

Freedom of Speech Policy



(In Accordance with the Higher Education (Freedom of Speech) Act 2023 and Office for Students Guidance)

Purpose and Scope

EFI Group is committed to the protection of freedom of speech and academic freedom as a core principle of higher education in a democratic society. This policy outlines our commitment to upholding and actively promoting the right to freedom of speech within the law, in compliance with the **Higher Education (Freedom of Speech) Act 2023**, the **Office for Students' regulatory requirements**, and the **2025 Government review of the Act**.

This policy applies to:

- All staff, students, governors, and officers of the institution
- Visiting speakers, external organisations, and members of the public engaging with the institution
- Activities both on and off campus and online that fall within the remit of institutional control

Legal and Regulatory Framework

This policy supports and complies with:

- The **Higher Education (Freedom of Speech) Act 2023**, including its amendments to the Education (No. 2) Act 1986, Higher Education and Research Act 2017, and other legislation
- The **Human Rights Act 1998**, particularly Article 10 of the European Convention on Human Rights (freedom of expression)
- The Office for Students' statutory duty to monitor and enforce freedom of speech provisions
- The **Secretary of State's 2025 clarification** that institutions must go beyond passive neutrality and take **positive steps** to uphold lawful speech and academic freedom

Institutional Commitment

EFI Group affirms that:

- Every individual has the right to express lawful opinions and ideas, even if these are controversial, unpopular, or offensive to some
- Academic staff have the right to question and test received wisdom and put forward new ideas without placing their careers at risk
- Freedom of speech extends to invited speakers and members of the public engaging with the institution
- Reasonable steps will be taken to secure freedom of speech for all within the law

The institution does not permit speech that:

- Constitutes hate speech, harassment, discrimination, or incitement to violence.

- Contravenes UK law (e.g., counter-terrorism legislation, hate crime statutes, defamation law).
- EFI Group recognises its dual legal obligations to uphold lawful freedom of speech and comply with the Prevent Duty. We do not view these as opposing duties, but as complementary responsibilities that both protect our academic community.
- Our processes for events, speaker approval, and staff training are designed to promote lawful expression while managing legitimate safeguarding concerns. We differentiate between lawful dissent and unlawful or harmful conduct, and we ensure that controversial or challenging views are not mislabelled as security threats.
- Risk assessments under Prevent are proportionate and based on evidence. We have clear referral mechanisms where genuine risks are identified, but we uphold the right of staff, students, and visitors to engage in open discussion on political, ideological, or religious topics within the law.
- Our annual training and review processes support staff in navigating this balance confidently and lawfully.

Freedom of Speech	Prevent Duty
Speakers are not denied a platform for legal views	Speakers or events are assessed where there's a genuine safeguarding concern
Students can explore controversial ideas in class	Staff are trained to identify signs of radicalisation or coercion
Debate is encouraged, including disagreement	Interventions are proportionate, not pre-emptively silencing
Staff are trained in free speech rights	Staff are also trained in Prevent referral processes
Events risk assessments focus on managing dialogue, not restricting it	Assessments consider specific risks, not generalised labels

Duties and Responsibilities

Governing Body – has ultimate responsibility for ensuring compliance with statutory freedom of speech duties.

Executive & Senior Leadership Teams (ELT \ SLT) – must promote and implement this policy and report on its effectiveness.

Staff and Students – are expected to uphold the principles of this policy and report concerns or breaches through the appropriate channels.

Events and External Speakers

All events involving external speakers must adhere to the institution's **External Speakers and Events Policy**, which ensures:

- Risk assessments are conducted proportionately and transparently
- No speaker is denied a platform solely on the basis of lawful views
- Any restrictions (e.g., security arrangements) are based solely on safety or legal compliance

No speaker will be uninvited, disinvited, or denied access without justifiable, lawful cause.

Complaints and Reporting

EFI Group provides a clear, accessible complaints process for:

- Individuals who believe their freedom of speech has been unduly restricted

- Staff or students alleging breaches of this policy
Complaints will be investigated fairly, transparently, and without prejudice. In line with the OfS regime, complainants may also escalate unresolved issues to the **Office for Students' Free Speech Complaints Scheme**.

