

BPP University – University Policies and Procedures

Academic Freedom & Freedom of Speech



Scope	Staff, Students, and External
Approved Date	June 2025
Approving Authority	Education and Standards Committee
Date Effective	August 2025 (v.2.0)
Review Date	July 2028
Document Owner	Proctor's Office
Purpose	Outlines the University's position in relation to the lawful exercise of academic freedom and freedom of speech, and the handling of concerns from students, staff, and visiting speakers in relation to the exercise of academic freedom or freedom of speech.

Regulatory Mapping

BPP University General Academic Regulations
Section G: Rights and Duties

BPP University
University Policies and Procedures
Academic Freedom & Freedom of Speech

1. Introduction	2
2. Principles and Definitions	3
3. Framework for Assessment of Academic Freedom and Freedom of Speech Concerns	7
4. Academic Freedom Concerns Procedure	10
4.2. Stage 1 – Initial Concern	10
4.3. Stage 2 – Formal Consideration	11
5. Freedom of Speech Concerns Procedure	13
5.2. Stage 1 – Initial Concern	13
5.3. Stage 2 – Formal Consideration	14
6. Office for Students Complaints Procedure	16
Policy Revision History	18

1. Introduction

- 1.1. The following document outlines the University’s approach to handling concerns from staff, students, and visiting speakers where they believe they are being unfairly obstructed in their expression of academic freedom or freedom of speech at the University. This document outlines the policy and procedures in relation to managing these concerns and acts as the Code of Practice as required by the Higher Education (Freedom of Speech) Act 2023.
- 1.2. The University’s principles and commitment to promoting academic freedom and freedom of speech rights is outlined in Part G, Section 2 of the General Academic Regulations (GARs). The Academic Freedom and Freedom of Speech Rights as outlined in the GARs ensure that academic staff, students, and visiting speakers have freedom, within the law, to question and test received wisdom and put forward new ideas and controversial or unpopular opinions without detriment to themselves.
- 1.3. The principles as enshrined in the GARs and this policy also ensure that freedom of speech by staff, students, and visiting speakers at the University, is supported in its activities, even where those ideas and views that are expressed may be unpopular, controversial, and contested. Freedom of speech and expression and connected

activities must however be exercised within the law to protect the rights and freedoms of everyone.

- 1.4. It is important to also note that the University will not tolerate individuals seeking to use academic freedom and freedom of speech as a pretense to engage in harassment. The University has a clear policy on Harassment and Sexual Misconduct, which clearly outlines what constitutes harassment and how the University will manage such concerns. It must also be further emphasised however, that feeling offended in response to a legitimate and lawful exercise of academic freedom or freedom of speech, does not in itself constitute harassment. Further information on the University's approach to Harassment and Sexual Misconduct can be found at the University's [Harassment and Sexual Misconduct Support Guide](#), including information on how matters of Academic Freedom and Freedom of Speech are considered within this.
- 1.5. As outlined in GARs, Part G, Section 2, the University fulfils these duties in line with the Education (No. 2) Act 1986 (Section 43); the Education Reform Act 1988; the Human Rights Act 1998 (which enshrines the European Convention of Human Rights ("the Convention") into UK Law, and as such due regard is also to be paid to Article 10 of the Convention relating to the right to freedom of expression), the Equality Act 2010, the Counter-Terrorism and Security Act 2015 (Section 31), the Higher Education and Research Act 2017 (HERA), and the Higher Education (Freedom of Speech) Act 2023; as well as legislation that protects civic and academic freedoms, in accordance with UNESCO's 1997 recommendation concerning the Status of Higher-Education Teaching Personnel. Restrictions may have to however be applied to the provisions set out within these regulations, the University's Code of Practice as expressed in the Academic Freedom and Freedom of Speech Policy, where these are necessary within the law to protect the rights and freedoms of others, especially where there is a breach of the legislation and laws as set out above. The University has also taken due regard of The Office for Students (OfS) Regulatory advice 24: Guidance related to freedom of speech in the General Academic Regulations and University Policies and Procedures in relation to freedom of speech and academic freedom (hereon in referred to as the OfS FoS Guidance).

