

Code of Practice to Ensure Freedom of Speech, including External Speakers Procedure

November 2025

Document Control

Current Version Number	1
Date of Last Review	July 2023
Date of Next Review	October 2027
Expiry Date	NA

Amendment History

Version No.	Date	Summary of Amendment	Author
2	11/25	Revised to reflect updated OfS guidance	C Whitmore

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Associated Documents

Policy

External Speakers Procedure
 Student Disciplinary Policy
 Staff Disciplinary Policy
 Safeguarding and Prevent Policy (including Child Protection)
 Student Wellbeing and Support to Study
 Student Harassment and Sexual Misconduct Policy
 Student Inclusion and Disability Policy
 Admissions Policy
 Student Complaints Policy
 Staff Grievance Policy
 Staff Equality and Diversity Policy
 Staff Relationships at Work Policy
 Health and Safety Procedures

Legislation and Government Guidance

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Appendix 1

OfS Regulatory advice 24: Guidance related to freedom of speech - Office for Students

This policy, and its associate procedures, has been drawn up on the basis of UK legislation, policy and guidance; it is applied, in whole or in part, to all CEG centres taking into account local legislation which may substitute where applicable UK law.

For students studying with Managed Campus, iheed and on CEG Digital programmes, the appropriate university policy and procedures will also apply.

Approved by	Signature	Date
OnCampus SLT	M Goodwin	4 th July 2023
SLT Face to Face	M Goodwin	11 th November 2025

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1. Our values and expectations

- 1.1 CEG values diversity and is committed to the principles of academic freedom and freedom of speech and expression.
- 1.2 We are committed to ensuring that students and staff have freedom to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves at risk.
- 1.3 Every person employed by CEG and every student enrolling with us should be aware that joining our community involves obligations and responsibilities, which are consistent with the above principles and law.
- 1.4 We uphold and promote the academic processes through which ideas and beliefs are tested by rigorous intellectual inquiry, and the freedom in which to pursue inquiry and creativity. All staff and students are entitled to teach, learn and research in a culture that values vigorous debate. We have a high tolerance for all kinds of lawful speech. It is not the proper role of CEG to attempt to restrict the discussion of ideas and opinions that are within the law, no matter how distasteful, unwelcome or offensive those ideas and opinions may seem to some. This is especially the case regarding matters of academic and public interest.
- 1.5 The Higher Education (Freedom of Speech) Act 2023 ('the Act') protects free speech within the law. We will take all reasonably practicable steps to secure free speech within the law for our students, staff and visiting speakers. Therefore, we set out in Appendix 1 the wider legislation that we will consider in the context of freedom of speech.
- 1.6 Nothing in this Code shall interfere with the right to assemble, demonstrate, protest and speak or otherwise express oneself within the law. However, freedom of speech will not be protected if it

contravenes some other law, and illegal or unlawful acts will not be tolerated by CEG. CEG is conscious of its obligations to maintain good campus relations which safeguard the safety of students, staff and visitors. Protests against an event must be conducted without infringing the rights of others, including others' rights to freedom of speech.

1.7 All CEG staff and students are made of the Code through the usual induction process. The Code applies to those persons and bodies listed at 2.4.

2. Purpose

2.1 This Code of Practice sets out the CEG approach to freedom of speech. It is issued in accordance with the Higher Education (Freedom of Speech) Act 2023, the Higher Education and Research Act 2017 ('HERA') and section 43 of the Education [No 2] Act 1986 which requires that 'every individual and body of persons concerned in the government of any establishment to which this section applies shall take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers'. This statutory duty requires CEG:

- To identify the reasonably practicable steps that must be taken to ensure that freedom of speech within the law is secured for all students, staff and visitors; and
- To specify arrangements for the management of meetings and events on CEG premises which are not an integral part of day-to-day academic or administrative business.

In addition, to reflect that CEG cooperates with its partner universities and respects their policies and procedures.

2.2 Prevent Duty: under the Counter-Terrorism and Security Act 2015, CEG must have due regard to the need to prevent people from being drawn into terrorism. The legislation specifically states that, in complying with the Prevent duty, CEG must have 'particular regard' to the duty to ensure freedom of speech and to the importance of academic freedom (sections 26 and 31). CEG must also have 'regard' to statutory guidance (section 29).

2.3 Every person to whom this Code's obligations apply shall assist CEG in upholding this Code of Practice. This includes:

- CEG;
- All staff and registered students;
- All students studying with CEG under an agreement with a partner organisation;
- Visiting speakers and all other person invited or otherwise lawfully on CEG premises.

2.4 The Code applies to all forms of communication and expression utilising the facilities/assets of CEG, irrespective of the medium employed, including:

- Meetings and similar organised events arranged internally or by external organisations including by Student Representatives. The procedure to be followed in such cases is set out in Appendix 2;
- The display of signs, posters and distribution of literature;
- The display of internal/non-profit making advertising material;
- The display of audio-visual material;
- Social and recreational activities;
- CEG branded events taking place off site/campus;
- Any other activity which CEG from time to time declares to fall within the Code.

2.5 CEG authorises the Group Chief Operating Officer to act on its behalf to ensure as far as is reasonably practicable that all members of CEG (staff and students), and all visiting speakers, comply with the provisions of this Code of Practice.

3. Legislative and Regulatory Context

3.1 This Code is underpinned by both external legal context as well as an internal framework of policies and procedures. The principal elements of the legal context are documented at Appendix 1 and the guidance on external speakers (Appendix 2).

3.2 Whilst often used interchangeably, freedom of speech and academic freedom are different terms that relate to each other. The Human Rights Act 1998 defines freedom of speech as: ‘the freedom to impart ideas, opinions or information (referred to in Article 10(1) of the European Convention on Human Rights (“the Convention”) by means of speech, writing or images (including in electronic form).’

