

# Higher Education Freedom of Speech Policy and Code of Practice

This policy is available on-line at: [www.tynecoast.ac.uk](http://www.tynecoast.ac.uk)

- We will consider any request for this policy to be made available in an alternative format or language. Please contact: Director of HE: Quality and Systems.
- We review our policies regularly to update them and to ensure that they are accessible and fair to all. We welcome suggestions for improving the accessibility or fairness of this policy.

Approved by:	Version	Issue date	Review date	Contact Person
Executive Group, QC&S	V1	Dec 2025	Dec 2028	Director of HE: Quality and Standards

**Review:** 3 years

**Policy Number:** 135

## **HIGHER EDUCATION – FREEDOM OF SPEECH POLICY**

### **1. Policy Statement**

Tyne Coast College is committed to upholding and promoting freedom of speech and academic freedom within the law. This policy applies to all staff, students, governors, and visiting speakers involved in higher education provision at the College.

Tyne Coast College recognises that the exercise and impact of freedom of speech may vary across individuals and groups, particularly those with intersecting protected characteristics. We are committed to ensuring that freedom of speech is upheld in a way that respects diversity and promotes inclusion.

### **2. Scope**

This policy covers all college activities which relate to Higher Education (level 4 and above), including full cost HE provision. This policy applies to:

- All HE students and staff
- Governors and senior leaders
- External speakers and event organisers
- Student-led societies and unions (where applicable)

### **3. Legal Framework**

This policy is informed by:

- Higher Education (Freedom of Speech) Act 2023
- Education (No. 2) Act 1986, Section 43
- Human Rights Act 1998, Article 10
- Equality Act 2010
- Counter-Terrorism and Security Act 2015 (Prevent Duty)
- Charities Act 2011

### **4. Definitions**

Freedom of speech means everyone has the right to express lawful views and opinions freely, in speech or in writing, without interference.

Academic freedom means protecting the intellectual independence of academics to question and test received views and wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in danger of losing their jobs or privileges (from Universities UK website, 2024).

### **5. Principles of Freedom of Speech**

Academic freedom and freedom of speech sit at the heart of the UK's higher education sector. The responsibilities to protect and promote both freedom of speech and

academic freedom have been strengthened by the Higher Education (Freedom of Speech) Act 2023.

The legislation protects freedom of speech within the law and Tyne Coast College will take reasonably practicable steps to ensure this. This means that speech is protected unless it contravenes some other law.

Tyne Coast College also has a duty to promote academic freedom; this includes academic staff as well as students having academic freedom in their work. This includes freedom within the law to question, and test received wisdom, and to put forward new ideas and controversial or unpopular opinions without being at risk of being adversely affected.

The legislation also extends to students' unions and places a duty on students' unions to take reasonably practicable steps to promote freedom of speech.

Tyne Coast College respects the rights and freedoms of individuals, and the principles of equality, diversity, and inclusion. All members of Tyne Coast College share the responsibility for maintaining an environment of reasoned enquiry and mutual tolerance.

Therefore, any speech that incites violence, promotes hate, or constitutes as harassment is not protected. Tyne Coast College accepts the following as examples of unacceptable speech (but are not limited to):

- Hate speech
- Threats or incitement to violence
- Harassment or bullying
- Defamation

Any behaviour deemed as unacceptable speech will be challenged in line with the Student Disciplinary and Positive Behaviour Policy and Procedure.

## **6. Key responsibilities**

The Governing Body will ensure compliance with legal duties and approve this policy.

The Executive Group and Senior Management Team are responsible for the implementation and monitoring of this policy.

The Director of HE: Quality and Systems will oversee any complaints relating to freedom of Speech and ensure compliance.

All Members of the College (staff and students) must respect the rights of others to freedom of speech.

Students will have access to support services if they feel affected by speech of the expression of speech, which will include wellbeing, counselling, and safeguarding.

## **7. Events and External Speakers**

All events involving external speakers must be approved through the College's Guest Speakers form - [Guest speakers/hire vetting form](#). Risk assessments will be conducted where necessary. Events may be cancelled only if there is a clear legal justification (for example, risk of unlawful speech or public disorder).

## **8. Complaints and Breaches**

Complaints about restrictions on freedom of speech should be submitted via the College's complaints procedure. The College will report on any breaches of the freedom of speech legislation as per the Office for Students (OfS) guidance and requirements. Please see complaints policy for more information.

## **9. Monitoring and Review**

This policy will be reviewed every 3 years and in response to changes in OfS guidance and legal requirements.

The policy will be monitored through the number of external events held, the number of complaints received and resolved and through the student voice.

## **10. Related policies**

- Complaints Policy – Students and Non-Staff
- Equality, Diversity and Inclusion Policy
- External Speakers Policy
- Marine School – Student Disciplinary and Positive Behaviour Policy and Procedure
- PREVENT and Terrorism Policy
- Safeguarding Policy and Procedure
- Staff Code of Conduct
- Staff Disciplinary Policy and Procedure
- Student Disciplinary and Positive Behaviour Policy and Procedure
- Student Voice Policy