Senate 12.03.2026
Paper Code: SE2025.40

Queen Mary University of London

Senate

Paper Title	**Code of Practice on Free Speech**
Outcome requested	To review and comment on the Code of Practice on Free Speech.
Points for Senate members to note and further information	In October 2025, Following the publication of the regulatory guidance by the OfS, Senate received proposed updates to the Code, subject to further legal review and approval by Council. As a result of substantial feedback from the legal review, further additions have been made to the Code. The plain text is text already in the currently approved version of the Code. Text highlighted in yellow reflects additions proposed to Senate in October. Text highlighted in green reflects the additional insertions made following legal review for Senate's consideration and feedback. The main changes to the Code presented to the Senate in October were as follows (yellow): • Moving the Code to the new policy template. • Adding clear definitions of free speech and academic freedom. • Reflecting the need for policies and decisions made under other processes and procedures to have appropriately considered relevant matters related to free speech and academic freedom. • Updating references to the updated procedures for events. The procedures have been signed off by SET and are awaiting implementation as part of revised communication and events operations later this year. • Refining and clarifying the principles section. • Clarifying routes for appeals and complaints. The main changes subsequently made are as follows (green): • Exclusion of purely commercial events from the Code. • Some additions to principles. • Inclusion of lawful protest as a form of free speech. • Additions to roles and responsibilities. • Additions to the events procedures to include the role of a new Event Risk Mitigation Panel. • Detail relating to costs of security for events. • Addition of the decision making framework in Annex A, based on the framework set out by OfS. Members are asked to note that Section 1d) of the Code describes the fundamental importance of freedom of speech and academic freedom

	and that updates on work to promote the Code of Practice and related activities will be shared with Senate at future meetings.
Questions for Senate to consider	N/A
Regulatory/statutory reference points	To ensure compliance with free speech legislation and the regulatory requirements of the OfS. The changes to the Code reflect the OfS' regulatory advice document: 'Regulatory advice 24: Guidance related to freedom of speech'. The Code acts as a policy and govern behaviour in respect of ensuring free speech and academic freedom at the University. Universities have a statutory duty to take steps to secure free speech and academic freedom, with a duty to have particular regard to their importance, whereas the public sector equality duty is to have due regard to those particular duties.
Strategy and risk	Operational Risk: OfS compliance. The University has a low level of appetite for OfS compliance risk.
Reporting/ consideration route for the paper	The Code is being submitted to Senate for comment before being submitted to Council for approval. The currently approved version of the Code included consultation with a working group of academic members.
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Sponsor	Jonathan Morgan, Chief Governance Officer and University Secretary

Code of Practice on Free Speech

1. Introduction and values

1.1. Queen Mary University of London ('University') has a longstanding commitment to promoting and encouraging free debate and enquiry. This commitment is enshrined within the University Charter.

1.2. The values of free speech and academic freedom are fundamental to the University's academic mission. The University:

a) encourages members of its community, including staff, students and visiting speakers, to express themselves freely and to hold their own opinions, even if their views are unpopular, controversial, shocking, disturbing, upsetting or offensive;

b) expects members of its community to demonstrate mutual respect and tolerance of those with different views;

c) recognises that free speech must operate within the law; and

d) actively promotes the importance of free speech and academic freedom within the law, taking positive steps to embed these principles across its culture, policies and practice.

1.3. In this Code of Practice on Free Speech ('Code'):

a) 'free speech' is defined as the freedom within the law to impart ideas, opinions or information by means of speech, writing or images (including in electronic form) and includes freedom of artistic expression, such as a painting or the production of a play;

b) 'academic freedom' is defined as the freedom of members of academic staff within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions without placing themselves as risk of being adversely affected through loss of their jobs or privileges at the University or the likelihood of their securing promotion or different jobs at the University being reduced.

2. Purpose

2.1. The purpose of this Code is to ensure that, as far as reasonably practicable, free speech within the law is secured for students and members of staff of the University,

as well as for visiting speakers, and that academic freedom within the law is secured for members of academic staff of the University.

2.2. The University has adopted this Code to ensure that it acts in accordance with the duties imposed under Part A1 of the Higher Education and Research Act 2017 as amended by the Higher Education (Freedom of Speech) Act 2023.

