

## **Freedom of Speech Code of Practice (“Code”)**

**Freedom of expression and academic freedom are foundational rights at the heart of our mission and [our values](#) and we affirm our obligations in respect of freedom of speech.**

Together this Code and our [External Speaker Policy](#) form our Freedom of Speech Code of Practice.

### **Summary of Content**

This Code:

1. Confirms the obligations and responsibilities contained in our [Charter](#) in respect of freedoms and protections within the University, in particular that:
  - academic staff shall have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges; and
  - we will comply with our legal obligations to ensure that freedom of expression within the law is secured.
2. Underpins any policy that may affect free speech or academic freedom and confirms that in line with the obligations and responsibilities set out in our Charter above, in any conflict between policies, the Code will take precedence.
3. Confirms our approach to freedom of speech; its value, the procedures to be followed by our staff and students and their conduct.

For more information about freedom of speech and academic freedom please complete our essential training module “Freedom of Expression & Academic Freedom.”

### **Values relating to Freedom of Speech**

Our Values underpin our approach to freedom of speech.

- We ask questions, we innovate, and we embrace the new. We continually add to and share our own knowledge.
- We are open to the ideas of others, and we value working in partnership.
- We are a diverse and welcoming community, respectful in our interactions with others and with our environment.
- We are proud of our place in our vibrant city and the role we play to co-create innovative and ambitious solutions to local, national and global issues.

Our approach is to enable, secure and promote the importance of free speech and encourage debate of all kinds, consistent with Article 10 of the European Convention on Human Rights.

Consistent with Article 10(2), restrictions on free speech may be permitted where the restriction is necessary to protect the reputation or rights of others, or in the interests of national security or public safety. This may include where speech which incites hatred or violence, is otherwise unlawful (e.g. harassment/discrimination), or where the exercise of free speech raises serious concerns regarding the safety of students, staff or members of the public.

We support the view of the European Court of Human Rights that freedom of expression constitutes one of the essential foundations of a democratic society and that such freedom is applicable not only to information or ideas that are favourably received, but also to those that have the potential to offend, shock or disturb the listener.

We support the principle that staff and students benefit from a teaching, learning and research culture that pursues knowledge and values vigorous debate. The six pillars of our [curriculum framework](#) support our approach to freedom of speech and academic freedom.

Everyone has the right to free speech within the law. We understand that as a diverse community we will not always agree with each other and that protest is a legitimate expression of freedom of speech but must not shut down debate. Our values support the discussion, innovation, development and sharing of views, even if we disagree with each other or find those views offensive.

### **Protections relating to Academic Freedom**

We seek to enable staff to exercise their academic freedom within their area of expertise, as set out above and in the Charter, within the law without placing themselves at risk of losing their job or privileges or the likelihood of securing promotion or different jobs at the University being reduced.

The content of teaching or research may be challenging or unwelcome and we expect all students and staff to engage with intellectual and ideological challenges in a constructive and questioning way.

### **Institutional neutrality**

The University does not take an institutional position on public matters such as political, cultural or religious debates except where (i) necessary to advance the University's charitable objects (as defined in the University Charter) or (ii) those matters affect the University's essential functions and/or operations or (iii) if expressly agreed by the Board of Trustees. This is to ensure that critical debate is encouraged and individuals are not discouraged from expressing themselves freely within the law.

### **Procedures to be followed by Staff and Students**

#### **(a) The External Speaker Policy**

Our [External Speaker Policy](#) applies to all bookings of events involving the engagement of an external speaker to give a presentation, talk or lecture under the auspices of either the University of Bristol (UoB) or Bristol Students Union (Bristol SU), whether hosted on or off UoB or Bristol SU premises.

We are mindful of our responsibilities to ensure that our premises are not being used for unlawful purposes, including those which may negate the enjoyment of that freedom for others. We are not obliged to allow our premises to be used by members of the public or by organisations which might wish to do so, nor are we obliged to admit members of the public to meetings taking place on our premises (providing that we do not exclude on a discriminatory basis) and must take account of other legal obligations, including those around the bounds of lawful speech and assemblies that may lead to serious disorder or breaches of the peace. Peaceful protest is a protected form of expression; however such protest should not be allowed to shut down debate or infringe the rights of others.

The External Speakers Policy confirms that:

- our aim is to allow events to go ahead in line with our firm commitment to Freedom of Speech, with due regard to our public sector equality duty and in line with the EHRC Code's core ideas, in particular that we "should always work to widen debate and challenge, never to narrow it";
  - those organising events involving external speakers should comply with specific time periods for seeking permission for their event to go ahead;
  - we do not currently charge those organising an event to pay for security costs;
  - the decision-maker is identified at each stage of the risk-based process;
  - we strive not to cancel any event although we may require its postponement; and
  - in the pursuit of our core purposes of education and research it is not normally necessary to apply the External Speakers Policy to the engagement of visiting speakers to contribute to the delivery of approved academic programmes or to take part in research seminars that are part of the normal academic curriculum;
- We expect our staff who are organising such events to be doing so with an awareness of the risk-based approach in our External Speakers Policy using that process where appropriate and in line with our curriculum framework.

(b) Organisation of activities that relate to academic life

We expect:

- our staff and students to organise their academic activities whether on or off our premises in line with our policies and procedures including health and safety risk assessments and an understanding that their decisions should respect the rights of any student or member of staff of the University, or any visitor to the University, to freedom of belief and freedom of speech.
- decision-makers (whether as individuals or as a group/committee) to take into account and comply with the statutory free speech duties, our Freedom of Speech Policy and our Public Sector Equality Duty when making/adopting/interpreting any policy or procedure that could directly/indirectly (whether positively or negatively) affect freedom of speech.
- consider the guidance under the Counter-Terrorism and Security Act, 2015, which provides that the University 'must, in the exercise of its functions, have due regard to the need to prevent people from being drawn into terrorism'. The guidance acknowledges that universities must have particular regard (this is considered to carry more weight than 'due regard') to the duty to ensure freedom of speech and to the importance of academic freedom.

## Conduct

When organising attending or making decisions relating to academic life, including events involving external speakers, staff and students are reminded of their obligations under the University's [Acceptable Behaviour Policy Statement](#) and the University's [Acceptable Behaviour at Work Policy Statement and Guidance](#), the [Student Disciplinary Regulations](#) and [Staff Conduct Procedure](#) (Ordinance 10.4 Code of Conduct), including their obligation to respect the rights of others to freedom of speech. Bristol SU members are expected to comply with the [Bristol SU Code of Conduct](#).

If a member of University staff or a student wishes to make a complaint about a matter related to freedom speech and/or academic freedom they may do so under the [Procedure for Considering Complaints Raised by Staff and Students relating to Freedom of Speech and](#)

[Academic Freedom](#). Please note that if a student wishes to make a complaint about a decision made by Bristol SU under the External Speakers Policy they should use the [Bristol SU complaints procedure](#).