

## Code of Practice for Freedom of Speech and Academic Freedom

### Code of Practice

- 1.1 The University of Huddersfield is committed to promoting freedom of speech and academic freedom within the law. Freedom of speech within the law may include speech that is shocking, disturbing or offensive. The University believes that an attitude of tolerance is essential to enable academic debate of a wide variety of ideas, including some which may be controversial.
- 1.2 The University has a duty to promote freedom of speech and to protect academic freedom under the Higher Education and Reform Act, 2017, as amended by the Higher Education (Freedom of Speech) Act 2023, and is subject to regulation in this matter by the Office for Students. The University's commitment to freedom of speech and academic freedom is set out in its governing documents, namely, the Instrument and Articles of Government.
- 1.3 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 purpose of the Human Rights Act 1998) by means of speech, writing or images (including in electronic form)".
- 1.4 The Act defines academic freedom in relation to academic staff as their freedom within the law, to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions without placing themselves at risk of being adversely affected through loss of their job or privileges or undermining the likelihood of securing promotion or a different job.
- 1.5 Speech that amounts to unlawful harassment or unlawful incitement to hatred or violence (for instance) does not constitute free speech within the law and is not protected. The following examples are not intended to form an exhaustive list of all of the relevant laws, instead they illustrate a range of legal provisions that may make speech unlawful:  
  
The Public Order Act, 1986 and 2023  
Protection from Harassment Act, 1997  
Terrorism Act, 2000 and 2006  
Malicious Communications Act, 1998  
Communications Act, 2003  
Equality Act, 2010
- 1.6 All persons to whom this Code applies are required to observe the principle of freedom of speech whilst on University premises and shall show 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.

- 1.7 The University has mechanisms to consider allegations of discrimination, bullying, harassment, extremism or acts which could incite or promote terrorist activity. It has a duty to maintain safety and good order on its premises and is also under a duty to have due regard to the need to prevent individuals being drawn into terrorism under the Counter Terrorism & Security Act.
- 1.8 The University will take reasonably practicable steps to ensure that the use of University 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 Code and the associated procedure are designed to promote freedom of speech and academic freedom and to enable events to proceed when it is safe and legal. The University will not pass on the costs of security, except in exceptional circumstances which should be discussed with the University Secretary. It should be noted that the use of the term 'premises' throughout this Code and procedure also includes the University's virtual teaching, learning, meeting and event environments.
- 1.9 This Code should be read in conjunction with:

Procedure for arranging external speaker events  
Room Booking Terms & Conditions

[Social Media Policy](#)

[Equal](#)

[Opportunities](#)

[Policy](#)

## **2 Who and what is covered by this Code?**

- 2.1 The Code applies to all staff, students and visiting speakers.
- 2.2 This Code applies to all activities undertaken at the University. Every individual has a duty to support the University to take reasonably practicable steps to secure freedom of speech and academic freedom within the law on University premises, including in lectures, tutorials, research and other activities, including peaceful protest. Individuals, depending on their role, also have a duty to assist the University in meeting its obligations to have due regard under the Prevent duty.
- 2.3 By following this Code and the associated procedure for external speakers, individuals can ensure they balance their responsibilities effectively.

## **3 Responsibility for the Code**

- 3.1 The Vice-Chancellor appoints the University Secretary to act on his behalf to ensure compliance with this Code and the associated procedure and its review. The Code will be reviewed every three years, unless a change in law requires an

earlier review.

3.2 Responsibility for ensuring that activities (including events) comply with this Code shall rest with the following people, who shall be referred to as the **Responsible Person** in the rest of this Code and associated procedure:

3.2.1 For activities organised by a School or Service – the Dean or Director of that School or Service

3.2.2 For activities organised by the Students' Union and its ratified student led groups – the Chief Executive of the Students' Union

3.2.3 In any other case, the senior member of staff or student involved.

3.3 Although the individuals named above have overall responsibility for activities, every person at the University has a duty to ensure that this Code is followed.

3.4 If you are concerned that there may be a breach of this Code, then you must report it to the Responsible Person who should seek advice from the University Secretary where appropriate.

## 4 Misconduct

4.1 The section below provides a guide to types of conduct which may be indicative of intolerance or extremism, and which could breach this Code. The University will review any accusations of a breach of this Code to determine whether the conduct about which a complaint is raised could reasonably be considered to be a breach of this Code.

4.2 The following list indicates behaviours which may constitute misconduct. This list is not definitive and is for indicative purposes only:

- disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University, whether on University premises or elsewhere;
- violent, indecent, disorderly, or threatening behaviour or language whilst on University premises or engaged in whilst on University premises or engaged in any University activity;
- unlawful harassment or discrimination against any student, member of staff or other employee of the University or any authorised visitor to the University;
- damage to, or defacement of, University property or the property of other members of the University community caused intentionally or recklessly, and misappropriation of such property;
- conduct which constitutes a criminal offence where that offence itself constitutes misconduct within the terms of this Code;
- failure to disclose information to an officer or employee of the University when requested to do so in accordance with this Code.

4.3 The following are some indicative examples of conduct relevant to extremism and

intolerance which may constitute misconduct and will be treated accordingly. This list is not definitive and is for indicative purposes only:

- taking photographs of students 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
- coercing other students into conformity, e.g. in clothing or attendance at worship
- distribution of discriminatory, threatening or, obscene leaflets or literature (including circulation by e-mail)
- 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 peaceful protests
- speech or literature explicitly supporting terrorism or violence, including assassination.

## **5 Written Material (online and in print)**

- 5.1 Anyone responsible for posters, notices, signs or any other literature which are intimidating, threatening, indecent, illegal or circulated to promote terrorism or extremism or a proscribed group will be in breach of this Code.
- 5.2 This Code 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 unlawful harassment will be in breach of this Code. Any such postings shall also be subject to the University's social media policy.
- 5.3 The University may remove any materials (whether online or otherwise) which it believes to be in breach of this Code.

## **6 Segregation**

- 6.1 Under the Equality Act, any events held on campus must be held in such a way so as to ensure that no one is unlawfully discriminated against.
- 6.2 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 University Secretary in advance of the event. Permission will only be granted if the segregation is for one of the following reasons:
- 6.2.1 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;
  - 6.2.2 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;

6.2.3 Associations restricted to members who share a particular protected characteristic under the Equality Act; or

6.2.4 Religious worship or religious purposes in order to comply with religious doctrine.

## **7 Penalties for breach of this Code**

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

<b>POLICY SIGN-OFF AND OWNERSHIP DETAILS</b>	
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<b>Compliance Checks:</b>	Audit of External Speakers' Log
<b>Related Policies/Procedures:</b>	Procedure for arranging external speaker events <a href="#">Social Media Policy</a> <a href="#">Equal Opportunities Policy</a>

<b>REVISION HISTORY</b>			
<b>Version</b>	<b>Date</b>	<b>Revision description/Summary of changes</b>	<b>Author</b>
V5.0	October 2025	Updated to reflect new guidance from the Office for Students and advice from retained legal advisors	University Secretary
V4.0	January 2024	Updated to reflect new legislation and findings from internal audit	University Secretary
V3.0	26 May 2022	Reporting section 2.2	University Secretary
V2.0	2 July 2020	Including virtual events	University Secretary
V1.0	23 November 2017	First redraft under the University's Policy Framework (previous versions are held by the University Secretary's Office)	Legal Officer