2. Principles and Definitions

- 2.1. BPP University values independence of thought and the rights of both academic freedom and freedom of speech to all staff, students, and visiting speakers who contribute to the intellectual life of the University. As stated, both in the GARs, and in this policy, this must however be exercised within the Law, and the GARs outline the

legal duties the University is expected to conform with in order to uphold the Law. The OfS FoS Guidance also provides clear examples of the laws the University must be adherent to as part of its approach to safeguarding academic freedom and freedom of speech. As outlined in the GARs, the University ensures compliance through these regulations, policy and procedures, and its related practices to the **secure and code duties** as outlined in HERA.

- 2.2. The University adopts the definition of freedom of speech as defined by the Higher Education (Freedom of Speech) Act 2023, which in turn explicitly defines freedom of speech by reference to Article 10(1) of the European Convention of Human Rights (“the Convention”). Article 10 is as follows:

“1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority regardless of frontiers. This Article shall not prevent states from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity, or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.”

The OfS FoS Guidance emphasises in particular that *“The Act protects free speech within the law. It does not protect unlawful speech.”* The University will therefore take all reasonably practical steps to secure freedom of speech within the law and only intervene where speech or expression falls outside of the law (and in breach of it), to protect individuals from harm as a result of illegality.

- 2.3. The University adopts the definition of academic freedom as defined by the Higher Education (Freedom of Speech) Act 2023, which is as follows:

“Academic freedom, in relation to academic staff at a registered higher education provider (or constituent institution), 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.*

In line with the OfS FoS Guidance emphasis that “*The Act protects free speech within the law. It does not protect unlawful speech.*” The University will take all reasonably practical steps to secure academic freedom for its academic staff and only intervene where exercise of that academic freedom falls outside of the law (and in breach of it), to protect individuals from harm as a result of illegality.

2.4. In addition to upholding the general principles of academic freedom and freedom of speech outlined in the above definitions, the University is clear that it will uphold and protect the following principles of academic freedom and freedom of speech, as stipulated in the General Academic Regulations:

- a) Freedom in academic discussion, including on sensitive and controversial issues, within the validated curriculum and the agreed delivery approach of the module team, in addition to ensuring that freedom of speech and expression is embedded within learning and teaching materials and activities;
- b) Freedom to conduct and publish scholarship and research without commercial or political interference that would undermine the academic integrity of the work;
- c) Freedom from institutional censorship, including the right to express one’s opinion about the institution or the education system in which one works where this is lawful and does not seek to harass.
- d) Freedom to participate in professional and representative academic bodies, including trade unions.
- e) Support the principle of freedom of speech and expression in its activities even where the ideas and views expressed may be unpopular, controversial and contested. Freedom of speech and expression and any connected activities must however be exercised within the law to protect the rights and freedoms of others. Activities are defined as including but not necessarily restricted to the provision of learning and teaching opportunities, tutorials, seminars, workshops, guest lectures, external speaker events, and social, pastoral, cultural, and political events arranged by students and/or staff.

