Freedom of Speech Code of Practice

1. Purpose and Status

1.1 This Code of Practice sets out the arrangements through which the Engineering College of Technology (ECT) secures freedom of speech within the law and protects academic freedom in accordance with its statutory duties.

1.2 This Code supports the implementation of the Freedom of Speech and Academic Freedom Policy and should be read alongside ECT's External Speakers Policy, External Speaker Code of Conduct, Staff Code of Conduct, Student Code of Conduct, and Safeguarding and Prevent Duty policies.

1.3 The Code establishes the framework for decision-making and the practical application of ECT's duties. It does not replace detailed operational procedures, which are set out in associated standard operating procedures.

2. Scope

2.1 This Code applies to all members of the ECT community, including staff, students, visiting speakers, contractors, partners and third parties.

2.2 It applies to all relevant activities, including teaching, research, events, public engagement and any activity where a platform is provided for expression. This includes activities delivered online, outside the UK or in collaboration with external organisations.

3. Legal and Regulatory Context

3.1 ECT is subject to a statutory duty to take reasonably practicable steps to secure freedom of speech within the law and to protect academic freedom.

3.2 In discharging these duties, ECT must also have due regard to other legal and regulatory obligations, including those arising under equality legislation, safeguarding and Prevent duties, health and safety requirements and laws relating to harassment and public order.

3.3 ECT recognises that these duties may interact and, at times, create tension. Decisions taken under this Code will therefore seek to balance these obligations in a lawful, reasoned and proportionate manner.

4. Core Principles

4.1 ECT recognises that freedom of speech and academic freedom are fundamental to its mission and to the advancement of knowledge. These

freedoms include the expression of lawful views, even where such views may be controversial, unpopular or offensive.

4.2 ECT does not recognise a general right not to be offended. The expression of opinions that others may find objectionable does not, in itself, constitute grounds for restriction.

4.3 ECT will apply a strong presumption in favour of allowing lawful speech and events to proceed. In doing so, it will seek to enable open and robust debate wherever reasonably practicable.

4.4 Any restriction on freedom of speech or academic freedom will only be imposed where it is lawful and where it is necessary and proportionate to achieve a legitimate aim. Such decisions must be capable of clear and evidence-based justification.

4.5 Freedom of speech does not extend to unlawful conduct. This includes, but is not limited to, speech that amounts to harassment or discrimination, incites violence, promotes terrorism or otherwise breaches applicable law or ECT policies.

5. Responsibilities

5.1 The Board of Governors are responsible for oversight of this Code and will receive annual assurance supported by regular reporting through the Academic Board and relevant committees, that ECT is meeting its statutory duties in relation to freedom of speech and academic freedom.

5.2 Senior leadership and academic governance structures are responsible for ensuring that this Code is effectively implemented and that appropriate systems are in place to support consistent and lawful decision-making.

5.3 Designated senior staff, including those responsible for academic operations and compliance, are responsible for making decisions in cases where events or speakers present elevated or unclear risks.

5.4 Event organisers, whether staff or students, are responsible for undertaking an initial assessment of proposed events and speakers, ensuring compliance with this Code and associated policies, and escalating concerns where appropriate.

5.5 Moderators and event chairs are responsible for the effective management of events in real time, including ensuring adherence to conduct expectations and taking appropriate action in response to incidents.

6. Events and External Speakers

6.1 ECT recognises the important contribution that external speakers and events make to academic life, enriching teaching, research and intellectual exchange through the introduction of diverse perspectives.

6.2 ECT will take reasonably practicable steps to ensure that events involving external speakers are able to proceed where the content is lawful and consistent with institutional obligations.

6.3 External speakers will not be excluded solely on the basis of holding or expressing lawful views. Decisions relating to external speakers will be made in accordance with this Code and with reference to the External Speakers Policy and associated procedures.

7. Approval of Events and Speakers

7.1 All events involving external speakers are subject to an initial assessment undertaken by the event organiser. This assessment is intended to identify any potential risks associated with the proposed speaker or event.