3. Scope

3.1. This Code is applicable to:

a) members of the University Council and its committees;

b) all members of staff of the University and individuals undertaking duties on its behalf;

c) all students of the University, including those who are registered in association or as an affiliate;

d) the Queen Mary Students' Union ('QMSU') and its affiliated clubs, societies and other groups;

e) the organisation of all live and recorded activities, including events, meetings and all education and research activities that are held, endorsed, organised, funded or branded by the University or QMSU, or by individuals, groups or societies using the name of the University or QMSU, or that use premises or digital platforms over which the University or QMSU exercises control, including any protest activity, whether or not they involve an external speaker (referred to in this Code as 'events'); and

f) visitors speaking at, taking part in and attending events that use premises or digital platforms over which the University or QMSU exercises control.

3.2. The provisions of this Code do not apply to purely commercial events and bookings to use the University's premises.

4. Principles

4.1. The University recognises freedom of speech and academic freedom within the law as foundation stones of its mission and therefore:

a) takes steps to secure and promote a free and open environment of academic debate where ideas will be robustly contested and challenged, and to promote a culture of tolerance of differing views within the law;

b) affords the principles of freedom of speech and academic freedom a very high level of protection in relation to its wider activities and obligations;

c) does not take an institutional position on political, cultural and religious debates to ensure that individuals are not discouraged from expressing themselves freely within

the law;

d) operates a presumption that exposure of students to course materials and statements made and views expressed by a person as part of teaching or research, and discussions about any subject matter that is connected with the content of a course, are unlikely to constitute unlawful harassment, even where students may find such views or material offensive, contentious or unacceptable; and

e) provides materials via the University Library that illustrate and illuminate different views on controversial issues so that users may develop under guidance the practice of critical reading and thinking.

4.2. The University reserves the right:

a) to regulate the time, place and manner of free speech to safeguard the continuation of its essential education and research functions and the administrative functions and resources these require;

b) to impose such conditions upon the use of premises over which the University exercises control as are reasonably necessary for the discharge of its obligations relating to the health and safety of its students, staff and other persons lawfully upon those premises;

c) to decide that practical considerations such as the cost, short notice period or difficulty of providing the necessary mitigations may require an event to be modified, curtailed, postponed, or exceptionally, cancelled, noting that the University will bear the cost of appropriate security for approved events to uphold free speech in all but exceptional circumstances as set out in Section 6.7 below;

d) to impose conditions on the display of materials, symbols and images on premises and digital platforms over which the University exercises control, or during any University authorised activity or event, outside the context of essential education and research functions and approved events. This is to signal neutrality in relation to political, cultural and religious debates and ensure that individuals are not discouraged from expressing themselves freely within the law on its premises, digital platforms, or authorised activities or events;

e) to restrict speech and events that contravene any legislative requirements, for example offences under the Terrorism Acts and Public Order Acts, as well as statutory requirements relating to the holding of processions and assemblies.

4.3. Nothing in this Code shall be taken to prohibit the lawful exercise of the right to peacefully protest. Protests must be conducted without infringing the rights of others, including others' rights to freedom of speech. No protest should prevent an event allowed under this Code from going ahead as scheduled or prevent the holding or orderly conduct of any meeting or other lawful activity that takes place on University premises.

4.4. Any infringements or departures from the provisions of this Code, in whatever respect, may render those responsible liable to disciplinary action under the relevant code of practice, regulation or policy. If an offence is allegedly committed at or in connection

with an event or activity to which the provisions of this Code apply, in addition to any internal disciplinary procedures for students or members of staff that may be appropriate, the University may take steps to assist the police in identifying any persons committing offences.

5. Roles and responsibilities

5.1. All persons to whom this Code applies are required:

a) to observe the principles of freedom of speech and academic freedom while on University premises;

b) to 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;

c) to take no action which would hinder the exercise of freedom of speech or academic freedom within the law on University premises;

d) to consider the decision-making framework in Annex A when assessing any measure or decision that might affect freedom of speech or academic freedom; and

e) to assist with any investigation into any alleged breach of this Code.

5.2. Council is responsible for the approval of this Code and for seeking assurance on its effective operation.

5.3. The President and Principal is responsible for the interpretation and implementation of this Code and must report to the Council on the circumstances of any significant infringements of, or departures from, the provisions of this Code.

5.4. The Senior Executive Team is responsible for the approval of booking policies and procedures for events referenced in Section 6.2 below.