3.3 Freedom of speech means everyone has the right to express lawful views and opinions freely, in speech or in writing, without interference.

3.4 Academic freedom in relation to academic staff at a registered higher education provider (or constituent institution), means protecting the intellectual independence of academics to:

- Question and test received views and wisdom
- Put forward new ideas and controversial or unpopular opinions without placing themselves at risk of being adversely affected for example loss of their jobs or privileges at the provider, the likelihood of their securing promotion or different jobs at the provider being reduced.

3.5 No person to whom this Code applies shall take any action to prevent any academic activity because of the views held or expressed by a member of staff. CEG is committed to ensuring that academic staff have the freedom, within the law, to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions. In exercising these rights, staff have the responsibility to comply with this Code and other relevant staff policies and procedures.

3.6 No person or group to whom this Code applies shall prevent or seek to prevent the holding or continuation of any academic activity because of the views held or expressed, views which are reasonably likely to be expressed or which it is believed may be expressed by the tutor or student concerned, except as provided for in paragraph 3.11.

3.7 No person or body to whom this Code applies shall prevent or seek to prevent any student or group of students from attending any academic activity required by, or properly associated with, the course for which they are enrolled (whether or not within CEG premises) because of the views or beliefs held or lawfully expressed by that student or group of students or because of the reasonable likelihood or the belief that such views will be expressed.

3.8 CEG will work with staff, university partners, students and third party organisations, such as the Police, in order to meet its legal obligations, in order to ensure on site safety and security, and to ensure that staff and students are able to work unhindered by hostility, offensive conduct or intimidation in the legally understood meaning of these terms.

3.9 The Code applies to any individual or organisation, hiring a venue controlled by CEG for an event or meeting. ‘Venue’ also refers to premises which CEG does not own but over which CEG exercises some degree of control, and premises occupied by CEG whether CEG owns or has control of such premises, for example: premises which CEG leases for its activities such as academic space leased directly from a partner institution. The booking of the premises by, or on behalf of an outside organisation or individual shall be made in consultation with the Head of Estates and Facilities. Any hire made by CEG will subject the organisation or individual to the regulations of CEG including the application of this Code of Practice. CEG will refuse the use of its premises by any organisation or

individual if the aims and objectives of the organisation or individual are deemed by CEG to be incompatible with those of CEG.

3.10 CEG has the right and power to regulate the use of its premises and is under no legal obligation to hold meetings on site which are open to the outside public. However, in compliance with its duties under Section 43 of the Education (no.2) Act 1986, CEG will ensure, so far as is reasonably practicable, that the use of its premises is not denied to any individual or body of persons on any ground connected with:

- i) the beliefs or views of that individual or of any member of that body; or ii) the policy or objectives of that body.

3.11 It shall be accepted as reasonable to refuse consent, or withhold facilities, or impose conditions on any event to which this Code applies where CEG reasonably believes (from the nature of the speakers or from similar events in the past whether held at CEG or otherwise) that:

- The views likely to be expressed by any speaker are contrary to the law;
- The intention of any speaker is likely to be to incite breaches of the law or to intend breaches of the peace to occur;
- The event will include or is likely to include the denial of the right to hold or to express an opposing opinion;
- The speaker and/or the organisation they represent advocates or engages in violence or non-violent extremism in the furtherance of their political, religious, philosophical or other beliefs;
- The views likely to be expressed by any speaker are for the promotion of any illegal organisation or purpose, including organisations listed on the government's list of proscribed terrorist groups or organisations;
- It is in the interest of public safety, the prevention of disorder or crime or the protection of those persons lawfully on premises under the control of CEG (or partner university), that the event does not take place.

Where CEG is reasonably satisfied that the otherwise lawful expression of views at any event is likely to give rise to disorder or threats to the safety of participants or the wider CEG/university community, CEG shall consider what steps it is necessary to take to ensure the safety of all persons; the maintenance of order; and, the security of the premises controlled by CEG/partner university.

4. Steps CEG will take to ensure freedom of speech

4.1 In accordance with the Higher Education (Freedom of Speech) Act 2023, CEG will take 'reasonably practicable' steps to secure freedom of speech within the law. As a minimum, CEG will:

- Ensure this Code of Practice and the principles set out within it are brought to the attention of staff and students during induction;
- Communicate the content with OnCampus students pre-arrival through the Student Handbook
- Draw the Code of Practice to the attention of students and staff annually;
- Publish the Code of Practice on the OnCampus website, Canvas and staff Help Centre
- Ensure that all relevant staff are appropriately trained, in particular those who are making decisions that may affect free speech and academic freedom matters and involved in recruitment;
- Ensure that whenever relevant policies and procedures are introduced, consideration is given to their impact on freedom of speech and academic freedom;
- Periodically survey staff, students and other stakeholders to secure their views on whether freedom of speech and academic freedom at CEG are being adequately protected and take the findings into account;
- Ensure that there are adequate and effective mechanisms to raise concerns about freedom of speech and academic freedom;

- When concerns are raised about freedom of speech and academic freedom, ensure that, so far as is reasonably practicable, they are addressed and any lessons to be learned are incorporated into a review of relevant policies, practices and procedures;
- Use the Three-step framework (Office for Students Regulatory Advice 24) to help with assessing compliance with the 'secure duty':
 - Step 1: Is the speech 'within the law'?
 - Step 2: Are there any 'reasonably practicable steps' to secure the speech?
 - Step 3: Are any restrictions 'prescribed by law' and proportionate under the European Convention on Human Rights?

For further information refer to Appendix 2.

5. Programmes of Study

5.1 CEG will ensure that its teaching, curriculum, policies and procedures reflect its duties to ensure, so far as is reasonably practicable, freedom of speech and academic freedom within the law. In particular:

- Its processes for programme development and approval, quality assurance and academic assessment will respect the rights of freedom of speech and academic freedom;
- Its processes for facilitating research will respect the rights of freedom of speech and academic freedom.

