



Freedom of Speech Policy & Procedure

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1. Scope

- 1.1 As a higher education provider, the University College of Osteopathy (UCO) is committed to upholding freedom of thought and expression. This means everyone (including UCO members, students, UCO Students' Union, staff and visiting speakers) has the right to express lawful views and opinions freely, in speech or in writing, without interference by public authority, even if these may 'offend, shock or disturb' others.
- 1.2 Freedom of expression (including speech) is a key part of higher education experience. Sharing ideas freely is crucial for learning, and allows students to think critically, challenge and engage with different perspectives.
- 1.3 Enabling 'academic freedom' in relation to academic staff to question and test received wisdom and put forward new or controversial or unpopular ideas within the law in pursuit of knowledge is likewise encouraged.
- 1.4 Freedom of speech and academic freedom can and will be limited by law, for example, to prevent crime, for national security, public safety or to prevent unlawful discrimination and harassment.
- 1.5 The UCO has a legal obligation to ensure that freedom of speech within the law is secured for its members, staff, students and visiting speakers and operates an External Speaker Policy to ensure that this is done in line with the following:
 - a) The Higher Education (Freedom of Speech) Act 2023¹

The Higher Education (Freedom of Speech) Act 2023 promotes the importance of freedom of speech within the law and academic freedom for academic staff of registered higher education providers and their constituent institutions.
 - b) Section 43 (1) of the Education (No.2) Act 1986²:

"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."
 - c) Section 43 (2) of the Education (No.2) Act 1986³:

"The duty imposed by subsection (1) above includes (in particular) the duty to ensure, 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 -: the beliefs or views of that individual or of any member of that body; or the policy or objectives of that body."
 - d) Article 10 of the Human Rights Act 1998⁴.
 - e) The Higher Education and Research Act 2017⁵

¹ <https://www.legislation.gov.uk/ukpga/2023/16/enacted>

² <http://www.legislation.gov.uk/ukpga/1986/61/section/43>

³ <http://www.legislation.gov.uk/ukpga/1986/61/section/43>

⁴ <http://www.legislation.gov.uk/ukpga/1998/42/contents>

⁵ [Higher Education and Research Act 2017 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2017/12/section/1)

The Higher Education and Research Act 2017 makes it clear that all registered universities must follow the regulatory framework. The framework has four primary regulatory objectives which state that all students, from all backgrounds, and with the ability and desire to undertake higher education:

- Are supported to access, succeed in, and progress from, higher education.
- Receive a high-quality academic experience, and their interests are protected while they study or in event of provider, campus or course closure.
- Are able to progress in employment or further study, and their qualifications hold their value over time.
- Receive value for money.

“Everyone has the right to freedom of expression. The exercise of these freedoms, maybe 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 of 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.”

- f) Section 26 (1) of the Counter-Terrorism and Security Act 2015⁶:

“A specified authority must, in the exercise of its functions, have due regard to the need to prevent people from being drawn into terrorism.”

2. Introduction

- 2.1 The UCO has a duty to ensure the safety and security of all its staff, students and members of the public, regardless of their backgrounds, whilst on UCO premises, to maintain public order and uphold the law. It is therefore prepared to act against behaviour which seeks to incite riot, insurrection, racial hatred, harassment on the grounds of religion or sexual orientation, to promote terrorism or the interests of proscribed organisations, or other criminal activities.
- 2.2 This policy covers activities taking place on UCO premises, whether:
- a) Arranged by UCO staff, within the normal teaching programme or otherwise;
 - b) Arranged by the Students’ Union or an affiliated club or society;
 - c) Arranged by any person or group, including clubs and societies not affiliated to the
 - d) Students’ Union but approved by the UCO; and
 - e) Arranged by outside bodies using the premises for hire or otherwise.
- 2.3 This policy also covers all meetings, exhibitions, publications and leaflets produced or distributed on UCO premises. In the procedures and instructions to organisers below, the word ‘activity’ includes all such manifestations.
- 2.4 This policy and the associated procedures are binding on all members; staff and students of the institution. Failure to observe them will result in disciplinary action under the appropriate regulations governing the conduct of students and staff.