5.5. Senior Officers, Heads of Schools, Directors of Institutes, Directors of University Research Institutes, Directors of Professional Services and the President of QMSU have delegated responsibility from the President and Principal for the day-to-day implementation of this Code. They are therefore accountable to the President and Principal for ensuring that this Code and its principles are applied consistently across all activities under their management. In academic schools and institutes the responsibility of implementing this Code includes all events held, endorsed, organised or funded by the school or institute as well as its teaching, learning and research functions.

5.6. All students and members of staff organising events within the scope of this Code are responsible for ensuring, as far as is reasonably practicable, that the event is conducted in a manner to allow freedom of speech whilst maintaining good order and does not involve or lead to damage to property or an infringement of the law. Speakers remain responsible for their own compliance with the law.

5.7. Members of staff with responsibility for drafting, approving and implementing other codes of practice, policies and regulations of the University, including but not limited to those relating to education, research, events, gift acceptance, partnerships and employment matters, shall take into consideration this Code and the requirement to have particular regard to the importance of securing and promoting free speech and academic freedom.

5.8. All persons who serve as a member of a decision-making panel in relation to the conduct of a student or the employment of a member of staff must ensure they have appropriately considered any relevant matters connected to free speech, and for members of academic staff any relevant matters connected to academic freedom.

6. Procedures for Events

6.1. The procedures in this section apply when arranging events and inviting visiting speakers outside the context of essential teaching, learning and research functions in academic schools and institutes where it is proposed to use University premises or online platforms or to associate the event with the University's name or brand.

6.2. Permission to hold all such events must be sought in advance from the relevant Designated Officer using the relevant booking policies and procedures. The relevant Designated Officer in each instance will be:

Designated Officer	**Event type**
Head of School or Director of Institute	All events proposed by students or academic staff
QMSU President	All events proposed by QMSU societies and affiliated events
Director of Professional Service	All events proposed by staff within professional services
Director of Estates and Facilities	All other events not covered above

6.3. The Designated Officer will be responsible for:

a) considering this Code and the decision-making framework in Annex A to determine whether an event should be permitted and whether mitigations are required to secure freedom of speech; and

b) referring events that can be permitted under this Code to the Event Risk Mitigation Panel where mitigations may potentially be required to maintain safety and good order and avoid damage to property or an infringement of the law, or where the event is affiliated with QMSU.

6.4. The Event Risk Mitigation Panel will be responsible for assessing the risks associated with an event referred to it by the relevant Designated Officer and for agreeing and co-ordinating the implementation of mitigations to enable the event to proceed. Any mitigations should go no further than is necessary to address the risks identified. These mitigations may include, but are not limited to:

a) changing the location and time of the event, or moving the event online;

b) restricting attendance at the event to ticket-holders or students and members of staff of the University;

c) appointing a chair for the event;

d) providing additional security arrangements or stewards to manage the event;

e) recording of the event;

f) changing the format of the event to provide for different views to be heard on a particular issue.

6.5. Permission to use University premises, digital platforms, name or brand for events and visiting speakers may be withheld only as set out in this Code, or if the organiser cannot or will not ensure compliance with any conditions set by the Designated Officer or the Event Risk Mitigation Panel.

6.6. It shall also be open to the Designated Officer to withdraw permission for an event or a visiting speaker if, having originally granted permission, they so judge that the event or visiting speaker will not in fact conform to this Code. The expression of views which are unpopular, controversial or provocative or which cause offence, shock or disturb do not, if lawful, constitute grounds for the refusal or cancellation of an event or a visiting speaker.

6.7. Other than in exceptional circumstances, the costs of security relating to the use of University premises shall not be passed to the person or organisation arranging the event. Circumstances shall be exceptional when the cost of additional security arrangements for the event exceeds £2,500. The University's decision on whether or not to pass on costs will not to any extent be influenced by:

a) in relation to any individual, their ideas or opinions;

b) in relation to any body, its policy or objectives or the ideas or opinions of any of its members; and

c) in relation to the event, the ideas or opinions likely to be expressed at it, provided these are within the law.

7. Appeals and complaints

7.1. Appeals against the rulings of the Designated Officer and decisions of the Event Risk Mitigation Panel may be made to the President and Principal, whose decision shall be final. The President and Principal may delegate the consideration of such an appeal to another Senior Officer. Such an appeal must be received within two working days of the decision of the relevant Designated Officer.

7.2. Complaints relating to the management of events by QMSU will be subject to the QMSU

Code of Student Conduct, Complaints and Disciplinary Procedure (QMSU Byelaw 13).

