

FREEDOM OF SPEECH AND LAWFUL ASSEMBLY POLICY

This document sets out the policy for ensuring and actively promoting freedom of speech and academic freedom within the law for University students, staff and visiting speakers.

ORGANISATION: FALMOUTH UNIVERSITY

APPLIES TO: STAFF & STUDENTS

POLICY OWNED BY: ACADEMIC BOARD

REQUIRED CONSULTEES: UNIVERSITY MANAGEMENT COMMITTEE,
LEARNING, TEACHING & QUALITY COMMITTEE, UNIVERSITY EXECUTIVE
BOARD

APPROVED BY: BOARD OF GOVERNORS

DATE APPROVED: FRIDAY, 18 JULY 2025

REVIEW DATE: FRIDAY, 24 JULY 2026

FREEDOM OF SPEECH AND LAWFUL ASSEMBLY POLICY

1 PURPOSE

- 1.1 The University actively promotes the importance of freedom of speech within the law and the academic freedom of its staff as fundamental to its [Mission, Vision and Values](#) and the pursuit of knowledge.
- 1.2 This document sets out the policy for Falmouth University ("the University") for ensuring and actively promoting freedom of speech and academic freedom within the law.
- 1.3 It aims to foster an environment where open discussion and the free exchange of ideas can flourish – enabling our diverse, vibrant, curious, creative community to confidently explore and produce impactful content that challenges social norms and changes the world.
- 1.4 This must be balanced with the need to prevent radicalisation and unlawful speech, hostility, harassment, and intimidation, and to ensure public safety and lawful conduct on University premises and in relation to University activities (on campus, off campus and online).
- 1.5 This policy is written in compliance with the relevant statutory regulations, including but not limited to the Education (No2) Act 1986, Education Reform Act 1988, Human Rights Act 1998, the Equality Act 2010, the Counter Terrorism and Security Act 2015 (Prevent Duty), The Terrorism (Protection of Premises) Act 2025, and reflects the enhanced duties imposed by the Higher Education (Freedom of Speech) Act 2023. This policy has been written with due regard to 'Regulatory advice 24: Guidance related to freedom of speech', published by the Office for Students in 2025.

2 SCOPE

- 2.1 The policy applies to all persons engaged in the full range of higher educational activities for or at the University or undertaking duties on behalf of the University, whether in person or remotely. This includes all staff; registered students across all types of higher education provision including those studying with it under an agreement with a partner organisation; all persons invited to speak or otherwise take part in events held on University premises, including visiting speakers, visiting lecturers, and short course facilitators; and visiting members of the public concerning their activities on University premises, online, or otherwise connected or participating with the University. It outlines their rights and responsibilities regarding freedom of speech and academic freedom within the law.
- 2.2 This policy also pertains to the University's relationship with the Student's Union (SU) and any societies, clubs or associations which normally operate on the University's premises, in so far as legislation requires, ensuring all activities on campus, and University controlled online educational spaces, uphold and promote free speech within the law.
- 2.3 The Freedom of Speech Code of Practice ('Code of Practice') also applies to events, activities and meetings hosted by or on behalf of the University on non-University premises or as determined by the law but excludes external partner premises unless the University has directly booked such a venue.

3 RELATED INFORMATION

- 3.1 This policy should be read alongside the Freedom of Speech Code of Practice.
- 3.2 University students and staff are entitled to study and work in an environment that is unhindered by unlawful hostility, offensive conduct or intimidation. The [Student Code of Conduct, and Student Bullying & Harassment Policy](#), which all students are expected to comply with and the [Staff Code of Conduct](#) Staff Bullying & Harassment Policy (*link to be added pending internal publication following recent policy approval*), which all employees are expected to comply with, underpin this right and the principles upon which this policy is founded. Other relevant policies include:
- [Equality, Diversity & Inclusion Commitment](#)
 - Prevent Statutory Duty Policy, and Prevent Statutory Duty and Events Involving External Speakers Policy (*links to be added pending external publication following recent policy re-approval*)
 - [Student Terms & Conditions](#) (including Complaints Policy)

4 KEY DEFINITIONS

- 4.1 **Freedom of Speech** is defined as the freedom to express views, opinions, and ideas within the boundaries of the law. This includes the freedom to receive and impart information and ideas without interference, but it is subject to legal restrictions. Although this policy (and the statutory duty) refers to freedom of 'speech', this includes written materials and other forms of creative expression. It is not limited to the spoken word.
- Freedom of speech within the law is protected. This means that speech will not be protected if it contravenes some other law. Unlawful acts will not be tolerated by the University.
- 4.2 **Academic freedom** is the principle that academic, technical staff and all staff involved in the delivery of academic activity to students are free 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 losing their jobs or the privileges they may have at their university. Academic freedom is a component of, rather than being entirely distinct from, freedom of speech.
- 4.3 **Academic events:** these are defined as events directly associated with the academic research activities and/or academic teaching programmes (as either core or enhancement events) of the University.
- 4.4 **'Within the law' and 'lawful':** speech is 'within the law' and 'lawful' if it is not prohibited by law. When considering whether speech is 'prohibited by law', law means: primary legislation, legal precedent or court decisions, secondary legislation or byelaws. Law does not mean: University policy or regulations, University staff or student contracts.
- 4.5 **The University:** means 'Falmouth University'. Falmouth University is an exempt charity, regulated by the Office for Students. Where 'the University' is used within this policy, this refers to the organisation as a whole.