- f) Whilst BPP¹ will support the use of its premises and resources to uphold the principles of academic freedom and freedom of speech, BPP will not permit its premises or resources (that is buildings and facilities over which it has control, that includes online or virtual classrooms and communication spaces) to be used to promote or support radicalisation², insurrection, incitement to riot, hatred, or violence towards a section of society, particularly those that share a protected characteristic, or other act that may lead to a breach of the peace or public disorder.
- g) There shall be no discrimination on the basis of the lawful exercise of academic freedom and/or freedom of speech in relation to admission and appointment to, and promotion within, the University, and also the decision making around, and subsequent award of honorary degrees. Terms and conditions of admission to the University as a student, or appointment/promotion terms for academic staff within the University, shall not seek to restrict academic freedom/freedom of speech.
- 2.5. Where there are ad-hoc or non-routine events that are not part of the standard or approved calendar of academic activities, these must be approved in advance and in accordance with BPP's policies for holding events which can be obtained from the Students' Association website for students, or BPP's intranet for staff. This approach to the pre-approval of events is not an attempt by the University to police freedom of speech or expression, but rather to ensure the appropriate safeguards and measures can be put in place in order to support the lawful expression of freedom of speech. It is to be noted that where such events address controversial topics or involve controversial speakers, the University shall endeavour to ensure appropriate measures are in place to mitigate the risk to public safety, the safety of staff, the safety of students, and the safety of the speaker (visiting or internal), or of the occurrence of disorder. This risk assessment seeks to ensure that the safety and concerns of all involved are protected, that the Law is upheld, whilst also ensuring that freedom of speech and academic freedom is facilitated and expressed within the limits that the Law allows.
- 2.6. It must also be emphasised however, in line with the University's commitment to freedom of speech and academic freedom as outlined in this policy and the General Academic Regulations, that the fact an event may be perceived as controversial shall not of itself be sufficient reason to prevent it being held, particularly where the University has a duty to advance equality of opportunity and foster understanding

¹ BPP refers to BPP Holdings Limited and its UK subsidiary companies, which includes (but is not limited to), BPP University Limited and BPP Professional Education Limited.

² BPP has a duty under the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism.

between social groups, and particularly those with protected characteristics. Where freedom of speech and academic freedom are expressed within the Law, the University will seek to facilitate events that support this, as long as there are not risks to health and safety or where the event may lead to any potential breach of the Law.

2.7. Where there are concerns however with respect to the exercise of academic freedom and freedom of speech within the University, staff, students, and visiting speakers can lodge a complaint with respect to the concern they have, as outlined using the two procedures below – the first relating to academic freedom concerns, and the second relating to freedom of speech concerns, which will be considered as per the following general principles:

- a. academic freedom and freedom of speech complaints shall be private and confidential;
- b. members of staff, students, and visiting speakers will not suffer disadvantage as a consequence of making a genuine complaint;
- c. academic freedom complaints will be managed through a separate concerns process, in order that they are assessed by academic peers who are best qualified and placed to handle and evaluate the concern. Where a concern surrounding academic freedom also features concerns in relation to freedom of speech, the University Proctor will decide on how best to proceed. Normally, if there is an academic freedom component to the concern, then it will be handled through the academic freedom concerns process.
- d. the University will seek to resolve academic freedom and freedom of speech concerns in a timely manner, and where concerns with respect to academic freedom and freedom of speech are found to be the case from the concerns (and any subsequent appeals process), take forwards recommendations from that process to resolve the concern;
- e. those University officers tasked to investigate concerns shall do so impartially and objectively.

3. Framework for Assessment of Academic Freedom and Freedom of Speech Concerns

3.1. Where a concern in relation to Academic Freedom and Freedom of Speech is raised the following framework of assessment as advised by the OfS FoS Guidance will be used to assess whether a concern in relation to academic freedom and freedom of

speech is legitimate or not. This framework of assessment shall be used through both concerns procedures.

- 3.2. The following three criteria from the OfS FoS Guidance shall be used (and the broader OfS FoS Guidance across these three criteria will be used in these assessments):

Step 1: Is the speech/expression 'within the law'? If yes, go to step 2. If no, and the speech/expression is not within the law, the duty to secure speech/freedom does not apply, and adjustments to the conditions of speech/expression should be considered.

- **Law in these circumstances means:** primary legislation, legal precedent or court decisions, and secondary legislation or byelaws.
- **It does not mean,** university regulations, or contracts with employees or students.

Step 2: Are there any 'reasonably practicable steps' to secure the speech? If yes, take those steps. Do not restrict the speech. If no, go to step 3.

