

Freedom of Speech and Expression Code of Practice

APPROVED BY ACADEMIC BOARD ON 25 JULY 2025

Applies to:	
Harrogate College	
Keighley College	
Leeds City College	
Leeds Conservatoire	X
Leeds Sixth Form College / Pudsey Sixth Form College	
Luminate Group Services	
University Centre Leeds	X

CHANGE CONTROL

Version:	1	
Approval route		
Approval committee (ELT, SELT, Board)	Date approved	Version
Academic Board	25 July 2025	1
Name of author:	HE Quality and Standards	
Name of responsible committee:	Academic Board	
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	Assessment type	
	☒ Full ☐ Part	

	Not required	
Environmental Impact Assessment Completed	Date:	
	☐ Yes ☐ No ☒ X Not required	
Policy will be communicated via:	VLE (staff and student, Website)	
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1. Introduction and Legal Framework

- 1.1. This Code of Practice (“the Code”) will cover Higher Education (HE) provision throughout Luminate Education Group (LEG) and including Leeds Conservatoire.
- 1.2. We recognise and endorse that freedom of speech and expression within the law has fundamental importance for colleges and higher education providers as places of education, learning and the disinterested pursuit of both. Ensuring that different voices are heard in debate and discussion, and facilitating inquiry and study in a range of areas that are sometimes complex and controversial.
- 1.3. We value inclusivity, courage, kindness, integrity, and collaboration in all that we do. We are committed to promoting academic freedom and freedom of speech through providing an environment for the peaceful exchange of diverse viewpoints that can be scrutinised and explored with civility.
- 1.4. We are obliged under Section 43 of the Education (No2) Act 1986 and the [and the Higher Education \(Freedom of Speech\) Act 2023](#) (“the Act”) to take measures to protect freedom of lawful speech and expression and to take such steps as are reasonably practicable to ensure that freedom of speech on premises is secured for staff, students and visiting speakers, securing academic freedom and including off-site activities held in LEG or Leeds Conservatoire name.
- 1.5. We abide by Article 10 of the Human Rights Act 1998 and Article 15 of its Articles of Government; to secure freedom of speech includes securing academic freedom. The Act defines academic freedom, in relation to academic staff, as their freedom within the law:
 - a. to question and test received wisdom, and
 - b. to put forward new ideas and controversial or unpopular opinions without placing themselves at risk of being adversely affected in any of the following ways:
 - c. loss of their jobs or privileges at the provider;
 - d. the likelihood of their securing promotion or different jobs at the provider being reduced.
- 1.6. Our main duties of the Higher Education (Freedom of Speech) Act 2023 include:
 - a duty to take reasonably practicable steps to secure freedom of speech within the law, for every person to whom this Code's rights apply;
 - a ban on the use of non-disclosure agreements to silence victims of bullying, harassment or sexual misconduct on campus;
 - a requirement for all higher education providers to have codes of practice to ensure the protection of free speech;
 - a duty to promote the importance of freedom of speech in higher education.
- 1.7. Freedom of speech does not include speech that amounts to unlawful harassment, unlawful discrimination, or that incites violence or terrorism, and so is not protected. The principle operates within the limits placed on it by the law, including but not limited to:
 - 1.8. equality and counter-terrorism legislation which prohibits incitement to hatred and violence based on prejudice against specific groups;
 - 1.9. Criminal law, which prohibits incitement to commit a crime or sedition;
 - 1.10. Common law which prohibits defamation;
 - 1.11. Statutory and common law, which prohibits actions that constitute contempt of court;