7.2 Where no material risks are identified, events will normally proceed without further escalation. Where risks are unclear or where potential concerns are identified, the matter will be referred for further consideration by an appropriate decision-maker.

7.3 Where a higher level of risk is identified, a formal review will be undertaken to determine whether the event may proceed and, if so, under what conditions.

7.4 Decisions may result in approval without conditions, approval subject to proportionate conditions, or refusal to proceed. Any such decision must be based on a reasoned assessment consistent with the principles set out in this Code.

8. Risk Assessment and Decision-Making

8.1 Decisions relating to events and external speakers will be based on a documented and proportionate assessment of risk.

8.2 In determining whether any conditions or restrictions are required, ECT will consider the lawfulness of the proposed speech, the likelihood of reasonably foreseeable harm and whether identified risks can be effectively mitigated.

8.3 ECT will, wherever reasonably practicable, seek to facilitate events through the application of proportionate mitigating measures rather than cancellation. Such

measures may include adjustments to the format of the event, enhanced moderation or appropriate access controls.

8.4 An event or speaker may only be refused where the proposed speech would be unlawful, or where there is a demonstrable risk of harm that cannot be mitigated through reasonable and proportionate steps.

9. Management of Events

9.1 Events will be conducted in a manner which supports lawful freedom of expression while also ensuring the safety and wellbeing of participants and compliance with legal and regulatory requirements.

9.2 Reasonable steps will be taken to ensure that events are appropriately moderated and that participants adhere to expected standards of behaviour. Where necessary, controls relating to access, participation and communication may be applied.

9.3 Where unlawful activity occurs, or where there is a serious and immediate risk that cannot be mitigated, appropriate action will be taken, which may include pausing or terminating the event.

10. Conduct Expectations

10.1 All participants in ECT activities are expected to behave in accordance with applicable Codes of Conduct and institutional policies.

10.2 Conduct which is unlawful, or which constitutes harassment, discrimination, intimidation or serious disruption, will not be tolerated and may result in intervention and, where appropriate, disciplinary action.

10.3 External speakers are required to comply with the External Speaker Code of Conduct, and event organisers are responsible for ensuring that this requirement is communicated and understood prior to the event.

11. Complaints and Review

11.1 Any individual who considers that their freedom of speech or academic freedom has been restricted may raise a complaint through the appropriate internal procedures.

11.2 Complaints will be considered in accordance with the relevant staff or student procedures, and decisions will be made in a fair, transparent and timely manner.

11.3 Decisions relating to events or speakers may be subject to internal review where appropriate. This will ensure that decisions are consistent with this Code and with ECT's statutory duties.

11.4 Where applicable, students may escalate complaints to the Office of the Independent Adjudicator for Higher Education (OIA).

12. Record Keeping and Monitoring

12.1 ECT will maintain appropriate records to support transparency, accountability and ongoing compliance. This will include records of decisions relating to events and speakers, risk assessments, conditions applied, and any incidents or complaints arising.

12.2 Records will be retained and managed in accordance with ECT policies and applicable legal requirements.

12.3 Information may be used in an anonymised form to support monitoring, governance oversight and continuous improvement.

13. Relationship with Other Documents

13.1 This Code forms part of ECT's wider framework for securing freedom of speech and must be read in conjunction with the Freedom of Speech and Academic Freedom Policy.

13.2 The External Speakers Policy provides additional provisions relating to safeguarding, Prevent Duty and conduct risks in relation to external speakers.

13.3 Detailed operational processes are set out in associated standard operating procedures, and behavioural expectations are defined in the relevant Codes of Conduct.

13.4 In the event of any inconsistency, statutory obligations and the Freedom of Speech and Academic Freedom Policy will take precedence.

14. Review

14.1 This Code will be reviewed periodically to ensure continued alignment with legal and regulatory requirements, as well as with ECT's operational practices and strategic objectives.