6. Admissions, Appointments and Promotion

6.1 Admissions: CEG does not require student applicants to commit (or give evidence of commitment) to a particular viewpoint.

6.2 CEG's recruitment procedures ensure that candidates are not adversely affected in relation to their application for their exercise of free speech or academic freedom, including where an existing staff member applies for an academic promotion.

7. Limitations on Freedom of Speech

7.1 In the context of its duties in relation to freedom of speech and academic freedom, CEG must take into account legal obligations which may require it to have regard to what is said on its premises including complying with counter-terrorism legislation and criminal law. A speaker, for example, who makes slanderous statements or who incites an audience to violence or to a breach of the peace or to racial hatred transgresses the bounds of lawful speech. Equally, assemblies of persons, even if directed to lawful purposes, cease to be lawful if they cause serious public disorder or breaches of the peace.

7.2 CEG has a duty to protect its staff and students from unlawful discrimination, harassment, intimidation or threats of violence on the grounds of race, sex, age, religion or philosophical belief, sexual orientation, disability, gender reassignment, marriage and civic partnership, or pregnancy or maternity. However, the provisions of the Equality Act 2010 should not be interpreted to undermine experience, and the working environment of staff may include exposure to research, course material, discussion or speaker's views that they find offensive, contentious or unacceptable, but are nonetheless lawful and unlikely to be considered unlawful or harassment or discrimination under the Equality Act, 2010.

7.3 Whilst upholding the principle of freedom of speech recognised in this Code, CEG also has a right to take action to prevent damage to its property and interests; such action will not be unreasonably taken.

8. Breaches of this Code

8.1 Failure to comply with this Code may result in one or more of the following measures:

- Suspected or actual breaches of the law will be reported to the police or appropriate authorised body.
- Disciplinary action
- The Event Organiser may be banned from arranging future events for a specified period • The External Speaker, a visitor may be excluded from premises for a specified period
- Any other measures CEG deems appropriate.

8.2 Where a breach of the provisions of this code is committed by a member of staff, the Staff Disciplinary Policy will apply.

8.3 Where a breach of the provisions of this code is committed by a student, the Student Disciplinary Procedures will apply.

8.4 Where a breach of this Code occurs, it shall be a duty of all to whom this Code applies to take all reasonable steps to provide reasonable assistance in the identification of persons involved in that breach.

8.5 Where breaches of the law occur, CEG shall, where appropriate assist the police. In respect of any criminal charges, CEG may proceed with disciplinary proceedings in respect of the same matters.

9. Application to meetings, events and other activities

9.1. The responsibility to protect free speech covers all events, including demonstrations, protests and other events organised by a member of staff or student of the CEG divisions, including events organised by individuals or groups using the name, funding, branding or facilities. It is particularly relevant to the following activities (although this list is not exhaustive):

- public meetings, arranged internally or externally, and held physically or virtually; • demonstrations, protests or marches on campus;
- other forms of freedom of speech.

9.2 Where someone has been invited to speak at an event or meeting, they should not be prevented from speaking because of their lawful ideas or viewpoints. Generally, this means that CEG will not cancel events because of protests or objections (even if they are widespread) if they do not interfere with the essential functions, for example teaching, learning and necessary administration. In some cases, we may need to regulate the time, place or manner of a speaking event so that the essential functions of higher education and the workplace continue, or if there is a concern about physical safety. Such regulation will not restrict the time, place or manner of speech any more than necessary. By 'speaker', this Code means any organiser or other person invited to address a meeting other than members of any audience at that meeting.

9.3 Where it is within the law, CEG will not limit the use of premises:

- in relation to an individual, their ideas or opinions;
- in relation to a body, its policy or objectives or the ideas or opinions of any of its members and that the terms on which such premises are provided are not to any extent based on such grounds
- whether ideas or opinions align with the provider's or partner university's 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.

9.4 In order to comply with the duty set out in Section 26(1) of the Counter-Terrorism and Security Act 2015, CEG has developed specific policies and procedures for the management of events on site and use of all its premises. Where any person or body to whom this Code applies is engaged in the organisation of any event on premises controlled by CEG, the organiser must comply with the Organising External Speakers and Other Events Guidance, External Speaker Risk Assessment Form and External Speaker Code of Conduct as set out as Appendices 2, 3 and 4.

9.5 CEG may impose such conditions and requirements upon the organisers as are reasonably necessary in all the circumstances, ensuring that the conditions and requirements go no further than is necessary to address the risks it has identified. These may include, but are not limited to, requirements as to provision of stewards, variation of location and time, and whether the event shall be open to the public at large.

9.6 Where CEG concludes that imposing conditions would not be sufficient to prevent serious disorder within premises subject to their control, it may decline to permit such events to be held. Before doing so, however, CEG will generally consult the police and partner university with a view to establishing whether serious disorder can be prevented or otherwise dealt with appropriately, for example by attendance of police officers or alternative conditions.

9.7 CEG reserves the right to review an event decision if further information emerges about the proposed event which in its view may affect the safe conduct of it, for example the advice of the police or any other authorised body.

9.8 We may share information about speakers and events with other providers such as the partner university, police and other authorities. Information is shared where it is appropriate and legal to do so, and solely for the purpose of upholding this Code of Practice.

10. Conduct at Events

10.1 All persons to whom this Code of Practice applies are required to observe the principle of freedom of speech and expression while on CEG premises and shall show respect and 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.

10.2 A member of staff or student who organises an event on CEG premises shall be responsible for ensuring, as far as is reasonably practicable, that the event is conducted in a manner to promote freedom of speech whilst maintaining good order and academic discipline and does not involve or lead to damage to property or an infringement of the law.

10.3 CEG staff and students are required to ensure that they do not wilfully engage in conduct that prevents, obstructs or disrupts the holding or orderly conduct of any meeting or other lawful activity that takes place on CEG premises.