1.12. Health and safety law.

- 1.13. Section 26 of the Counterterrorism and Security Act 2015 imposes a duty to have due regard to the need to prevent people from being drawn into terrorism. This is commonly referred to as the “[PREVENT duty](#)”. The requirement to ensure the right of freedom of speech includes the obligation to ensure, as far as is reasonably practicable, and within the constraints of the Counter-Terrorism and Security Act 2015, that the use of any of our premises is not denied to any individual or body of persons on the grounds of their beliefs, views, policies or objectives.
- 1.14. OfS provides guidance to registered providers relating to their free speech duties through their [regulatory advice 24: Guidance related to freedom of speech](#).
- 1.15. Students can access the [OfS Free Speech – a guide for students](#) to help understand their free speech rights and what to expect from any higher education provider, when they can exercise their right to free speech, and when it can be restricted.
- 1.16. The rights and obligations laid out in this Code shall apply to the following within the remit as defined in scope:
- members of the relevant Boards of Governors;
 - Our staff and consultants working for us, or those undertaking duties on behalf of either;
 - all enrolled students with us (whether full or part-time);
 - all students studying with us (whether full or part-time) under an agreement with a partner organisation (e.g. school or local authority), even if not enrolled as students with us;
 - all persons invited to speak or take part in events to be held on our premises.

2. Freedom of Speech and Expression

- 2.1. The Act defines freedom of speech as: *‘the freedom to impart ideas, opinions or information (referred to in Article 10(1) of the European Convention on Human Rights as it has effect for the purposes of the Human Rights Act 1998) by means of speech, writing or images (including in electronic form). This right includes freedom of artistic expression, such as a painting or the production of a play’*.
- 2.2. ‘Academic freedom’ is a term used to describe the law that allows for open and honest debate in an academic context.
- 2.3. We have a duty to ensure the safety and welfare of our staff, students, and communities, so freedom to express views needs to be balanced with the need to secure freedom from harm for students and communities, without risk, and within the law.
- 2.4. We are committed to working together with event organisers and in some cases, external speakers themselves, to make sure that we reach a judgement that is reasonable, informed and within the law.
- 2.5. We will not suppress freedom of thought and expression, provided that such thoughts and expressions do not constitute incitement to riot, activities which are likely to cause a breach of the peace or public disorder, are unlawful, or would mean us failing in our wider legal duties.

- 2.6. We will have due regard in carrying out our functions to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2.7. Every person to whom this Code's obligations apply shall assist us in upholding this Code.
- 2.8. We shall ensure, so far as is reasonably practicable, that the use of our premises is not denied to any individual or body of persons to whom this Code's rights apply on any grounds connected with:
- the beliefs or views of such individual or any member of such body; or
 - the policy or objectives of such body.
- 2.9. Every person to whom this Code's obligations apply shall refrain from organising or engaging in or otherwise being associated with any conduct (other than by lawful, reasonable and peaceful persuasion) intended to prevent the enjoyment of rights under this Code.

3. Code of Practice

- 3.1. As part of our statutory obligations, we are required to establish a written code, setting out the procedures to be followed by staff and students in connection with:
- 3.2. The organisation of meetings and activities covered by this Code; and
 - 3.3. The conduct required of staff, students, and visitors in connection with such meetings and activities.
- 3.4. This Code sets out the rights and obligations of those to whom it applies in relation to the principle of freedom of speech. It should be understood and applied within the spirit of upholding the principle of freedom of speech wherever reasonably possible within the context of the existing legal framework.
- 3.5. The Code sets out specific responsibilities that apply to all members of staff, all students, external speakers, and members of the public who are studying at or attending a LEG or Leeds Conservatoire event, including those affiliated with, funded by or branded in, LEG or Leeds Conservatoire's name irrespective of where they take place.
- 3.6. Employees and students of LEG and Leeds Conservatoire shall understand and accept that becoming a member of the institution entails obligations and responsibilities which are consistent with the principle of freedom of speech and expression.
- 3.7. The Code does not apply to general day to day academic activity of staff and students (e.g., lectures, seminars) and business activity of staff (e.g., staff development activity).

