



# Free Speech Code of Practice

## 1. Introduction

- 1.1 Moorlands College supports freedom of speech within the law and academic freedom as of fundamental importance within higher education. The College secures free speech in accordance with the expectations of the Higher Education and Research Act 2017, the Higher Education (Freedom of Speech) Act 2023, and the relevant guidance of the Office for Students. The commitment to freedom of speech and academic freedom is expressed in the Governance Policy of the College's Board of Trustees and worked out at appropriate points in the College's Academic Framework. It is expressed through various policies, and is in harmony with other documents, including the Equality, Diversity and Inclusion Policy and the Prevent Duty Policy. Should there be any cases of uncertainty regarding the College's approach, the definitive and up-to-date statement is set out in this Code of Practice; that is, if any conflict exists between documents, the Code of Practice takes precedence.
- 1.2 Freedom of speech is "the freedom to impart ideas, opinions or information... by means of speech, writing or images".<sup>1</sup> Free speech includes allowing the expression of views that may be shocking, disturbing or offensive to some, but are permitted by law.
- 1.3 Academic freedom is the freedom of academic staff "to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves at jeopardy of losing their jobs or privileges" at the relevant higher education provider.<sup>2</sup> Academic freedom can therefore be seen as a subcategory of freedom of speech that covers a particular group of people for whom the issues are particularly important.
- 1.4 The College protects and actively secures freedom of speech within the law, including academic freedom.
- 1.5 This Code of Practice applies to all staff, students, including the Student Union as a body, volunteers and visitors, including visiting speakers and trustees, in their College activities, and to all in College locations, whether online, owned or rented for a period, including external parties accessing College premises through commercial bookings.

## 2. Principles

- 2.1 The College takes all reasonably practicable steps to secure freedom of speech within the law. In doing this, the College:

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<sup>1</sup> Quoting from Article 10 of the European Convention on Human Rights as referred to by the Higher Education (Freedom of Speech) Act 2023.

<sup>2</sup> Higher Education and Research Act 2017, 2(8)(c).

- views serious engagement with a variety of mutually contradictory positions, including, in the College’s case, those incompatible with the College’s Doctrinal Statement, as essential to higher education
  - encourages students to allow their thinking and particularly their presuppositions to be challenged and to change
  - recognises that the educational process includes discussion of ideas that some may find shocking, disturbing or offensive and requires that such discussions involve respect and care for others throughout
  - takes active steps to ensure that all are protected from harassment and none are incited to hatred or violence
  - values tolerance of people with views at odds with one’s own while refusing to tolerate personal attacks or incitement to hatred or violence.
- 2.2 The College is also committed to meeting its legal obligation, as a charity registered with and regulated by the Charity Commission, to further its charitable objects, which are to “maintain, advance and promote the Christian Religion by the conduct of a College or Colleges for the study and teaching of the Bible, Christian Doctrine and related subjects and by the training of Ministers of Religion, Christian teachers, missionaries and other Christian workers and by such other means being charitable as the Charity may determine provided that all such activities shall be carried on in strict accordance with [its] Doctrinal Basis”.
- 2.3 All (to whom this code of practice applies as defined in 1.5 above) are expected to support the College in securing freedom of speech within the law.

### **3. Management of students and staff**

- 3.1 The College does not discriminate against applicants to study or students on the basis of their views. All are treated equitably, in line with legal requirements and in accordance with published policies. Specifically, admissions decisions are based on fundamental principles of the expectation of benefit from and success in the relevant programme; similarly, assessment decisions are based on objective academically evidence-based criteria and not on the perceived orthodoxy of the position taken.
- 3.2 The College does not discriminate against applicants to or holders of academic staff roles on the basis of their views. All are treated equitably, in line with legal requirements and in accordance with published policies. Specifically, academic staff appointment, work assignment and promotion decisions are based not on criteria of beliefs, but on criteria of experience and suitability to be able to fulfil the job description (in the case of appointments) and performance (in the case of work assignment and promotion) in furtherance of the charitable objects of the College.
- 3.3 The College is committed to not enter into non-disclosure agreements relating to complaints involving freedom of speech.
- 3.4 As part of their initial induction, all students receive training on freedom of speech. This Code of Practice is published to students within their programme handbook on the VLE (Virtual Learning Environment). Students’ understanding of the topic is refreshed each year, always including a written reminder.

