmed or an event advertised, the Event Organiser is responsible for assessing the speaker against the following set of questions:

	Question	Yes/Unclear/No	If Yes/Unclear, please expand
Q1	Is the planned speech within the law?		
Q2	Has the external speaker(s) previously been prevented from speaking at the UKGC, or any other University, or similar establishment?		
Q3	Has the external speaker(s) previously been known to express views, or been affiliated with a proscribed group or an organisation that expresses views, which may either be in breach of the UKGC's Freedom of Speech Policy, or be deemed to be extreme in that they are opposed to the fundamental values of our society?		
Q4	Does the proposed title or theme of the event present a potential risk that views/opinions expressed by the speaker(s) may be in breach of the UKGC's Freedom of Speech Policy?		
Q5	Is the proposed speaker(s)/theme likely to attract attendance from individuals/groups that have previously been known to express views that may be in breach of the UKGC's Freedom of Speech Policy?		
Q6	Do you have any other concerns, or reason to believe that the proposed speaker(s)/theme may be in breach of, or cause concerns related to the UKGC's Freedom of Speech Policy (e.g. significant media interest, large attendance, significant amount of controversy)?		

If the answer to all six questions is NO: the Event Organiser can confirm the event and any external speaker and 'book' them to speak at their event or activity and promote this in the normal way.

Please note that a failure by a member of staff or student to comply with this policy, and/or answer these questions to the best of their knowledge, and in an honest and reasonable manner, will be treated very seriously and may be subject to formal action under the UKGC's normal disciplinary processes for staff and students.

If the answer to any of the questions is UNCLEAR/YES: The Event Organiser must seek guidance

from the **Responsible Person**, whose responsibility it will be to further review the event/speaker(s) against the questions above. The event must not be advertised or promoted until it has been authorised under this Policy.

This further review will require the **Responsible Person**, in consultation with the Event Organiser, to undertake a more detailed risk assessment of the speaker and the event by checking both the speaker and the topic on Google, looking at the first three pages of web results and accessing any relevant web addresses given.

If the **Responsible Person** believes that the event or speaker will not result in an infringement of this policy, they may authorise the event at this stage.

Ultimately, if the answer to any of the questions is YES or remains UNCLEAR: the Event Organiser should contact the **Responsible Person** for approval, providing the detail required in the External Speaker Referral Form.

If the Event Organiser has at any time reason to believe the answers to any of these questions has changed to **YES/UNCLEAR** the Event Organiser must notify this to the **Responsible Person** without delay. If permission has been granted, but is subsequently withdrawn, the Event Organiser must immediately cancel, stop advertising, publicising and promoting the event and (at its cost) must remove all advertisement and promotional materials from all channels, including taking down materials displayed on UKGC premises.

The Responsible Person shall ensure that a record of all referrals made to them under this policy, and the decision made in each case is kept up to date and is easily accessible.

2. **Assessment of Academic Conferences and Events**

2.1. Assessment of Academic Conferences

For the avoidance of doubt, for academic conferences hosted by a School/Service of the UKGC, it will be sufficient to complete a single local assessment for the event, if the overall assessment is that the answer to the six questions in paragraph 1.2 would be NO. However, if there are any concerns at any time about an individual speaker, or the proposed theme of any such conference then the Event Organiser should liaise with the **Responsible Person** to agree a proportionate approach to assessing the risks and for escalation in accordance with this policy, as appropriate.

2.2. Events that form part of normal course provision

In relation to events that contain an external speaker, but that form part of a normal course provision and, as such, only have students registered on that course and relevant staff in attendance, it will be sufficient for the School to complete a single local assessment for these events. If the overall assessment is that the answer to the six questions in paragraph 1.2 would be **NO**; the School should simply maintain a log of invited speakers, together with the course details. However, if there are any concerns at any time about an individual speaker, or the proposed theme of any such event then the Event Organiser should liaise with the **Responsible Person** to agree a proportionate approach to assessing the risks and for escalation in accordance with this policy, as appropriate.