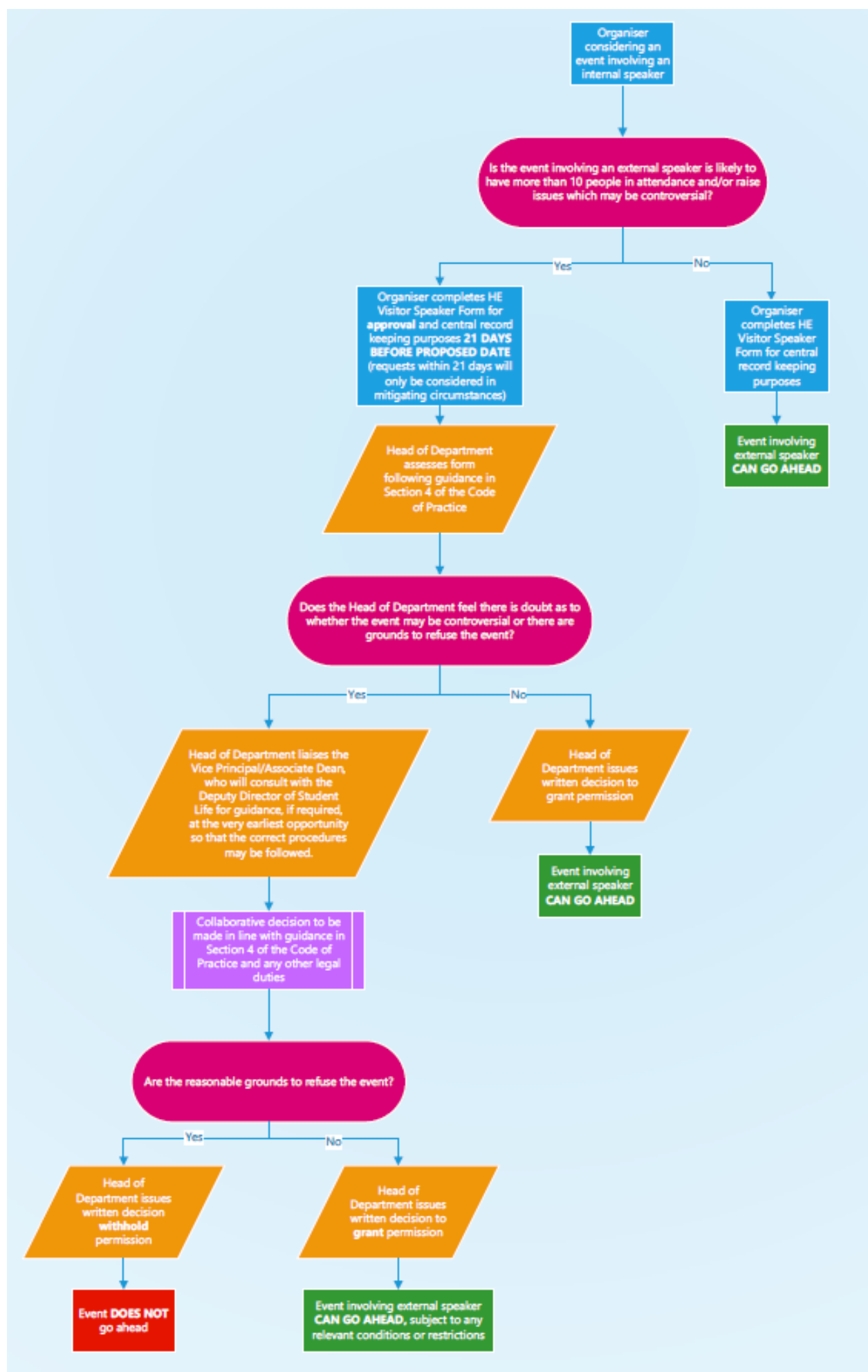
- 3.8. Nothing in the Code shall be taken to prohibit the exercise of the right to protest by peaceful means or to take industrial action provided that those means do not breach the law or LEG and Leeds Conservatoire regulations.
- 3.9. Where there are legitimate concerns that academic activities are likely to be delayed or disrupted by improper means, anyone associated with the organisation of the activity in question is required to report their concerns immediately and in writing to the Vice Principal or Associate Dean, who will consult with the Deputy Director of Student Life who is also the Designated Safeguarding Lead.
- 3.10. The Vice Principal / Associate Dean is authorised and empowered to determine and implement any reasonable and lawful action to mitigate or remove the delay or disruption.
- 3.11. All reports of likely delay or disruption to legitimate academic activity and all actions taken by the Vice Principal / Associate Dean to mitigate or remove delay or disruption shall be reported to the Dean of Higher Education/ site Principal (or nominated person) and respective Chair of the Board of Governors and to the following meeting of the Board of Governors
- 3.12. Where any person or organisation subject to the Code wishes to hold a meeting or event with an external speaker, and LEG and Leeds shall not unreasonably refuse consent.
- 3.13. It shall not be a reasonable ground of refusal for a meeting or event that the views likely to be expressed there may be controversial or contrary to any policy of LEG and Leeds Conservatoire, provided that the expression of such views is lawful.