10.4 Nothing in this Code shall be taken to prohibit the lawful exercise of the right to peacefully protest. Protests against an event must however 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.

10.5 Infringements of, or departures from, this Code in whatever respect may render those responsible subject to disciplinary proceedings. In addition to disciplinary proceedings, breaches of the law may give rise to prosecution. All students and members of staff are under an obligation to assist with any investigation into any allegation of a breach of this Code of Practice.

10.7 Where a breach of this Code of Practice and an offence takes place at an event, CEG may take steps to assist the police to secure identification of the persons committing offences with a view to appropriate action being taken against them.

11. Appeals

11.1 Appeals against decisions or conditions issued may be made to the Group Chief Operating Officer (or, in their absence, their nominee), whose decision shall be final. This decision shall be reported to the next meeting of the Academic Board and then the CEG UFP Ltd Governing Body. Refer to Appendix 2 for further information. Students studying with iheed, CEG Digital programmes or at a managed campus should refer to the partner university procedures.

12. Complaints

12.1 Anyone may complain about/raise an objection to CEG in respect of the holding of an event under the relevant complaints procedure. Complaints processes will be concluded as rapidly as is reasonably practicable and compatible with fairness.

12.2 Students should make Free Speech Complaints under the Students Complaints Procedure. If the student remains dissatisfied with the outcome of their complaint following completion of the Student Complaints Procedure and have received the Completion of Procedures letter, they may take their complaint to the OIA. They may also submit a notification of their complaint to the Office for Students (OfS).

12.3 Members of staff should raise Free Speech Complaints under the Grievance Policy. If they remain dissatisfied with the outcome of their grievance, they may submit a notification to the OfS's Free Speech Complaints Scheme. Visiting speakers may also submit a complaint under this scheme.

13. Data Storage

13.1 These records will be kept for as long as necessary to be available for external review (for instance, through judicial review, a regulatory investigation or a relevant complaints process). Providers and constituent institutions should put in place and follow delegation arrangements setting out clearly and explicitly which committees or individuals are authorised to make decisions that are likely to have a substantial (positive or negative) effect on compliance with any free speech duties.

14. Review and Monitoring

14.1 CEG acknowledges its duty under subsection 3 of section 43 of the Education (No.2) Act 1986 to issue and keep up to date this Code of Practice on Freedom of Speech. Concerning OnCampus, the CEG UFP Board should therefore receive an annual report on the operation of the Code, together with any recommendations for the revision of it in order to enable CEG to remain compliant on an ongoing basis. This report shall be consulted with the Academic Board prior to consideration by the CEG UFP Board.

14.2 Related policies and training are reviewed periodically to ensure they have regard to current regulations and do not restrict lawful free speech and academic freedom.

14.3 The number of external speaker requests are recorded across the network and reported annually. The report includes any refusal of permission for a speaker and information on why the decision was made. Any trends in refusals would be reviewed by the Chief Academic Officer

14.4 Complaints are monitored by the Academic Team. Any trends in complaints or appeals related to freedom of speech would be investigated.

15. Exceptions to the Code

15.1 There are no exceptions to this Code. Appeals against any decisions are detailed in section 11.

Appendix 1

CEG Code of Practice on Freedom of Speech: Legal Context

Relevant Laws to consider when assessing whether actual or potential speech is within the law include:

1. The Education Act (No 2) 1986 (Section 43) imposes specific obligations on universities to promote and protect freedom of speech and requires that universities: "shall take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers."

The Act includes a duty on university governing bodies to issue and keep updated a code of practice setting out the procedures to be followed by members, students and employees in connection with meetings on the university's premises.

2. The Higher Education (Freedom of Speech) Act 2023 ('the Act') amends the Higher Education and Research Act 2017 ('HERA') to strengthen the legal requirements placed on universities and colleges relating to freedom of speech and academic freedom.

3. The Public Order Act 1986 contains a range of criminal offences relating to violent conduct, speech or actions that threaten violence or cause fear, harm or distress. The Act also makes it an offence to use threatening, abusive or insulting words or behaviour either with the intention of stirring up racial and religious hatred, or in circumstances where it is likely racial or religious hatred will be stirred up as well as stirring up hatred on grounds of sexual orientation (with particular reference to Sections 4, 4A and 5).

4. Harassment (Protection from Harassment Act 1997) provides protection from harassment in a wide variety of disputes including talking, bullying at work, protection from the media, libel disputes. There are two criminal offences:

- pursuing a course of conduct amounting to harassment;
- a more serious offence where the conduct puts the victim in fear of violence.

Speech that amounts to unlawful harassment under the Protection from Harassment Act 1997 is not 'within the law' and the Act imposes no obligation to secure it.

5. Counter-Terrorism and Security Act 2015: CEG must have due regard to the need to prevent people from being drawn into terrorism (the 'Prevent duty'). Relevant legislation specifically states that, in complying with the Prevent duty, CEG must have 'particular regard' to the duty to ensure freedom of speech and to the importance of academic freedom (sections 26 and 31). CEG must also have 'regard' to statutory guidance (section 29).

6. The Terrorism Act 2000 prohibits (among other things) speech that:

- a. invites support for a proscribed organisation, and the support is not, or is not restricted to, the provision of money or other property; or
- b. expresses an opinion or belief that is supportive of a proscribed organisation, and in doing so is reckless as to whether a person to whom the expression is directed will be encouraged to support a proscribed organisation. (See in particular sections 11-13 of Terrorism Act 2000).

It is also unlawful to address a meeting if the purpose of the address is to encourage support for a proscribed organisation or to further its activities. A person also commits an offence if they arrange, manage or assist in arranging or managing a meeting which they know is:

- a. to support a proscribed organisation,
- b. to further the activities of a proscribed organisation, or
- c. to be addressed by a person who belongs or professes to belong to a proscribed organisation.