- It is important to consider the particular circumstances of the concern raised, and whether a step is reasonably practicable. Reasonably practicable steps may be positive in that you take a particular action, versus negative, where you seek to not undertake a particular action.
- **Relevant factors to consider are:** legal/regulatory requirements (e.g., duties in relation to harassment), maintaining essential functions of the institution such as learning, teaching, research, and administration and institutional resources necessary for essential functions, and physical safety.
- **Factors likely to be irrelevant in considerations are:** the viewpoint that the speech expresses, such as whether it aligns with the provider's aims and values, whether it is controversial or offensive, whether external or internal groups approve of the viewpoint that the speech expresses; and, the reputational impact of the speech on the provider or constituent institution.

Step 3: Are any restrictions 'prescribed by law' and proportionate under the European Convention on Human Rights? This step involves considering whether restriction or regulation of speech ("interference") is compatible with the European Convention on Human Rights (ECHR).

- **Is the interference prescribed by law?** An interference is prescribed by law if: there is a specific domestic English legal rule of regime which authorizes the interference; the person affected by the interference must have adequate access to the rule in question; and, the rule is formulated with sufficient precision to enable

the affected person to foresee the circumstances in which the law would or might be applied, and the likely consequences that follow.

- **Is the interference proportionate?** To assess the proportionality of a measure to interfere in lawful speech, you must consider: whether the objective of the measure is sufficiently important to justify the limitation of a protected right; whether the measure is rationally connected to the objective; whether a less intrusive measure could have been used without unacceptably compromising the achievement of the objective; whether balancing the severity of the measure's effects on the rights of the persons to whom it applies against the importance of the objective, to the extent that the measure will contribute to its achievement, the former outweighs the latter.

If there are restrictions 'prescribed by law' and proportionate under the European Convention on Human Rights, then those restrictions are likely to be consistent with free speech/academic freedom obligations. If no, then those restrictions are not consistent with free speech obligations and revision of the approach needs to be undertaken.

The OfS FoS Guidance makes it clear that: *"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."*

Consequently, in the instances where regulations or restrictions are put in place as a result of an academic freedom/freedom of speech concern, they must, in line with OfS FoS Guidance:

- Use legal definitions where applicable;
- Objective tests must be incorporated where applicable;
- Avoid vague language or undefined terms and be very clear;
- Incorporate clear, adequate, and effective safeguard statements in relation to academic freedom/freedom of speech within the law.

- 3.3. Where a concern is raised with respect to academic freedom and/or freedom of speech, the University will seek to swiftly resolve these concerns at a Stage 1 Initial Concern level. It is the perspective of the University, in line with the OfS FoS Guidance, that as all lawful expressions of academic freedom and/or freedom of speech are permitted, progression of a concern to Stage 2 would be rare. The University will not take action against an individual who is exercising academic freedom and/or freedom of speech within the Law, and it is to be recognised that whilst some lawful expression

may be perceived to be shocking, disturbing, or offensive, if it is lawful, then it shall not be restricted.

4. Academic Freedom Concerns Procedure

- 4.1. It is important to emphasise in line with the principles expressed in the GARs Part G, Section 2, that only academic freedom concerns in breach of those principles will be considered by the University.

There must be a clear rationale as to why the principles of academic freedom have been breached in order for a concern to be considered valid under this policy. An individual feeling discomfort as a result of an exercise of academic freedom as expressed within the bounds of the principles as set out in the GARs and this policy would not be considered a legitimate concern.

- 4.1.1. Consequently, the University has a duty to ensure that vexatious, frivolous, or obviously unmeritorious concerns in relation to academic freedom are dismissed, and furthermore, where those concerns breach University codes of conduct, disciplinary action will be brought on the individual raising those vexatious, frivolous, and obviously unmeritorious concerns.

4.2. Stage 1 – Initial Concern

- 4.2.1. In the first instance, the matter should be raised with the academic member of staff's line manager or programme leader (the Stage 1 assessor). The reporting party should set out what the perceived concerns are and why they are unreasonable or unjustified in relation to the exercise of the principles of academic freedom. The Stage 1 assessor will seek to resolve the matter informally. This may be by:
- a. Dismissing the concern, outlining the reasons why the concern does not represent a breach of the academic freedom principles;
 - b. Uphold the concern in part, and require such adjustments to the conditions of expression, clearly outlining how this represents a partial breach of the academic freedom principles, and how the adjustments seek to address that;
 - c. Uphold the concern in full, and require such adjustments to the conditions of expression, clearly outlining how this represents a partial breach of the academic freedom principles, and how the adjustments seek to address that.
 - d. Referral to Stage 2 for Formal Consideration, as the concerns are of such severity that there is no initial resolution possible. This option should be considered where

a potential breach of the law is evident/possible, and/or where the alleged concern could be a considered either staff or student misconduct.