- 3.5 Initial induction and on-going training of staff addresses freedom of speech and academic freedom to various levels, appropriate to the level of their engagement with learning, teaching and research. This Code of Practice is published to staff members through the staff policies shared folder. Staff understanding of the topic is refreshed each year, always including a written reminder.
- 3.6 Relevant policies work out the practical expression of this Code of Practice within their specific contexts.

## **4. Learning, teaching and research**

- 4.1 The principles expressed above in section 2 are of fundamental importance in the College's conceptualisation of learning, teaching and research. The College recognises that for these activities to be carried out with integrity a very high level of protection is required for the lawful expression of viewpoints. This is crucial for an environment where evidence-based scholarly inquiry, debate and the dissemination of knowledge can thrive.
- 4.2 The right to free speech does not include the right to conduct that disrupts or impedes either the proper activities of the College or the free speech of others. The College, therefore, would take active steps against campaigns to restrict free speech within the law. Individuals exercising their right to free speech must ensure that their expressions do not infringe the law or restrict the free speech of others. Speakers (staff, students and visiting speakers) will be held accountable for their actions if their speech crosses these boundaries.
- 4.3 The College expects academic staff to contribute to the furtherance of the College's charitable objects by enabling learning in line with the approved aims and learning outcomes of the relevant programme(s) of study and, more broadly, with the College's graduate attributes.
- 4.4 Those inviting external speakers must ensure that the speaker receives a link to a copy of this Code of Practice, understands the concepts of freedom of speech within the law, and complies with the College's expectations.
- 4.5 Staff and students may pursue academic research within the parameters of the law regardless of their conformity to received wisdom, controversiality or popularity.
- 4.6 The College defends the independence of scholarship against external pressures that seek to influence, alter or suppress research findings. The College will not accept students, external speakers or scholars on the basis of funding arrangements or other criteria that have the effect of restricting academic freedom or freedom of speech within the law. The College does not enter into funding arrangements that are inconsistent with its charitable objects.

## **5. The Prevent Duty**

- 5.1 The College utilises visiting lecturers giving one-off classes within degree programmes as well as visiting speakers for other activities. The inviter (staff or student) of such a person is required to be trained in the Prevent Duty and to evaluate any risks from that perspective. The College's "External Speaker Request Form" requires their evaluation to be explicitly recorded. Any invitations where a potential risk relating to Prevent is identified are discussed with the Prevent Lead, who can refuse permission for the invitation to be made. Such events may not be publicised during this process. When an invitation is not allowed on Prevent grounds, the decision and its rationale are reported to the Prevent and Academic Freedom Group.

- 5.2 The College recognises the value of appropriate research on or relating to extremism or related sensitive topics and/or which might lead the researcher to access sources, e.g., books, websites, that promote radical causes (in this section, referred to as “sensitive research”).
- 5.3 Where sensitive research involves fieldwork, the College’s Research Ethics Policy ensures that necessary matters are appropriately considered with the involvement of the Prevent Lead before fieldwork is conducted.
- 5.4 If an assessment task is specified so that it is likely to lead students to undertake sensitive research, this is discussed at the Assessment Approval Panel and the input of the Prevent Lead is sought.
- 5.5 If an assessment task is specified in such a way that a student may choose to pursue a range of research topics, and a student wishes to undertake sensitive research, the module tutor is required to follow the guidance of the Prevent Lead within the standard proposal approval process.
- 5.6 If a member of staff wishes to conduct sensitive research, they are required to seek the approval of the Prevent Lead.
- 5.7 If, after due consideration, a proposal for research is rejected, the rationale for the decision will be reported to and noted by the Prevent and Academic Freedom Group. Through receipt of minutes, the activities in this area are monitored by the Executive Leadership Team and Academic Board.