5 CORE PRINCIPLES

- 5.1** Falmouth University is a vibrant academic community committed to facilitating free and open discussion, critical inquiry, and the expression of diverse views and opinions, including those that challenge prevailing orthodoxies or the views of others, provided such expression remains within the law. The University values freedom of speech and academic freedom as essential components of higher education and will take reasonably practical steps to secure these freedoms for its members and visitors.
- 5.2** The University explicitly upholds and promotes the academic freedom of its academic staff. This freedom is crucial for advancing knowledge and education. Academic staff will not be put at risk of adverse consequences for exercising their freedom within the law to question, test, and propose ideas, even those considered controversial or unpopular.
- 5.3** The right to freedom of speech is not absolute. The University will not permit activities or expression on its premises or under its auspices that:
- 5.3.1 Constitute a criminal offence.
 - 5.3.2 Are otherwise unlawful under civil law.
 - 5.3.3 Are likely to incite others to commit criminal acts.
 - 5.3.4 Directly support an organisation proscribed under terrorism legislation.
 - 5.3.5 Pose a genuine risk to the safety or security of individuals or the University community.
 - 5.3.6 Are likely to cause a breach of the peace that cannot be reasonably managed.
 - 5.3.7 Would unreasonably (by objective test) disrupt the core activities of the University.
- 5.4** The University undertakes not to deny access to its premises or online facilities to individuals or bodies on the basis of their beliefs, views, policies, affiliations, or any protected characteristic as covered by the Equality Act 2010, provided their conduct remains within the law.
- 5.5** The University recognises its legal and moral responsibilities, including duties under the Equality Act 2010 to prevent unlawful discrimination, harassment, and victimisation, and duties under the Counter Terrorism and Security Act 2015 (the Prevent Duty). This policy operates alongside other University policies designed to ensure a safe, inclusive, and respectful environment, such as those concerning bullying and harassment. Steps taken to secure freedom of speech will be balanced with the University's other legal obligations.
- 5.6** The University is prohibited from using Non-Disclosure Agreements (NDAs) in relation to complaints of sexual misconduct, harassment, or bullying, in line with the provision of the Higher Education (Freedom of Speech) Act 2023.
- 5.7** The University acknowledges its responsibilities under the Higher Education (Freedom of Speech) Act 2023 concerning the transparency of overseas funding and the assessment of any potential risk such funding might pose to freedom of speech and academic freedom.

6 ORGANISING EVENTS INVOLVING EXTERNAL SPEAKERS

- 6.1 There are three main categories of event which may involve an external speaker:
- a) academic events (on campus, online and on demand)
 - b) non-teaching events (on campus, online and on demand)
 - c) off-campus events held under the auspices of Falmouth University
- 6.2 It is vital to ensure that the duty of the University to provide platforms for lawful free speech is not in any way restricted by any action or statement. Where there is a conflict with another policy and this one, it is this policy that will take precedence in all matters related to freedom of speech.
- 6.3 The procedure for academic/teaching events and off-campus University branded events should involve a proportionate risk assessment and escalation following the procedure outlined in Annexe A of the Code of Practice; this is a pre-requisite for on campus events involving an external speaker. Refer to Section 7 of the Code of Practice for further guidance on steps required to assess the risks.
- 6.4 It is the responsibility of the organiser to ensure an event is appropriately risk assessed. If the organiser believes there is a risk this policy or the Code of Practice may be breached, they should escalate the consideration of the proposed event for approval by the relevant Director of Department or Dean of Faculty.
- 6.5 **Non-teaching events:** The risk assessment of these events, using the criteria within the Code of Practice, is built into the room booking and online event booking system: <https://prevent.fxplus.ac.uk/>.
- 6.6 **Off campus events held under the auspices of Falmouth University:** These events must have a named organiser and be risk assessed, with escalation for the approval of the relevant Director of Department or Dean of Faculty, if necessary.

7 COSTS OF SECURITY FOR EVENTS

- 7.1 In accordance with the Higher Education (Freedom of Speech) Act 2023, the University will not, except in exceptional circumstances, require individuals or bodies organizing events on its premises to bear any costs associated with security measures required for that event.

8 ROLES AND RESPONSIBILITIES

- 8.1 **Governing Body:** hold ultimate responsibility for ensuring the University fulfils its statutory duties concerning freedom of speech and academic freedom as defined within the University's governing documents, and as described under the Higher Education (Freedom of Speech) Act 2023, along with the duties set out under Prevent, the Equality Act 2010, and other relevant legislation.
- 8.2 **Vice-Chancellor & Chief Executive:** has overall executive responsibility for the implementation of this policy across the institution.
- 8.3 **Deans of Faculty:** Are responsible for upholding, supporting and actively promoting academic freedom within their respective academic areas, and to have oversight of events

or activities organised by their department and to advise event organisers in line with the requirements of this policy and code of practice. Authority may be delegated as necessary, but accountability is held at the Dean of Faculty level.

8.4 Directors of Department: to have oversight of events or activities organised by their department and to advise event organisers in line with the requirements of the code of practice.

8.5 Event Organisers: have a responsibility to familiarise themselves and comply with this policy and code of practice.

9 COMPLAINTS REGARDING FREEDOM OF SPEECH

9.1 Individuals who believe their lawful freedom of speech or academic freedom, as outlined in this policy, the Code of Practice and relevant legislation, have been infringed by the University have recourse to specific complaints procedures. Annexe C of the Freedom of Speech Code of Practice details the complaints procedure.

10 EQUALITY IMPACT ASSESSMENT

10.1 The author has checked [here](#) to confirm whether an Equality Impact Assessment is required and confirms that:

☒ An Equality Impact Assessment is required and [has been completed](#).

11 CONTACT FOR FURTHER INFORMATION

11.1 Legal Team: legal@falmouth.ac.uk

11.2 Vice-Chancellor's Office: vcoffice@falmouth.ac.uk