4.2.2. Where an agreement is reached, the matter will be considered resolved at the initial concern stage.

4.3. *Stage 2 – Formal Consideration*

4.3.1. Where the matter cannot be resolved at the initial concern stage, the Stage 1 assessor should refer the concern formally to the Dean of Academic Quality & Policy (AcademicGovernance@bpp.com) or nominee, setting out the perceived infringements on academic freedom as agreed with the reporting party.

4.3.2. From the date of lodging the concern, a stay of execution shall be placed on any action or decision related to the concern, both on the part of the University and of the member of staff. Where there is a concern of misconduct in breach of staff codes of conduct, HR will also be consulted, and where alleged concerns are serious and require precautionary restrictions or suspension to be put in place whilst the investigation takes place, HR will follow their procedures in relation to this.

4.3.3. Within 5 working days of receipt of the complaint, the Dean of Academic Quality & Policy, or nominee will establish an Academic Freedom Concerns Panel and send out the concern referral to the Panel members.

4.3.4. The Panel shall comprise University officers independent of the case and include:

- a. The Dean of Academic Quality & Policy (Chair)
- b. The Dean of a School not inhabited by the Complainant
- c. A Professor of the University
- d. University Proctor (Secretary)
- e. Where a concern also relates to potential staff misconduct, a member of HR will also form as a member of the panel.

4.3.5. Within a further five working days the Panel members, via correspondence, shall establish what further evidence may be necessary to hear the concern and, through the Dean of Academic Quality & Policy, or nominee, acquire the evidence. The Panel shall have the right to undertake such investigation and to invite evidence from such persons as are necessary to establish what action is required in relation to the academic freedom concern.

- 4.3.6. The Panel shall meet within a further five working days to consider the concern and due regard should be given to the framework for assessment in Section 3 of this policy and code of practice.
- 4.3.7. The reporting and, where a concern is made against a member of academic staff by another, responding parties may attend the Panel in person if they choose to present their case. They may be accompanied by a friend or a member of the HR staff. The reporting (and responding) parties have the right to see all the evidence put before the Panel.
- 4.3.8. The reporting (and responding) parties shall withdraw after having made their representation whilst the Panel considers its decision.
- 4.3.9. The Panel may:
- a. dismiss the concern; or
 - b. uphold the concern in part and require such adjustments to the conditions of expression as it sees fit; or
 - c. uphold the concern in full and require such changes to the conditions of expression as it sees fit.
- 4.3.10. In relation to 4.3.9. b., and/or c., where there is a concern that the findings of the panel indicate towards misconduct, the staff member alleged to have committed misconduct will be referred to HR for recourse to their procedures in relation to potential staff misconduct. The panel itself will not however find misconduct against any individual, rather the investigation, evidence, and judgements of the panel (including concerns of alleged misconduct) will be referred to HR for further consideration under their policies and procedures.
- 4.3.11. The Dean of Academic Quality & Policy shall, within five working days of the meeting, inform the reporting (and where applicable responding parties) (normally by email) of the Panel's decision.
- 4.3.12. Where the reporting and/or responding parties remains dissatisfied, they may appeal to the Vice-Chancellor, or nominee. The permissible grounds for appeal shall be:
- a. there is reasonable ground supported by authoritative and objective evidence to believe that there has been administrative or procedural error of such a nature as to have affected the outcome of the investigation or result; or

- b. the decision in the case was manifestly unreasonable³; or
- c. there is new evidence that for good reason, objectively and authoritatively documented, could not be submitted earlier.

