



UNIVERSITY_{OF}
WINCHESTER

FREEDOM OF SPEECH POLICY
[April 2025]

Document Title:	Freedom of Speech Policy
Responsible Role and Department:	Chief Operating Officer, Executive Leadership Team
Approving Body:	ELT / Board of Governors
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<p>Indicate whether the document is for public access or internal access only.</p> <p>Indicate whether the document applies to collaborative provision?</p> <p><i>(Strikethrough text, as appropriate)</i></p>	<p>Public Access</p> <p>Internal Access Only</p> <p>Applies to Collaborative Provision</p>
<p>Summary:</p> <p>This document defines the policy for protecting and promoting academic freedom and freedom of speech and should be read in conjunction with the University's Freedom of Speech – External Speakers Code of Practice.</p>	

Equality Impact Assessment	
Summary of process undertaken to determine equality impacts:	Director of Equality, Executive Leadership Team, and wider internal review to ensure equality. Shared with Trades Unions.
University Committee (name/ date) where equality impacts discussed (may be Committee of approval, or another):	University Leadership Team - 2 April 2025
Identified equality impact(s) on colleagues and students (i.e. any specific impacts related to this policy that may cause disadvantage for people due to one or more particular protective characteristic)	
Protected Characteristic	Impact(s) identified and any action(s)/mitigation(s) to address these impact(s), as necessary.
All Protected Characteristics	<p>The provision of a policy which creates a culture of freedom of speech within the law, both civil and criminal, and aims to provide protect and promote freedom of speech.</p> <p>The policy is neutral and applies to all protected characteristics equally. Section 2.2 recognises the need for discourse, including controversial discourse, to be lawful, without malice and in the public interest. The University has a Bullying, Harassment and Sexual Misconduct Policy that applies to actions outside of those protected in the Freedom of Speech Policy. These policies will be signposted at staff induction and student registration to ensure awareness for all cultural backgrounds.</p>
Age	As per "All Protected Characteristics"
Disability	As per "All Protected Characteristics"
Gender Identity	As per "All Protected Characteristics"
Marriage/Civil Partnership	As per "All Protected Characteristics"
Pregnancy and Maternity	As per "All Protected Characteristics"
Race (incl. nationality)	As per "All Protected Characteristics"

Religion and Belief	As per "All Protected Characteristics"
Sex	As per "All Protected Characteristics"
Sexual Orientation	As per "All Protected Characteristics"

Freedom of Speech Policy

1. Introduction

- 1.1. The University of Winchester is committed through its values to the love of learning and pursuit of knowledge. This includes a commitment to protecting and promoting freedom of speech and academic freedom.
- 1.2. This Policy, the Procedures & Code of Practice has been approved by the University's Board of Governors and the University's Executive Leadership Team (ELT) to demonstrate the University's commitment to:
 - (i) promote freedom of speech and academic freedom.
 - (ii) the protection of the rights of staff, students and apprentice learners of the University to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions.
 - (iii) the application of critical thinking and engagement in legitimate and lawful comment, debate and robust dialogue.
- 1.3. This Policy, the Procedures and Code of Practice comply with the relevant requirements of the Higher Education (Freedom of Speech) Act 2023. This requires that the University's governing body must take reasonably practicable steps to secure freedom of speech within the law for:
 - (i) all members of the University. This includes staff and students but does not include University alumni; and
 - (ii) visiting speakers and all other persons invited or otherwise lawfully on University premises or to events organised by the University which take place off-campus.
- 1.4. Nothing in this Policy negates the University's commitment to high quality teaching and research and academic rigour.
- 1.5. The University's values underpin its belief that academic freedom and freedom of speech are best exercised respectfully, reflectively, and with a generous spirit defined by intellectual curiosity.
- 1.6. Creating an environment conducive to academic freedom and free speech does not mean that the University endorses any perspective being shared.

2. Academic Freedom: Statement of Principles

- 2.1. The University of Winchester is committed to protecting and promoting academic freedom within the law.
 - (i) 'Academic freedom' in relation to academic staff at the University, means freedom within the law
 - to question and test received wisdom, and
 - to put forward new ideas and controversial or unpopular opinions.

(ii) 'Within the law' includes both criminal and civil law

- 2.2. The University recognises that academic discourse includes the expression of ideas that may offend, shock or disturb. It will protect the rights of academic staff to undertake such discourse without fear of disciplinary action or any other sanction, such as loss of employment or loss of securing promotion. However, any academic discourse must be carried out in a manner that is lawful, without malice and in the public interest.
- 2.3. The University recognises the right and freedom of staff, students and apprentice learners to engage in academic study and research in relation to controversial matters, including political discourse and conflict. In such cases, the University expects academic staff and students to identify clear links between the academic purpose, objectives and learning outcomes of such work, including in relation to any material downloaded or disseminated.
- 2.4. The University's Research and Knowledge Exchange policies and procedures are intended to facilitate ethical conduct, rigour and integrity in University practices. Researchers are expected to comply with all appropriate data protection legislation in accordance with the appropriate policies.
- 2.5. This does not negate the responsibility of every academic to conduct themselves, within the law, in an appropriate and respectful manner in sharing their views or debating the views of others.