4. External Speakers and Events

- 4.1. An external speaker is used to describe any individual or organisation who is not a student or staff member at LEG and Leeds Conservatoire or one of its contracted partners and who has been invited to speak to students. This includes any individual who is a student or staff member from another organisation. It also includes the main contact from any external venue hire client who is paying to use LEG and Leeds Conservatoire facilities. This Code also applies to any external organisation wanting to use rooms at LEG and Leeds Conservatoire.
- 4.2. An event is any event, presentation, visit, activity, or initiative organised by a student group/society, individual or staff member that is being held on LEG or Leeds Conservatoire premises, or on behalf of LEG or Leeds Conservatoire online. It also includes events where external speakers are streamed live into an event or a pre-recorded film is shown. It also includes activity being held on LEG or Leeds Conservatoire premises but organised by external venue hire clients.
- 4.3. We have the responsibility to maintain good order on its premises and have the right and the power to regulate and, if necessary, to impose conditions or restrictions upon events such as meetings and demonstrations held or proposed to be held on our premises. Any such events must comply with this Code on freedom of speech and expression.

HE Visitor Speaker Procedure:

- 4.4. The individual/group organising an external speaker should complete the [HE Visitor Speaker Form](#). If this is part of an event, then the organiser should complete an event risk assessment which can be found on the on the Health and Safety pages on the staff intranet.
- 4.5. We will not unreasonably refuse to allow events to be held on its premises. The expression of controversial views which do not breach the law will not of itself constitute reasonable grounds for withholding permission for an event. Reasonable grounds for refusal would include, but are not limited to, the fact that the event may, within the premises of LEG or Leeds Conservatoire:
- incite those attending to commit a criminal act;
 - lead to the unlawful expression of views;
 - be in direct support of an organisation whose aims and objectives are illegal; or
 - give rise to a breach of the peace.
- 4.6. In determining whether the holding of an event on LEG or Leeds Conservatoire premises might reasonably be refused, consideration should be given to:
- the safety of persons attending the event and persons on LEG or Leeds Conservatoire premises who might foreseeably be put at risk;
 - the security of LEG or Leeds Conservatoire premises; and
 - the reputation of LEG or Leeds Conservatoire.
- 4.7. HE Visitor Speaker Workflow:



- 4.8. Permission granted under this Code may be subject to such conditions or restrictions (for example as to security precautions, payment of charges or limits on numbers of people to be admitted) as the Head of Department sees fit.
- 4.9. Further guidance for staff and students organising an event with an external speaker, or venue hire client, and including completing risk assessments, can be found in the LEG [Visiting Speaker Procedure](#). Additional guidance for the letting of LEG or Leeds Conservatoire premises can also be found in this procedure.
- 4.10. Appeals against a decision of the Head of Department may be made, in writing, to the Principal / Dean of Higher Education within 3 days of the issue of the Head of Department's decision. The decision of the Principal/Dean shall be final and binding. The Principal / Dean may also impose such conditions or restrictions on the holding of any event on LEG or Leeds Conservatoire premises as they see fit.
- 4.11. We should permit the use of LEG or Leeds Conservatoire premises only by organisers of events who undertake to comply with all lawful instructions issued by LEG or Leeds Conservatoire in relation to the location, arrangements and conduct of such events, including adequate stewarding, chairing and provision of adequate control over entry.
- 4.12. In cases in which it is reasonable to assume that there is a possibility of disruption at an event, LEG or Leeds Conservatoire may consult with the police. If the event is a public one the police may be prepared to be present throughout the event to minimise any disruption.
- 4.13. Any organisers of any event held on LEG or Leeds Conservatoire premises shall be responsible for any costs involved in organising and holding such events and for ensuring, as far as possible, that nothing in the organisation and holding of such events infringes the law in any way.