4.3.13. The decision of the Vice-Chancellor, or nominee, shall be final.

5. Freedom of Speech Concerns Procedure

5.1.1. It is important to emphasise in line with the principles expressed in the GARs Part G, Section 2, that only freedom of speech concerns in breach of those principles will be considered by the University.

There must be a clear rationale as to why the principles of freedom of speech have been breached in order for a concern to be considered valid under this policy. An individual feeling discomfort as a result of an exercise of freedom of speech as expressed within the bounds of the principles as set out in the GARs and this policy would not be considered a legitimate concern.

5.1.2. Consequently, the University has a duty to ensure that vexatious, frivolous, or obviously unmeritorious concerns in relation to freedom of speech are dismissed, and furthermore, where those concerns breach University codes of conduct, disciplinary action will be brought on the individual raising those vexatious, frivolous, and obviously unmeritorious concerns.

5.2. Stage 1 – Initial Concern

5.2.1. In the first instance, the matter should be raised with the Proctor's Office (AcademicGovernance@bpp.com), where a Stage 1 assessor will be appointed to examine the concern. The reporting party should set out what the perceived concerns are and why they are unreasonable or unjustified in relation to the exercise of the principles of freedom of speech. The Stage 1 assessor will seek to resolve the matter informally. This may be by:

- a. Dismissing the concern, outlining the reasons why the concern does not represent a breach of the freedom of speech principles;
- b. Uphold the concern in part, and require such adjustments to the conditions of expression, clearly outlining how this represents a partial breach of the freedom of speech principles, and how the adjustments seek to address that;

³ A decision is “**manifestly unreasonable**” if it can be demonstrated unequivocally that an Officer of the University or a properly constituted University Panel or Board has made an irrational, perverse or logically flawed decision.

- c. Uphold the concern in full, and require such adjustments to the conditions of expression, clearly outlining how this represents a partial breach of the freedom of speech principles, and how the adjustments seek to address that.
 - d. Referral to Stage 2 for Formal Consideration, as the concerns are of such severity that there is no initial resolution possible. This option should be considered where a potential breach of the law is evident/possible, and/or where the alleged concern could be a considered either staff or student misconduct.
- 5.2.2. Where an agreement is reached, the matter will be considered resolved at the initial concern stage.
- 5.3. *Stage 2 – Formal Consideration*
- 5.3.1. Where the matter cannot be resolved at the initial concern stage, the Stage 1 assessor should refer the concern formally to the University Proctor, or nominee, setting out the concern in relation to the exercise of freedom of speech as agreed with the reporting party. There may be incidences where a concern in relation to exercise of freedom of speech is referred to the University Proctor through other policies (e.g., a complaint through the Student Conduct Policy, or the Harassment and Sexual Misconduct Policy). You can find more information on the University's approach to managing concerns of Harassment and Sexual Misconduct at the [University's Harassment and Sexual Misconduct Support Guide](#). In such incidences, where the concern relates to exercise of freedom of speech, the freedom of speech concern will be examined through this policy. Following the assessment of the concern under the terms of this policy, where concerns remain in relation to matters set out in other policies, these will then be resolved through those policies.
- 5.3.2. From the date of lodging the concern, a stay of execution shall be placed on any action or decision related to the concern, both on the part of the University, the reporting party, and any associated member of staff, student, or visiting speaker. Where there is a concern of misconduct in breach of staff codes of conduct, HR will also be consulted, and where alleged concerns are serious and require precautionary restrictions or suspension to be put in place whilst the investigation takes place, HR will follow their procedures in relation to this. Any similar precautionary or suspension action taken in relation to a student would be undertaken by the Proctor's Office in line with the Student Conduct Policy and Section 4 of the Changes in Student Registration and Status Policy.

