

Introducing free speech

*Freedom of speech
guidance, resources and
training*

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August 2025



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The Code of Practice on Freedom of Speech

The University of Cambridge, as a world-leading education and research institution, is fully committed to the principle, and to the promotion, of freedom of speech. The [Code of Practice on Freedom of Speech](#) sets out the University's commitment to freedom of speech, outlines the various legislative frameworks under which such freedoms must be upheld and may be circumscribed, and summarises the procedures used by the University to manage these issues.

The guidance and resources in this [Introduction to free speech](#) are designed to help staff and students with the practical implementation of the values in the Code of Practice and should be read in conjunction with it.

This information is also available on the [Governance and Compliance Division's Freedom of speech guidance, resources and training webpage](#), which contains the definitive and up-to-date guidance.

What is freedom of speech and academic freedom?

Freedom of speech and academic freedom are defined in section 3 of the [University Code of Practice on Freedom of Speech](#) as follows:

- **Freedom of speech** means the freedom, within the law, to receive and impart ideas, opinions or information by means of speech, writing or images (including in electronic form) without interference.
- **Academic freedom** is a particular type of free speech. In relation to academic staff at the University, it means their freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without loss of their jobs or privileges at the University, or the likelihood of their securing promotion or different jobs at the University being reduced.

The University has specific duties under the Higher Education (Freedom of Speech) Act 2023 (which amends the Higher Education and Research Act 2017) to take such steps as are reasonably practicable to secure and promote freedom of speech and academic freedom within the law for staff and students and for visiting speakers.

What is free speech ‘within the law’?

The University is not under a duty to allow unlawful speech.

The law around free speech, however, is complicated. The right to freedom of speech is a human right under Article 10 of the European Convention on Human Rights; this is implemented in the UK by the Human Rights Act 1998. The basic position is that speech is within the law unless there is a law that forbids it.

Some laws regulating speech are straightforward to understand – for example, those which prohibit speech inciting murder or speech encouraging support for a terrorist organisation. Other laws regulating speech work more subtly, such as those regulating harassment or defamation, or where freedom of speech might conflict with other obligations placed upon the University (e.g. the Public Sector Equality Duty in the Equality Act 2010 or the Prevent Duty in the Counter-Terrorism and Security Act 2015).

The overview page about the Higher Education (Freedom of Speech) Act 2023 and section 3 of the University Code of Practice on Freedom of Speech contain further legal background.

Are there any other reasons why the University can restrict or regulate speech?

Where speech is lawful, the University is also permitted to impose restrictions where the speech might directly impact on its ability to deliver its core teaching, learning and research functions (or the administrative activities that surround those functions), or where the restriction is required for people’s physical safety.

In such circumstances the usual approach is to try to regulate the time, place and manner of the speech to allow it to take place without causing major disruption, rather than to forbid it. For example, an event involving a controversial speaker might need to be relocated to a different venue because it would be likely to disturb exams due to protests.

What are the key points I should bear in mind?

Points for all staff and students

- Freedom of speech and academic freedom (within the law) are at the core of University life.
- Unlawful speech is not protected – but all lawful speech is, even if the views expressed are unwelcome or offensive to you.
- Be tolerant of others' lawful views, even if you find them unwelcome, and be constructive in challenging them through robust and civil debate. Do not assume that someone is deliberately intending to offend or harass you when they say something you do not like or agree with.
- You may encounter teaching or course materials that you disagree with or find offensive even though they are lawful – engage with these through robust debate as part of your learning experience.
- If you want to arrange a speaker event or meeting, check whether you have the appropriate authority to extend an invitation to an external speaker on behalf of your department. Then follow the procedures in the [Guidance for booking University meetings and events](#) – in particular, if you think that your event is high-profile and/or likely to be controversial or attract significant protest, you should seek advice at an early stage.
- If you want to protest, do so without shutting down or preventing lawful debate from taking place – follow the [Guidance on demonstrations and protests](#).
- If you want to hand out leaflets, you are free to do so but make sure you follow the [Statement on political campaigning and leafleting](#).
- If you want to complain about an infringement of your own free speech rights, use the relevant complaints mechanism in [How do I complain to the University if I think my own free speech rights have been infringed?](#) below.
- Be aware that complaints about someone else's lawful views, even if you find them to be unwelcome or offensive, may not be upheld because the University has a duty to secure other people's free speech rights. Vexatious or malicious complaints may be summarily closed down.
- Read the [University Code of Practice on Freedom of Speech](#) – this is the formal statement of the University's free speech values and associated policies and procedures.
- Complete relevant training (see [Is there any training I should complete?](#)).