Speech that amounts to an offence under the Terrorism Act 2000 is not 'within the law' and the Act imposes no obligation to secure it.

7. The Equality Act 2010 – prohibits unlawful direct and indirect discrimination. Also places duties on providers of higher education and their staff in relation to victimisation and also harassment. The

relevant provisions relate to a set of ‘protected characteristics’. These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. As stated in Regulatory advice 24, section 70: a ‘protected characteristic that is often relevant in this context is religion or philosophical belief. ‘Philosophical belief’ means beliefs that are: a. genuinely held; b. a belief and not an opinion or viewpoint based on the present state of information available; c. a belief as to a weighty and substantial aspect of human life and behaviour; d. a belief that attains a certain level of cogency, seriousness, cohesion and importance; and e. worthy of respect in a democratic society, not incompatible with human dignity and not in conflict with the fundamental rights of others. The courts have found the following beliefs, among others, to be protected under the Equality Act 2010: belief in climate change, ethical veganism, gender-critical belief, and belief in Scottish independence’.

8. **The Counter Terrorism and Security Act 2015** places an obligation on CEG to have due regard to its duty to prevent people from being drawn into terrorism (as interpreted in the relevant case law).
9. **The Racial and Religious Hatred Act 2006** makes provision about offences involving stirring up hatred against persons on racial or religious grounds.
10. **Data Protection Act 2018** Member States shall by law reconcile the right to the protection of personal data pursuant to this Regulation with the right to freedom of expression and information, including processing for journalistic purposes and the purposes of academic, artistic or literary expression (Article 85 UK GDPR).
11. **Office for Students Condition E6 Harassment and Sexual Misconduct 2025:** The condition includes paragraph E6.8 relating to freedom of speech, which requires that a provider’s approach to harassment must be consistent with the ‘freedom of speech’ principles in E6.11 (J). It is noted that the requirement in E6.8 takes precedence over any other requirement of condition E6.
12. **Other legislation** may also be relevant to whether speech is ‘within the law’.

This includes:

- Malicious Communications Act 1998
- Communications Act 2003
- Terrorism Act 2006
- Public Order Act 2023
- Higher Education and Research Act 2017
- Online Safety Act 2023

Freedom of thought, conscience and religion (Article 9); freedom of expression (Article 10); and freedom of assembly and association (Article 11) are safeguarded by the European Convention on Human Rights and incorporated into UK law by the **Human Rights Act 1998**.

Appendix 2

Organising External Speakers and Other Events Guidance

Note: This is an Appendix of the Code of Practice on Freedom of Speech and should be read in conjunction with the Code.

1. Introduction

1.1 Through this Guidance, CEG will demonstrate how it manages risks around visiting speakers and events within CEG centres and CEG branded events taking place away from CEG premises. It will demonstrate how it seeks to maintain freedom of speech and academic freedom.

1.2 When deciding whether to host an external event, CEG considers carefully the views being expressed. External speakers must comply with our External Speaker Procedure and Code of Practice on Freedom of Speech.

1.3 This guidance has been designed to support CEG staff or students who wish to invite an external speaker to an event to ensure CEG meets its Prevent Duty commitments and external speakers act in accordance with our Code of Practice to Ensure Freedom of Speech.

2. Purpose

2.1 The purpose of this guidance is to set in place a governing framework for events with external speakers to ensure that CEG remains a thriving environment for teaching, learning and research. The guidance aims to ensure that event organisers are aware of the framework CEG operates within when facilitating visiting speakers and the measures that may be required to be put in place to support their event.

3. Who does the procedure apply to?

3.1 This procedure applies to all external speakers and those organising CEG and partner university events, both physical and virtual, where such speakers will appear.

3.2 External speakers: an external speaker is generally considered to be anyone who is not a student or staff member of CEG or one of its partner universities.

3.3 An event: the management of events on CEG premises which are not an integral part of its day-to-day academic or administrative business, for example a special meeting with an external speaker or speakers that is not a planned part of the curriculum. The organiser of the event must be a member of staff or a student of CEG who will be responsible for ensuring compliance with the obligations placed upon them under the CEG Code of Practice on Freedom of Speech and this procedure.

3.4 The 'secure' duty does not mean that any group or speaker has a right to be invited to speak at a provider or constituent institution. What it does mean is that where someone has been invited to speak at an event or meeting, they will not be prevented from speaking because of their lawful ideas or viewpoints. CEG will not cancel events because of protests or objections (even if they are widespread) as long as they do not interfere with the essential functions of the centre – teaching, learning and necessary administration.

3.5 In some cases, CEG may need to regulate the time, place or manner of a speaking event so that the essential functions of higher education continue, or if there is a concern about physical safety. Such regulation will not restrict the time, place or manner of speech any more than necessary.

3.5 CEG will take reasonably practicable steps to secure freedom of speech for visiting speakers and others. The use of any premises is not denied to any individual or body on the following grounds, but not limited to:

- in relation to an individual, their ideas or opinions;
- in relation to a body, its policy or objectives or the ideas or opinions of any of its members and that the terms on which such premises are provided are not to any extent based on such grounds
- whether ideas or opinions align with the provider's or partner university's 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.

3.6 Relevant considerations will likely not include the reputational impact of the speech on the provider or constituent institution.

3.7 Depending on the circumstances, it may occasionally be consistent with this duty that the provider or constituent institution regulates which premises may be used for a particular event and at what time they may be used, on grounds related (for instance) to the policy or objectives of the body to which it is making the premises available.

4. Process

4.1 Prior to any event marketing or inviting any external speaker to a centre or central hub, event organisers must familiarise themselves with the CEG Code of Practice to ensure Freedom of Speech and the Office for Students (OfS) Regulatory Advice 24.