3. **Referrals to the Dean for approval**

3.1. If an event is referred to the **Dean** they shall convene a panel consisting of:

- the **Dean**
 - the most appropriate Board of Governor (dependent on the nature of the event); and
 - (if appropriate) any other person the **Dean** considers relevant or useful to the decision-making process. The panel will consider all relevant information and either:
 - a. Decide there are restrictions' prescribed by law' and proportionate under the European Convention on Human Rights, so would not approve the event or speaker; or
 - b. Identify reasonably practicable steps, putting restrictions or conditions on the event to remove or reduce any concerns. Such conditions may include (but are not limited to) imposing a cap on the number of attendees, designating a Chair, changing the venue or participant requirements, requiring a balancing view, requiring the speaker's script to be submitted and approved in advance or requiring a police/security presence. If the Event Organiser/external speaker does not agree to any such conditions or restrictions, then the event shall not take place.
- 3.2.** If the panel requires further information to accurately assess the risk the **Dean** shall request this from the Event Organiser who must provide any requested information promptly. If sufficient information is not provided to enable the panel to determine the risk, the event shall not take place.
- 3.3.** If an event is not approved by the panel and the Event Organiser believes it does not breach this policy, or the Event Organiser does not agree with any conditions imposed under 3.1. above, the Event Organiser may appeal the decision to the **Managing Director** who will review the matter and shall determine whether an event may take place. The **Managing Director's** decision shall be final.
- 3.4.** If the event is planned by an external organisation, the costs of cancellation or any measures put in place to allow the event to proceed shall be borne by the Event Organiser unless the UKGC agrees in writing to the contrary.
- 3.5.** The UKGC may monitor any event to ensure compliance with this policy and any conditions imposed. The UKGC may terminate an event at any time if any conditions are not met or this policy is breached. This does not absolve the Event Organiser of their responsibility to ensure their event complies with the conditions and/or this policy at all times.

Appendix 2 – Guidance on what constitutes misconduct

The essence of misconduct under this Policy is a failure to respect the rights of others to freedom of belief and freedom of speech or action which otherwise damages the reputation of the UKGC as a tolerant and inclusive academic institution. The following list indicates behaviours which may constitute misconduct. This list is not definitive and is for indicative purposes only:

- a. disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the UKGC, whether on UKGC premises or elsewhere.
- b. violent, indecent, disorderly, threatening or offensive behaviour or language whilst on UKGC premises or engaged in whilst on UKGC premises or engaged in any UKGC activity.
- c. harassment or discrimination against any student, member of staff or other employee of the UKGC or any authorised visitor to the UKGC.
- d. damage to, or defacement of, UKGC property or the property of other members of the UKGC community caused intentionally or recklessly, and misappropriation of such property.
- e. placing posters, signs or notices on any surface other than where authorised to do so in accordance with this policy.
- f. conduct which constitutes a criminal offence where that offence:
 - i. damages the good name of the UKGC.
 - ii. or itself constitutes misconduct within the terms of this Code.
 - iii. or behaviour which brings the UKGC into disrepute.
- g. failure to disclose information to an officer or employee of the UKGC when requested to do so in accordance with this Policy; The following are some indicative examples of conduct relevant to extremism and intolerance which constitute misconduct and will be treated accordingly. This list is not definitive and is for indicative purposes only: taking photographs of student or others at events (e.g. when making enquiries at a particular stand at a freshers' fair) with the intention of deterring them from attending or enquiring or to intimidate them, or with the intention of identifying them subsequently for improper purposes.
- h. coercing other students into conformity, e.g. in clothing or attendance at worship.
- i. distribution of discriminatory, threatening, obscene or insulting leaflets or literature (including circulation by e-mail).
- j. physical disruption of meetings, public or private in such a way that it is designed to

prevent the freedom of speech. This does not affect students' rights to hold protests.

k. speech or literature explicitly supporting terrorism or violence, including assassination.

1 Education (No 2) Act 1986 s43 (1) Every individual and body of persons concerned in the government of any establishment to which this section applies shall 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.

2 HM Government (2018) Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children, Available at:

[Working together to safeguard children 2023](#)

3 HM Government (2024) Keeping Children Safe in Education: Statutory guidance for schools and colleges. Available at: [Keeping children safe in education 2024](#)

4 Counter Terrorism & Security Act 2015: S26 (1) A university must, in the exercise of its functions, have due regard to the need to prevent people from being drawn into terrorism.

5. <https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2>