## **6. Events**

- 6.1 This Code of Practice applies to all events held on College premises or under the auspices of the College at other locations. External parties making speaker bookings are made aware of this Code of Practice and required to comply with it.
- 6.2 The College offers its premises for hire in accordance with its lettings policy (which is known as the “Residential Centre Terms and Conditions”). As a registered charity the College is only permitted to carry on activities that are in furtherance of its charitable objects or which are incidental to them. This may affect the nature of the organisations and persons that can be allowed to hire the premises (and the purposes for which premises can be allowed to be hired).
- 6.3 The College seeks to maintain good order on its premises. It has the right and the power to regulate and, if necessary, to impose conditions or restrictions upon activities held or proposed to be held on its premises, especially where there is a likelihood of specific, imminent and direct actions that the College would be unable to prevent evolving into an illegal activity or unsafe situation. The College does not normally add costs of security to charges for using its premises. The College covers the cost of additional security relating to the use of its premises up to £1,500. In the exceptional event that security costs are expected to exceed this amount the organiser of the event is notified of the expected costs, with a clear explanation, and a requirement to accept liability for the further costs within a reasonable timeframe or have the event cancelled.

## **7. Breaches of this Code of Practice**

- 7.1 A student or staff member in breach of this Code of Practice may be subject to action being taken against them under the relevant student Conduct Review Procedures or staff disciplinary procedures. Allegations against a student can be brought to any member of the Conduct Panel.

Allegations against a staff member can be brought via that person’s line manager, any member of the Executive Leadership Team or the College’s Human Resources Manager.

- 7.2 The College discourages students or staff from bringing allegations where the behaviour in question is a lawful expression of a particular viewpoint. Such allegations will not be upheld. In order to avoid unnecessary, intrusive investigations, those responsible for the relevant procedures conduct a preliminary assessment/triage to assess whether to commence an investigation.
- 7.3 Where those responsible for the alleged breach are part of a different organisation the organisation is informed with the expectation that it will take action under its own procedures.
- 7.4 If a student or staff member believes their freedom of speech within the law has been infringed by the College, they should raise the matter through, respectively, the Student Complaints or staff grievance procedures.

## 8. Governance

- 8.1 The Board of Trustees is responsible for policy and practice in the area of free speech within the law and academic freedom.
- 8.2 Academic Board and the Executive Leadership Team are responsible to ensure that the institutional policy is reflected in other documentation relevant to, respectively, students and staff.
- 8.3 Minutes of each meeting of the Prevent and Academic Freedom Group are received by the Executive Leadership Team and by Academic Quality Committee which raises significant matters to the attention of the Academic Board. The Board of Trustees receives a Freedom of Speech and Academic Freedom Report annually. The Board of Trustees also receive an annual reflection on the College’s fulfilment of the Office for Students conditions for ongoing registration, which includes identification and review of risks in this area.

## 9. Document History

13 May 2016	Approved by Academic Board
16 May 2016	Approved by Board of Trustees
16 March 2022	Revised and approved by Board of Trustees: various minor changes reflecting developments at College; major revision of section 6 covering procedures for approval of all forms of research; inclusion of Nicene and Apostles’ creeds; correction of Basis of Faith to Statement of Faith.
24 November 2025	Approved by Board of Trustees: review of document to ensure compliance with Higher Education (Freedom of Speech) Act 2023 and subsequent Office for Students Guidance, drawing on documents from other institutions including (some of which take into account the Act and guidance).
24 February 2026	Approved by Board of Trustees chair: addition of a “may”.