- 5.3.3. Within 5 working days of receipt of the concern, the University Proctor, or nominee will establish a Freedom of Speech Concerns Panel and send out the concern referral to the Panel members.
- 5.3.4. The Panel shall comprise University officers independent of the case and include:
- a. The University Proctor (Chair)
 - b. Two Pro-Proctors (and where a concern originates in relation to a particular School, these Pro-Proctors will be independent of that School)
 - c. The Chief Legal Officer, or nominee.
 - d. Where a concern also relates to potential staff misconduct, a member of HR will also form as a member of the panel.
- 5.3.5. Within a further five working days the Panel members, via correspondence, shall establish what further evidence may be necessary to hear the concern and, through the University Proctor, or nominee, acquire the evidence. The Panel shall have the right to undertake such investigation and to invite evidence from such persons as are necessary to establish what action is required in relation to the freedom of speech concern.
- 5.3.6. The Panel shall meet within a further five working days to consider the concern.
- 5.3.7. The reporting (and where applicable) responding parties may attend the Panel in person if they choose to present their case. They may be accompanied by a friend and in the case of members of staff a member of the HR staff. The reporting (and where applicable) responding parties have the right to see all the evidence put before the Panel.
- 5.3.8. The reporting (and where applicable) responding parties shall withdraw after having made their representation whilst the Panel considers its decision.
- 5.3.9. The Panel may:
- a. dismiss the concern; or
 - b. uphold the concern in part and require such adjustments to the conditions of expression as it sees fit; or
 - c. uphold the concern in full and require such changes to the conditions of expression as it sees fit.
- 5.3.10. In relation to 5.3.9. b., and/or c., where there is a concern that the findings of the panel indicate towards potential misconduct, the following course of action will be taken:

a) The panel itself will not find misconduct against any individual, rather the investigation, evidence, and judgements of the panel (including concerns of alleged misconduct) will be referred to one of the following offices:

- i) For students, the Proctor's Office will receive the referral, who will take forwards the alleged concerns in line with the Student Conduct Policy. Where potential harassment is of concern, this will be handled via the Harassment and Sexual Misconduct Policy in addition to the Student Conduct Policy (for information on our approach to Harassment and Sexual Misconduct, please consult the [Harassment and Sexual Misconduct Support Guide](#);
- ii) For staff, HR will receive the referral, who will take forwards the alleged concerns in relation to the policies and procedures in relation to staff misconduct.

5.3.11. The University Proctor shall, within five working days of the meeting, inform the reporting and responding parties in writing (normally by email) of the Panel's decision.

5.3.12. Where the reporting and responding parties remain dissatisfied, they may appeal to the Vice-Chancellor, or nominee. The permissible grounds for appeal shall be:

- a. there is reasonable ground supported by authoritative and objective evidence to believe that there has been administrative or procedural error of such a nature as to have affected the outcome of the investigation or result; or
- b. the decision in the case was manifestly unreasonable⁴; or
- c. there is new evidence that for good reason, objectively and authoritatively documented, could not be submitted earlier.

The decision of the Vice-Chancellor, or nominee, shall be final.

6. Office for Students Complaints Procedure

6.1. Following the conclusion of internal university proceedings, where an individual still remains dissatisfied with the University's management of an academic freedom/freedom of speech concern, they can raise this concern with the Office for Students' Complaints Scheme.

⁴ A decision is "**manifestly unreasonable**" if it can be demonstrated unequivocally that an Officer of the University or a properly constituted University Panel or Board has made an irrational, perverse or logically flawed decision.

- 6.2. All internally completed procedures will provide details of this scheme on the outcome letter, including how to access the scheme. This can also be found on the Office for Students' website at www.officeforstudents.org.uk.

Policy Revision History

Version Number	Description	Author	Reviewed by	Date
1.0	New Policy to incorporate new Freedom of Speech duties following Parliamentary Act that also incorporates and revises elements of previous policy and procedure on Academic Freedom	Director of Academic Governance & Proctor	Dean of Academic Quality & Policy	July 2023
2.0	Revised policy to incorporate revisions to the implementation of the Parliamentary Act, and the publication of new guidance from the OfS. Revisions to ensure consistency with OfS Condition E6.	Director of Academic Governance & Proctor	Dean of Academic Quality & Policy	July 2025