5. Misconduct at Events

- 5.1. Should any member of staff or student have concerns over conduct or content during an event this should be raised immediately with the Head of Department and Group Director of HE Quality and Standards. We reserve the right to halt an event at any time if it reasonably believes that it cannot guarantee the safety of those present or if it reasonably believes that to allow the event to continue would cause a breach of the law.
- 5.2. After the event, concerns can be reported to the Head of Department who will decide on whether an investigation is required and arrange of such an investigation to be carried out if necessary.
- 5.3. Should any misconduct or damage occur at an event then we will seek to recover any costs of restoration and will, if appropriate, invoke staff or student disciplinary procedures.
- 5.4. We may use information from previous events (including concerns raised) to inform decisions on whether or not to accept future bookings.

6. Notification of Obligations within this Code of Practice:

- 6.1. The obligations and responsibilities of all staff and students shall be drawn to their attention at the point they join LEG or Leeds Conservatoire.
- 6.2. We shall bring the Code to the attention of its staff and students annually.
- 6.3. Staff and students of LEG and Leeds Conservatoire, shall bring the Code to the attention of any outside organisations where they are aware that they:
 - Are providing speakers for an event;
 - Are responsible for organising meetings; and/or
 - Have booked or intend to book LEG or Leeds Conservatoire premises.

7. Distribution of Literature on LEG and Leeds Conservatoire Premises

- 7.1. No external parties may distribute literature that may be considered controversial (including but not limited to posters and flyers) on LEG or Leeds Conservatoire premises without permission from the Registrar, Vice Principal / Associate Dean, or Principal / Dean of HE. Any such unauthorised literature will be removed and destroyed.

8. Complaints

- 8.1. A student, staff member, member of LEG or Leeds Conservatoire, or visiting speaker will be able to make a complaint to the organisation should they have any concerns in relation to freedom of speech and expression. Please refer to the [Complaints Policy](#) and [Complaints Process](#).
- 8.2. If you are a student and are not satisfied with the response from LEG or Leeds Conservatoire, you may be able to take the matter to the Office of the Independent Adjudicator (the OIA).
- 8.3. The OfS encourage feedback on it through their 'notifications' process. Students, staff, or members of the public can raise a notification with OfS if they think that we are not meeting the conditions of registration, including those relating to free speech and academic freedom.
- 8.4. OfS will also introduce a complaints scheme that will:
 - be open to staff and visiting speakers, not students. Students will continue to have access to the Office of the Independent Adjudicator (OIA) complaints scheme for their unresolved complaints
 - cover complaints about providers or their 'constituent institutions' (e.g. FE colleges where University Centre Leeds provision is offered), but not students' unions; and
 - give the OfS the power to consider complaints at our discretion, rather than an obligation to consider every complaint.

9. Sanctions and Penalties

- 9.1. Breach of this Code by a governor or co-optee of LEG may be removed from office under clause 10 of the Corporation's Instrument of Government.

- 9.2. Where those responsible for the breach are students or staff of LEG or Leeds Conservatoire, action may be taken against them under the relevant behaviour policy/procedure.
- 9.3. Where those responsible for the breach are students or staff of a partner organisation, the Head of Department shall inform the partner organisation with a view to that partner organisation taking action under its relevant disciplinary procedure.
- 9.4. Where a breach of this Code takes place at an event, we may take steps to assist the police to secure identification of the persons committing offences with a view to appropriate action being taken against them.

10. Review

Owner: HE Quality and Standards

Introduced: August 2025

Last review:

Next Review: September 2028

We reserve the right to review the Code of Practice at any time.

Change Summary		
Version	Date	Summary of Changes

Annex 1 –

Potential mitigations

- Varying the proposed time and location of the event
- Restrict event to internal audience (students and staff)
- Requesting a copy of the proposed guest list in advance
- Opening the event up to a wider audience
- Restrict event access through use of ticketing ('closed' event)
- Requirement for the appointment of a named independent chair
- Refusing admission to the media/press
- Additional security – including a specified number of stewards; request for police assistance
- Restricting the display of banners or placards at the event
- Restricting the sale of food and alcohol linked to the event
- Restrictions on how the event is publicised
- Requesting sight of the speaker's outline or script in advance
- Additional speaker to be invited to ensure a balance of views
- Responsible Officer must attend event and be prepared to terminate event with support from security if Freedom of Speech Protocol is breached