Monitoring and Review

This policy will be reviewed **annually**, or sooner if required, to reflect changes in legislation or regulatory guidance. We will publish an **annual report** summarising:

- Any incidents or restrictions on lawful speech
- Actions taken to support free speech
- Ongoing improvements to institutional culture around academic freedom and viewpoint diversity

Training and Awareness

All staff, students, and student union representatives will receive training on:

- Their rights and responsibilities under this policy
- How to navigate lawful freedom of expression and respectful debate
- The difference between controversial speech and unlawful behaviour

Related Policies

This policy should be read alongside:

- External Speakers and Events Policy
- Code of Conduct
- Dignity and Respect Policy
- Academic Freedom Statement
- Complaints Procedure
- Prevent Duty

Approval and Ownership

Approved by:

Date: 01/07/25

Owner: CEO & Principal

Next Review: July 2026 (along with a report on its effectiveness)

Annex A: Freedom of Speech in practice

At EFI Group freedom of speech and academic freedom are not just principles we respect — they are rights we actively uphold.

In line with the **Higher Education (Freedom of Speech) Act 2023** and the expectations set out in the **Secretary of State's 2025 review**, we have embedded a culture and infrastructure that promotes, protects, and enables lawful free expression across all aspects of university life. This includes both the expression of mainstream opinions and the airing of controversial, dissenting, or unpopular views — so long as they remain within the bounds of the law.

Institutional Commitment

- Freedom of speech is championed at the highest level of leadership, with a named senior lead responsible (Vice Principal) for ensuring compliance and culture change.
- The principle is embedded in our strategy, codes of conduct, and induction processes for staff, students, and governors.

Academic and Student Life

- Our curriculum encourages critical thinking, debate, and the exploration of diverse viewpoints. Modules are designed to foster respectful disagreement as a learning skill.
- Students are supported to challenge ideas constructively, and staff are empowered to teach, research, and publish without undue constraint.
- Staff and students are trained to understand the distinction between protected speech and unlawful hate or harassment.

Events and Speakers

- We have a transparent process for hosting external speakers and events that enables lawful expression while managing legitimate safety or legal risks proportionately.
- We take pride in enabling debate and dialogue, not avoiding controversy. No speaker is denied a platform based on lawful views alone.
- Risk assessments are clear, reasonable, and conducted in good faith. We record and review all decisions to ensure consistency and accountability.

Complaints and Redress

- We have a dedicated route for staff, students, and external participants to raise concerns where they believe their freedom of speech has been restricted.
- Complaints are investigated transparently and fairly, and individuals have the right to escalate concerns to the Office for Students Free Speech Complaints Scheme if unresolved.

Monitoring and Improvement

- We produce an annual Freedom of Speech and Academic Freedom Report to our Governing Body, summarising events, complaints, and key actions.
- Our policies and procedures are reviewed regularly in light of case experience, student and staff feedback, and external legal/regulatory changes.
- We are committed to continual improvement, recognising that freedom of speech flourishes through culture as much as compliance.

Freedom of speech is not an abstract principle. At EFI Group, it is a lived practice — one that strengthens our democracy, enriches our learning, and prepares our students to engage respectfully, critically, and courageously with the world.

Annex B: Annual reporting of effectiveness

To meet our statutory obligations and demonstrate active compliance with the Higher Education (Freedom of Speech) Act 2023, we will produce an annual report evaluating the effectiveness of this policy and EFI Group's commitment to lawful freedom of speech.

Produce an Annual Report

We will produce an annual report for the Board of Governors summarising:

- The number and nature of complaints or incidents related to freedom of speech — including how they were resolved
- Records of external speaker requests, risk assessments, and decisions — including any restrictions imposed and why
- Data on training completion rates for staff, students, governors, and the Student Union
- Feedback from staff and students on whether they feel free to express their lawful views without fear of censorship or retribution
- Any improvements made to processes, training, or communications in response to issues raised

Monitor Key Indicators Throughout the Year

To ensure accurate reporting, we will retain records of:

- Event cancellations or restrictions and their justifications
 - Invitations refused or speakers uninvited (with reasons)
 - Complaints logged as “freedom of speech” issues (even if they were found unjustified)
 - Positive examples of events or initiatives promoting lawful freedom of speech
 - Interventions made under Prevent duty related to speech
- This allows us to identify trends and proactively address emerging concerns.

Gather Feedback from the Community

We will use targeted team and student pulse surveys or feedback in student voice meetings to assess:

- Whether people feel confident expressing their lawful views
 - Whether there is fear of negative consequences for lawful opinions
 - Whether students and staff believe the institution promotes open debate
- This qualitative feedback offers insight into culture, not just incidents.

Embed Freedom of Speech in QA Processes

- Incorporate freedom of speech considerations into internal quality reviews, curriculum design reviews, and department self-assessment reports
- Require Heads of Department or senior managers to reflect annually on whether freedom of speech is supported in their area

Provide Interim Updates When Needed

In addition to the main annual report, we commit to providing interim updates if there are significant events (e.g., high-profile speaker controversies, spikes in complaints) so the Board receives timely assurance on our approach to freedom of speech.