Stage 1: Submission of Speaker Request

4.2 The organiser(s) of an Event will appoint a single person as Event Organiser, who will be an employee. The Event Organiser will report Events to the 'Responsible Officer' as follows:

- The Responsible Officer for student events is the Centre Director
- The Responsible Officer for employee events in teaching centres is the Centre Director or equivalent
- The Responsible Officer for employee events in non-centre based teams is the Head of Estates and Facilities.

4.3 No less than 6 weeks prior to the Event, the Event Organiser will notify the Responsible Officer and submit the External Speaker Risk Assessment Form (Appendix 3).

4.4 Events/speakers must not be advertised until written approval for the event to proceed has been received in accordance with this Procedure.

Stage 2: Review of Speaker Request

4.5 The Responsible Officer will refer to the three-step Framework for Assessment (Regulatory Advice 24) to assess compliance with the 'secure duty'. These steps apply to any measure or decision that might affect speech or types of speech'. They will consider whether the speech:

- is 'within the law'

- there are any ‘reasonably practicable steps’ to secure the speech
- there are any restrictions ‘prescribed by law’ and proportionate under the European Convention on Human Rights.

4.6 Assessment of risk will include consideration of the safety of speaker(s) and attendees. A potentially high-risk event may include where the speaker(s) or topic of the event is political, religious or involves a high-profile speaker. The assessment of risk will be holistic and includes consideration of potential risks to the speaker(s), attendees, organiser and the institution. For example, risks could be physical or related to security, general safety of attendees or the likelihood of unlawful conduct occurring during an event. The potential risks of the event not going ahead should also be considered.

4.7 In addition to the details on the External Speaker Risk Assessment Form (Appendix 3), the following points will be considered:

- If the external speaker has links with a Proscribed Organisation
- If the event title or subject matter is likely to be controversial or cause offence and whether CEG has run an event with a similar topic previously
- Whether there are any grounds to suspect that an individual may speak outside the parameters of the law
- Potential public order and health and safety concerns, including physical safety
- Security provisions
- If attendance is restricted to CEG only or open to the public
- Reputational risk
- Promotional materials available at the event
- Any other CEG policy.

4.8 When considering the application it should be noted that some views expressed by external speakers may not be traditional or ‘the norm’. They may be controversial and they may offend. This does not mean that people with such views should not be allowed to speak. Expressing strongly controversial or partisan views is not illegal unless those views are criminal, threatening, abusive, incite hatred or draw others into terrorism.

4.9 Where there is no cause for concern, the approval decision will be communicated to the event organiser who should ask the external speaker to agree to adhere to the Code of Practice on Freedom of Speech.

4.10 Where risks have been identified, the Responsible Officer may allow the event to proceed, providing mitigating factors have been identified and addressed. Conditions may be attached to an authorisation, including but not limited to:

- Methods of promoting the event and the provision of promotion material for review (and potentially restricting what is available at the event)
- Provision of an advance copy of the guest list for review prior to the event
- Admittance or non-admittance of members of the public
- Making the event ticketed or specifying that attendees must show a valid I.D.
- Provision of a specified number of suitable stewards
- Varying the time and location of the event

- CEG to be responsible for security arrangements (a controlling officer may be appointed for this purpose)
- The refusal or admission of the media to the event
- Restricting the broadcasting of the event (by whatever means)
- The availability of a translator at the event
- Restricting the sale of alcohol
- If the concerns are Prevent related, ask the Prevent lead to attend the event if there is a risk that the views being expressed, or likely to be expressed, constitute extremist views that risk drawing people into terrorism or are shared by terrorist groups
- In the case of a debate, the mode of appointment of the Chair, for example insisting the event is chaired by a Chair put forward by CEG with the capability and impartiality to provide balance and challenge during the event.

4.11 The Responsible Officer may impose further conditions if considered necessary after taking into account advice from the police or an authorised authority. The cost of security arrangements deemed necessary by the Responsible Officer will be discussed with the Event Organiser who may be required to make a contribution. The Event Organiser may be required to accept a limit on the number of events organised if the costs incurred are significant.

4.12 If, following further consideration the Responsible Officer is still not sure about the event it will be referred to the Group Chief Operating Officer (or, in their absence their nominee) for a final decision. It is acknowledged that in certain circumstances it may be necessary and appropriate to regulate the time, place and manner of a protest or demonstration. Any conditions imposed on the holding of a meeting shall be kept to the minimum considered necessary in light of any risks identified in holding the meeting. In determining whether the holding of an event on CEG premises might reasonably be refused, consideration should be given to:

- public safety, including the safety of persons attending the event and persons on CEG premises who might foreseeably be put at risk;
- the security of CEG premises.

4.13 CEG should permit the use of CEG premises only by organisers of events who undertake to comply with all lawful instructions issued by CEG in relation to the location, arrangements and conduct of such events, including adequate stewarding, chiring and provision of adequate control over entry which might, for example, include the use of an individual ticketing system with attendee ID checks.

4.14 CEG will ensure that the appropriate procedures are in place in order to allow all its stakeholders to report any instance of alleged hate crime, harassment, threat or intimidation and for their concerns to be investigated promptly and thoroughly, with the appropriate measures taken in response, including, where necessary, reference to the police and other external bodies. CEG staff and student policies underpin this approach.

4.15 Any organisers of any event held on CEG premises shall be responsible for any costs involved in organising and holding such events and for ensuring, as far as possible, that nothing in the organisation and holding of such events infringes the law in any way. In exceptional circumstances, the security costs of an event may be passed on to those arranging the event in line with guidance related to freedom of speech published by the Office for Students.

4.16 Premises shall be left in clean and tidy condition, in default of which the organisers may be charged for the cost of any additional cleaning and repairs that are subsequently required. Payment in advance or evidence of ability to pay these costs may be required. Organisers may make reasonable admission charges to cover the cost of stewards or liabilities to CEG.