7.3. Complaints from students relating to free speech in the context of teaching and learning will be subject to the Student Complaints Policy. Matters relating to the conduct of students under this Code will be considered under the Student Discipline Policy.

7.4. Complaints from staff relating to free speech, and from academic staff relating to academic freedom, will be subject to the Grievance Resolution Policy and Procedure. Matters relating to the conduct of staff under this Code will be considered under the Discipline Policy and Procedure. If a member of academic staff claims that disciplinary action is being taken against them in contravention of the principle of academic freedom, the matter will be considered by an Academic Freedom Panel.

7.5. Other concerns in relation to free speech and academic freedom may be raised under the Whistleblowing Policy.

8. Review

8.1. This Code will be reviewed at least every three years by the Council. Senate will be consulted as part of any review and on any significant revisions of the Code.

8.2. Minor updates to this policy that do not affect the rules, principles or intent of this code may be approved by the Chief Governance Officer and University Secretary on behalf of Council.

Annex A: Decision-Making Framework

The University has adopted the following decision-making framework proposed by the Office for Students for assessing any measure or decision that might affect freedom of speech or academic freedom.

Step 1: An assessment as to whether the speech is within the law:

Is the speech within the law?
- If yes, consider Step 2.
- If no, the duty to secure free speech does not apply.

Step 2: Consideration as to whether there are any reasonably practicable steps (positive or negative) to secure the speech.

Are there any reasonably practicable steps to secure the speech?
- If yes, those steps shall be taken.
- If no, consider Step 3.

The following, amongst other considerations, are unlikely to be relevant when considering what steps are reasonably practicable:
a) the viewpoint that any affected speech expresses, including but not limited to:
- whether it aligns with University aims or values;
- whether it is controversial or offensive;
- whether external or internal groups (for example alumni, donors, lobbyists, domestic or foreign governments, staff or students) approve of the viewpoint that the speech expresses;

b) the reputational impact of any affected speech on the University.

The following factors are likely to be relevant:
a) legal and regulatory requirements (e.g. duties in relation to harassment);
b) maintain the essential functions of the institution (teaching, learning, research and administration and institutional resources necessary for these essential functions);
b) physical safety.

Step 3: Consideration as to whether restriction or regulation of the speech ('interference') is compatible with the European Convention on Human Rights.

If there are no reasonably practicable steps to secure the speech, the University will ensure that its restriction/regulation of the speech is prescribed by law and proportionate under the European Convention on Human Rights (ECHR).

An interference is prescribed by law if:
a) there is a specific domestic English legal rule or regime which authorizes the interference;
b) the person affected by the interference must have access to the rule in question; and

c) the rule is formulated with sufficient precision to enable the affected person to forsee the consequences in which the law would or might be applied, and the likely consequences that might follow.

To assess the proportionality of a measure to interfere in a lawful speech, you must consider:

a) whether the objective of the measure is sufficiently important to justify the limitation of a protected right;
b) whether the measure is rationally connected to the objective;
c) whether a less intrusive measure could have been used without unacceptably compromising the achievement of the objective;
d) whether, balancing the severity of the measure's effects on the rights of the persons to how it applies against the importance of the objective, to the extent that the measure will contribute to its achievements, the former outweighs the latter.

The proportionality test in Article 10(2) means that, in practice, it is difficult to restrict or regulate speech in a higher education context. This is because there is a high bar for limitation of a protected ECHR right in general terms, and the particular purpose of higher education is such that limitation of Article 10 rights would undermine that purpose.

Policy Information and Document Control

Policy title	Code of Practice on Free Speech
Version number	Version 2.1
Related policies and procedures	See Section 5.6 of the Code
Superseded policies	This replaces the version of the Code of Practice on Free Speech that was approved by Council on 23 November 2023
Approval level	Council
Approval date	Subject to approval by Council on 19 March 2026 after consulting Senate on 12 March 2026
Effective date	From the date of approval by Council
Next review due	March 2029
Policy owner	Chief Governance Officer and University Secretary
Policy contact	Jonathan Morgan, Chief Governance Officer and University Secretary Jane Pallant, Director of Governance and Legal Services Danny Hassell, Policy and Governance Lead

Version Control

Version	Date	Reason for updates/Summary of key changes
2.1	March 2026	Updates to the Code to reflect the OfS regulatory guidance and changes to the events procedures.
2	November 2023	Updates to the Code to reflect the legislative changes.