⁶ <http://www.legislation.gov.uk/ukpga/2015/6/contents>

3. Procedures

3.1 Notification & Approval of Activities

- 3.1.1 Any planned activity involving a visiting speaker or organisation external to the UCO is required to be approved through the UCO's External Speaker Policy.
- 3.1.2 Any planned activity on UCO premises which might reasonably be expected to result in efforts to prevent articulation of views, or an incitement, as described above, will be deemed to fall within the requirements of this policy.
- 3.1.3 Requests for rooms or other facilities, or to distribute materials, should be adhered to the UCO's External Speaker Policy and associated policies.

3.2 Conduct of Activities

- 3.2.1 The UCO will issue lawful instructions to the organisers of events in relation to the location, arrangement and conduct of such activities in line with the External Speaker Policy. Only those who undertake to comply with these instructions will be allowed the use of UCO premises.
- 3.2.2 The organisers will be required to appoint a single person to act as Principal Event Organiser and to take responsibility for its conduct and for consultation with the UCO authorities.
- 3.2.3 Failure to abide by such instructions will result in disciplinary action being taken against those responsible, and the UCO will assist prosecuting authorities where breaches of the general criminal law occur. For members of staff and students, this could result in withdrawal from UCO. For external members, this could lead to withdrawal of the use of UCO facilities permanently.

4. Monitoring & Oversight

- 4.1 The review and implementation of this policy is monitored and overseen by the Board of Directors which is responsible for ensuring that the UCO takes reasonably practical steps to ensure that freedom of speech within the law is secured for UCO's members, students, employees and visiting speakers.

5. Complaints

- 5.1 If you have a complaint about free speech at the UCO, please raise your concerns using the appropriate complaints policy as follows:
 - a) If you are a UCO student: The UCO's Students Complaints Policy & Procedure
 - b) If you are a UCO staff member: The UCO's Staff Grievance Policy
 - c) If you are a visiting speaker: The UCO's External Speaker Request Decision / Appeal Policy
- 5.2 The UCO's Board of Directors will monitor freedom of speech and academic freedom complaints annually through an anonymised summary report to enhance practice.

Core Documentation Record Page

Freedom of Speech Policy & Procedure

Version number	Dates produced and approved (include committee)	Reason for production/ revision	Author	Location(s)	Proposed next review date and approval required
V1.0	Aug 2012 SMT	To outline the UCO's policy and procedures to uphold freedom of thought and expression.	Academic Registrar	All master versions will be held in: J:\0 Quality Team - Core Documentation Intranet	Aug 2013
V1.0	Aug 2013 SMT	Annual Review No Changes Required.	Academic Registrar	All master versions will be held in: J:\0 Quality Team - Core Documentation Intranet	Aug 2014
V1.0	Aug 2014 SMT	Annual Review No Changes Required.	Academic Registrar	All master versions will be held in: J:\0 Quality Team - Core Documentation Intranet	Aug 2016
V2.0	Oct 2016 SMT	Biennial Review Major Amendment in response to the statutory Prevent Duty.	Academic Registrar	All master versions will be held in: J:\0 Quality Team - Core Documentation Intranet	Oct 2018
V3.0	Jul 2017 PRAG Chair	Administrative Amendments to update institution name change from British School of Osteopathy to University College of Osteopathy.	Academic Registrar	All master versions will be held in: J:\0 Quality Team - Core Documentation Intranet	Oct 2018 or in line with legislative changes.
V4.0	March 2020 SMT	Update to meet guidelines provided by Equality & Human Rights Commission	Head of Student Services	All master versions will be held in: J:\0 Quality Team - Core Documentation Website	March 2023 or in line with legislative changes.
V5.0	Dec 2022 Academic Council	Major Amendment to reflect compliance with the Higher Education and Research Act 2017.	Head of Student Services	All master versions will be held in: J:\0 Quality Team - Core Documentation Website	Dec 2025 or in line with legislative changes.

V6.0	Nov 2023 SMT	Minor Amendment to reflect reference to and compliance with the Higher Education (Freedom of Speech) Act 2023.	Head of Quality	All master versions will be held in: SharePoint - Quality Team Published: Website	Nov 2026 or in line with legislative changes.
Equality Impact					
Positive equality impact (i.e. the policy/procedure/guideline significantly reduces inequalities)					
Neutral equality impact (i.e. no significant effect)					X
Negative equality impact (i.e. increasing inequalities)					
<p>If you have any feedback or suggestions for enhancing this policy, please email your comments to: quality@uco.ac.uk</p>					