4.17 CEG expects external speakers and visitors to abide by its policies. The Event Organiser is responsible for ensuring visitors at Events are aware of the relevant policies and procedures and sign the accompanying External Speaker Risk Assessment Form.

Stage 3: Communication of Outcome

4.18 Within 10 working days of receiving the notice, the Responsible Officer (or their nominee) will advise the Event Organiser in writing (electronically or otherwise) of their decision as to whether or not the Event is authorised. This communication will include any conditions which apply to the Event.

4.19 The event organiser will ensure the Code of Practice on Freedom of Speech is shared with the external speaker, who should confirm via the External Speaker Risk Assessment Form.

4.20 CEG reserve the right to amend any decision in light of new information or material changes to a planned event.

Stage 4: The Event Itself

4.21 Following event approval, the Event Organiser(s) shall be responsible for liaising with the relevant members of CEG (and, where appropriate partner university) staff to secure the use of the premises and all associated facilities and services which may be required to facilitate the staffing of the event. The event organiser (or nominee) must attend the event and take all reasonable steps to ensure that nothing in the preparation for, or conduct of, the meeting or activity is likely to breach the law or the Code of Practice on Freedom of Speech. They must comply with all lawful conditions imposed in relation to the location and management of the event, including stewarding, control over proceedings and ensuring adequate supervision of those attending. The Event Organiser(s) shall make the external speakers aware of the Code of Practice on Freedom of Speech.

4.22 When an event includes subject matter which could cause offence to an individual or group associated with the protected characteristics defined in the Equality Act 2010 or subsequent legislation (including age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, and sexual orientation), efforts should be made by the Event Organiser to locate a venue which avoids the chance of an unexpected encounter.

4.23 The Event Organiser has a duty, so far as is reasonably practicable, to ensure that both the audience and the speaker act in accordance with the law during the meeting. In case of unlawful conduct, the event organiser will give appropriate warnings and if the conduct continues the offending individual(s) will be excluded from the event.

4.24 No articles or objects will be permitted on CEG Premises which are likely to lead to death, personal injury, damage or breach of the law.

4.25 CEG Premises will be left in a clean and tidy condition and free from damage, in default of which the Event Organiser may be liable for the costs incurred in making good. Payment or evidence of ability to pay towards these costs may be required by the Responsible Officer.

4.26 While an event is in progress, CEG shall have the right to require the organisers to terminate the event if the conduct of the event gives rise to concerns that the safety of persons attending cannot be reasonably guaranteed, or that a breach of the law or a material breach of the Code of Practice on Freedom of Speech or another of the conditions imposed in the event approval process occurs.

4.27 CEG may also withdraw its consent and terminate an event either during or prior to its commencement if it becomes apparent that the content/nature of the event or the identity or numbers of speakers previously notified to CEG have changed. This includes a situation where an attendee speaks at the event.

4.28 Following the event the Event Organiser should report back any issues to the Responsible Officer. If necessary, a meeting will be held to share information internally and determine next steps.

4.29 The Event Organiser must advise the Responsible Officer immediately if:

- an approved speaker is replaced
- there are material changes to the proposed event.

5. Information Sharing

5.1 We may share information about speakers and events with other providers such as the partner university, police and other authorities. Information is shared only where deemed necessary and for a specified purpose and in accordance with the law.

6. Appeals and Reviews

6.1 Appeals against the rulings of the Responsible Officer may be made to the Group Chief Operating Officer (or, in their absence, their nominee), whose decision shall be final. This decision shall be reported to the next meeting of the CEG UFP Ltd Governing Body.

6.2 The Appeal must be submitted to the Chief Academic Officer within 5 working days of receiving official notice that the external speaker cannot attend the event.

6.3 The Appeal can be made on one of the following grounds:

- CEG has not followed its procedure;
- Further information, which could alter the original decision taken.

6.4 CEG reserves the right to review an event decision if further information emerges about the proposed event which in its view may affect the safe conduct of it. The Responsible Officer may withdraw permission for the event at any time if there are reasonable grounds for believing there is likely to be a breach of the law if the Event goes ahead. The Responsible Officer may take into account the advice of the partner university, police or any other authorised body.

Compliance

6.1 Failure to comply with this policy may result in one or more of the following measures:

- Suspected or actual breaches of the law will be reported to the police or appropriate authorised body.
- Disciplinary action
- The Event Organiser may be banned from arranging future events for a specified period
- Departure from the policy by staff or students will render them liable to disciplinary action. The External Speaker, a visitor may be excluded from premises for a specified period
- Any other measures CEG deems appropriate.

Appendix 3

External Speaker Risk Assessment Form

Procedure to be followed by all event organisers

Anyone organising an event with a visiting speaker attending must follow this procedure and comply with the CEG Visiting Speaker and Events Guidance.

The event must not be advertised or promoted until it has been authorised under this procedure.

EVENT ORGANISER TO READ AND SIGN: CEG has a statutory obligation to know about what events involving external speakers are being held on & off campus – they should be risk assessed and if required CEG should put steps in place to ensure the safety of students, staff and members of the public who may attend such events. Please complete the following form and keep a copy locally for one calendar year as this may be required for auditing purposes. The form must be submitted at least 6 weeks prior to the intended event date.

In completing this form, you confirm the following:

I have read the **CEG Code of Practice on Freedom of Speech**, including **Organising External Speakers and Other Events Guidance** and:

1. I confirm that this event and its speakers will adhere to the principles of the statement.
2. I will resubmit this form if any declared details in this submission change prior to the event taking place.