3. Freedom of Speech: Statement of Principles

- 3.1. The University of Winchester is committed to protecting and promoting freedom of speech within the law.
 - (i) 'Freedom of speech' means that everyone has the right to hold opinions and to receive and impart information and ideas freely, without unwarranted interference.
 - (ii) 'Within the law' includes both criminal and civil law
- 3.2. The University is committed to creating an environment that promotes free speech within the law and the open exchange of a multitude of ideas and their critical evaluation.
- 3.3. The University's values enshrine its belief that free speech is not undermined, but rather is strengthened, by the robust exchange of opposing views through civil, respectful and peaceful debate. All students and staff should feel confident to study, explore and debate contentious questions in the knowledge that they will be treated respectfully.
- 3.4. The University recognises that lawful speech includes the right for our students and staff to hold opinions, to share ideas, and receive information and ideas without unjustified interference from the University, even if those ideas may shock and disturb or might be unpopular.
- 3.5. The University and its leaders will avoid issuing official statements about public matters unless those matters directly affect the institution's core function of teaching, research, and learning.
- 3.6. This position does not extend to statements made in an individual capacity by staff or students in line with the freedom of speech principles outlined in this code.

Procedures: protecting and promoting academic freedom and freedom of speech

4. Ensuring awareness and monitoring of the Policy, Procedures and Code of Practice

4.1. The University will:

- (i) ensure that this Policy, these Procedures and the Code of Practice are brought to the attention of new students at registration and new staff during induction;
- (ii) draw the attention of students to the Policy, Procedures and Code of Practice annually;
- (iii) ensure that all staff are supported to understand and exercise their responsibilities towards freedom of speech and academic freedom, recognising that some roles may require additional training and support;
- (iv) not prejudice an application for employment because an applicant has exercised their freedom within the law to question and test received wisdom or put forward controversial or unpopular ideas;
- (v) secure student and staff views on whether freedom of speech and academic freedom at the institution are being adequately protected by the University: this may be through surveys such as the National Student Survey and staff surveys. The University will review and take the findings into account, amending its approach accordingly;
- (vi) ensure that there are adequate measures in place to raise concerns about freedom of speech and academic freedom;
- (vii) ensure that when relevant new policies and procedures are introduced consideration is given to their impact on freedom of speech and academic freedom;
- (viii) monitor at University Leadership Team (ULT) any concerns that have been raised about freedom of speech and academic freedom to ensure that they are addressed so far as is reasonably practical and that any lessons learned are incorporated into a review of relevant policies, practices and procedures.

5. Investigating complaints relating to the Policy, Procedures and Code of Practice

- 5.1. Where the University receives a complaint about the exercise of academic freedom or freedom of speech or where it has received a complaint about a possible infringement or departure(s) from the procedures set out in this Code, there will be an initial investigation.
- 5.2. If a case is established that the complaint justifies further investigation, the matter will be considered according to the appropriate University procedure. Depending on the circumstances, this may be the Staff Disciplinary Policy and Procedure for staff or the Student Disciplinary Procedure for students, or the University's grievance or complaints procedures.

- 5.3. If the University becomes aware of any action which involves infringements of the criminal law which are being pursued by the police or other civil authorities, University procedures will normally be suspended pending the outcome of such procedures and the University will assist the prosecuting authorities to implement the process of the law.
- 5.4. Any complaints about visiting speakers should be directed to the Chief Operating Officer (COO). The COO will report to the University Leadership Team on the circumstances of any significant infringements of, and departures from, the provisions of the Code.
- 5.5. The University's commitment to academic freedom and freedom of speech is reflected in the following ways in its day-to-day operations.

6. Academic Programmes, Policies and Procedures

- 6.1. The University 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:
- (i) its processes for programme development and approval, quality assurance and academic assessment will respect the rights of freedom of speech and academic freedom;
 - (ii) its processes for facilitating research will respect the rights of freedom of speech and academic freedom; and
 - (iii) its disciplinary and other such processes will respect freedom of speech and academic freedom.

7. Endowments and Donations

- 7.1. The University has processes in place to identify and appropriately manage any potential risks to academic freedom and freedom of speech, posed by the offer of funding through endowments and donations. The University complies fully with the requirements of the OfS with respect to overseas funding and has an Ethical Fundraising Policy, which is approved by the Board of Governors.

8. Governance, Review and monitoring

- 8.1. The University has appointed a senior Free Speech champion, who is a member of the University Executive Team, and who is also a member of the University's Senate to oversee reporting on compliance with the Code of Practice.
- 8.2. Senate will receive an annual report of any complaints made in respect of academic freedom and freedom of speech. This will be anonymised but will include any conclusions reached and recommendations taken forward.
- 8.3. The operation of this Policy, the Procedures and the Code of Practice will be periodically reviewed and monitored by the Free Speech Champion and the COO who will (where necessary) update them. The changes will be approved by the University's Board of Governors.

8.4. Any concerns regarding the implementation of this Code of Practice or the actions of the University in respect of it should be raised in the first instance with the University Free Speech Champion.

9. Non-Disclosure Agreements

9.1. The University does not enter into non-disclosure agreements related to complaints about sexual misconduct, bullying or harassment. A 'non-disclosure agreement' (sometimes also known as a confidentiality clause) refers to any agreement which prevents complainants from publishing or sharing information about or talking about their complaint.