Event Organisers name:	
Event Organisers email address:	

Event title and brief synopsis:	
Event date:	
Start time of the event:	
End time of the event:	
Event venue (including room number/Virtual (URL) to be used:	
Approximate number of attendees expected at the event:	

Proposed Chair, including role and brief reason for their selection if applicable:	
How the event will be advertised and in what language(s)?	
Will the event be open to the public, or will it be closed to students/staff?	
Is there any intention to segregate the event in any way?	
What promotional material will be available at the event?	
Will the media be invited to attend?	
Provide details of any event sponsor or NA if not applicable:	
Will the event be broadcast/live streamed. If yes, please provide details:	

As the CEG staff member or student who is arranging the room for this speaker you are responsible for answering the below questions as accurately and fully as possible. Before organising an event you should have a knowledge of the event topic and also any speakers at the event.

We advise that the minimum requirement to complete a risk assessment on each individual speaker is to put their name into a search engine (e.g. Google) and review at least three pages of returned search results.

Name of speaker(s):	
If the speaker is affiliated with an organisation, please state the name of the organisation:	
Has this speaker spoken at a CEG event, centre or university partner previously? If yes, when?	Yes/No/Unclear
Has the speaker ever been refused a platform to speak (at CEG or elsewhere)?	Yes/No/Unclear
Is the content or subject of this person's speech likely to infringe the rights of others, discriminate against others, incite racial hatred or constitute illegal views?	Yes/No/Unclear
Has there been any controversy around the speaker in the past, which could lead to potential issues arising?	Yes/No/Unclear
Do you have any concerns that the speaker will not abide by the CEG External Speaker Procedure, Equalities and Diversity Policy, Dignity at Work Policy or any other relevant CEG/OnCampus policy?	Yes/No/Unclear
Please explain further where you have selected Yes/Unclear to any of the above questions:	

In addition to the above please provide any other information you have regarding the speaker that raises concern/potential risk:

This form must be emailed to the Responsible Officer **no less than 6 weeks before the intended date of the event**. The Responsible Officer is as follows:

- for student events, the Centre Director
- for employee events in teaching centres, the Centre Director
- for employee events in non-centre based teams, the Head of Estates and Facilities.

The Responsible Officer will review your event and decide if any further action is required before your event can proceed. The event should not be advertised until you are told that it is approved to proceed with this event.

Data Protection Statutory Obligation

The information provided within this form is processed to meet with our legal obligation as stated at the top and in accordance with the Cambridge Education Group Privacy Notice. The information you have provided will be retained for a period of one year following the conclusion of the event.

Further information including details of our Data Protection Officer (DPO) are available at:

<https://www.cambridgeeducationgroup.com/privacy-policy.htm>

Event Organiser's Electronic Signature:

Date:

What happens next?

The majority of event requests should be relatively straightforward. There may be a need to discuss arrangements with the Event Organiser.

Within 10 working days of receiving the notice, the Responsible Officer (or their nominee) will advise the Event Organiser in writing (electronically or otherwise) of their decision as to whether or not the Event is authorised and whether any mitigating actions are required.

Where the Responsible Officer considers that the specified event may involve a controversial speaker, the request will be passed for review to the Group Chief Operating Officer (or their nominee) whether or not this has been identified by the Event Organiser. The purpose of the review is to assess whether mitigating actions are required and have been identified because the speaker has been identified as controversial.

The Event Organiser will ensure the Code of Practice on Freedom of Speech and the External Speaker Code of Conduct is shared with the external speaker prior to the event. Written confirmation is required from the

external speaker that these documents have been read and the Event Organiser must also confirm this in writing to the Responsible Officer.

CEG reserve the right to amend any decision in light of new information or material changes to a planned event.

Responsible Officer Decision:

Responsible Officer Response – if the event is not authorised, please state reasons for this decision:	
Name of Responsible Officer:	
Electronic Signature:	
Date:	

Appendix 4

CEG External Speaker Code of Conduct

Introduction

This Code of Conduct exists to ensure that all speakers taking part in a CEG branded, hosted or run event or activity, on one of the UK or overseas campus or elsewhere, act in accordance with the CEG External Speaker Procedure.

Context

CEG operates in a highly complex environment, it is therefore important that any visiting speakers understand the framework and context that governs speaking at a CEG branded event.

CEG has an obligation to protect Freedom of Speech whilst also ensuring that any visiting speaker does not break the law or breach the lawful rights of others. CEG has a duty to protect staff, students, members and visitors from hate crimes, harassment, defamation, breach of human rights, unfair treatment, breach of the peace and terrorism whilst they are at a CEG branded event.

In addition, CEG must also consider legislation around Health and Safety Law, public meetings, public processions/assemblies and public order and data-protection which must be considered when allowing an event to go ahead.

Conduct

CEG expects visiting speakers to act in accordance with the law and not to breach the lawful rights of others. Set out below are some examples of CEG's expectations. It should be noted that this list is not exhaustive and CEG reserves the right to refuse or halt an event at any time if; the speaker's conduct or motives are called into question, and/or; in light of new information or material changes to a planned event.

- Speakers must not incite or spread hatred, intolerance, violence or call for the breaking of the law. ○ Speakers must be careful not to discriminate against, harass or insult any person or group on the basis of their faith, race, nationality, sex, age, religious beliefs or sexual orientation.
- No speaker should encourage, glorify or promote any acts of terrorism, including any individual, groups or organisations that support such actions.
- Visitors are not permitted to raise or collect funds for any external organisation or cause without express permission of CEG.

When visiting CEG property or campuses speakers must also: ○ Comply with CEG's Code of Practice to ensure Freedom of Speech. ○ Comply with CEG's External Speaker Procedure. ○ Comply with CEG's Equalities and Diversity Policy. ○ Comply with CEG's Dignity at Work Policy.

- Allow and encourage challenge and debate on opinions and ideas put forward.
- Abide by the CEG Health & Safety policy.

The external speaker is required to confirm in writing to the Event Organiser that these documents have been read and understood.

<https://www.officeforstudents.org.uk/advice-and-guidance/student-wellbeing-and-protection/counterterrorism-the-prevent-duty/other-resources/>