Additional points for Heads of Department and Departmental Administrators (and equivalents)

- Ensure that your departmental event and room booking procedures are aligned with the [University Code of Practice on Freedom of Speech](#). In particular:
 - Make sure that your process is straightforward and that decisions are taken swiftly.
 - Make sure that those making decisions on room and event bookings are aware of the Code of Practice, the [Guidance for booking University meetings and events](#), and the key points below.
 - Remember that external speakers don't have a right to be invited to speak – but once they have been invited, the full decision-making framework in the Code of Practice applies.
 - Commercial bookings (e.g. the hire of your departmental premises by a third party for its own purposes that is unconnected to University activity) may be handled separately and commercial booking terms applied – the procedures in the Code of Practice only apply to meetings and events that are aimed at, or will be attended by, University staff and students.
- Do not restrict the rights of staff or students to protest or to hand out flyers or post notices within the department on the grounds of the lawful views of those wishing to protest/leaflet/post – if you do need to impose any restrictions (e.g. because a noisy leafleting campaign would disrupt teaching seminars), seek advice.
- Use the latest templates for academic staff recruitment and other HR processes to ensure that freedom of speech and academic freedom considerations are suitably taken into account and documented.
- Do not force academic staff into teaching certain topics, or into issuing trigger/content warnings, based on endorsing/rejecting particular viewpoints (e.g. that the teaching of engineering must be consistent with the views of research funders from energy sector companies).
- Do not offer or accept funding for researchers or postgraduate students that has terms attached to it which restrict the recipients' rights to freedom of speech within the law or academic freedom (e.g. that the research outputs must be consistent with the particular viewpoint of the funder, or that the recipient must follow the political doctrines of the country in which the funder is based).
- Do not introduce any local policies or rules of behaviour/conduct, or offer any local training opportunities, that restrict the rights of staff and students to hold and express lawful views (e.g. by making all students sign up to a statement about not offending others or by imposing vetting requirements before staff can use social media). The University sets out its expectations regarding behaviour and conduct in the student [Rules of Behaviour](#) and the staff [Code of Behaviour](#) in the Dignity at Work Policy.

- Make sure all relevant departmental committee Minutes adequately record any discussions or decisions that could impact on freedom of speech or academic freedom, including in relation to topics like curriculum development or research strategy.
- Be aware of the various mechanisms for handling complaints from those who consider that their own rights to freedom of speech within the law or academic freedom have been infringed.
- If you receive a complaint about someone else's speech, seek advice promptly from OSCCA or HR so that the complaint can be triaged appropriately.

Additional points for staff involved in approving non-curricular room bookings and speaker events

- Check that any procedures you administer are operating in line with the [University Code of Practice on Freedom of Speech](#) and the [Guidance for booking University meetings and events](#).
- Do not stop events from taking place just because they might be controversial or attract protest; seek advice from senior departmental colleagues where necessary.
- It is almost always possible to let an event take place as planned. But in some circumstances it may be possible to restrict the time, place or manner of an event (e.g. to insist on advance ticketing or a more appropriate venue where foreseeable protests can be managed more effectively so that everyone's views can be heard).
- Do not impose security costs on the event organisers other than in exceptional circumstances as outlined the Code of Practice.
- Use the decision-making escalation mechanism to the Referral Group, as set out in the Code of Practice, where necessary.

Additional points for staff involved in academic staff recruitment and promotion processes

- Remember that academic staff have the right to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions.
- Don't make decisions on the basis that you don't agree with a candidate's controversial but lawful views as expressed in their application materials, at interview or in their existing publications/public profile.
- Make sure you record, as part of the recruitment/promotion paperwork, any concerns about free speech or academic freedom that have arisen or might reasonably arise, including reasons why the process did not penalise an applicant for their exercise of free speech or academic freedom.

Additional points for staff involved in complaint/disciplinary/Fitness to Practise processes

- Don't pursue unnecessary investigations or make decisions on the basis that you don't agree with someone's controversial but lawful views as expressed in speech or writing.
- Promptly identify and close down vexatious or malicious complaints relating to someone's lawful speech.
- Don't impose sanctions on someone for their expression of lawful views, and interpret the [student Rules of Behaviour](#) and [staff Code of Behaviour](#) in a manner that protects the rights of students and staff to hold all views within the law.
- Harassment on the grounds of protected characteristics is unlawful as well as unacceptable, but an objective test of whether the conduct in question reasonably constitutes unlawful harassment needs to be applied to ensure that lawful free speech is not punished (e.g. the exposure of students to course materials that they might find offensive is highly unlikely to constitute unlawful harassment under the Equality Act 2010).
- When administering Fitness to Practise processes, make sure that students understand: (i) the interplay between their lawful free speech rights, as outlined in the Code of Practice, and their responsibilities to meet professional standards; and (ii) that the Code of Practice will be applied proportionately in the case of any fitness to practise proceedings in light of the student's requirement to meet the necessary professional accreditation standards.
- Make sure you record, as part of the paperwork for the relevant process, any concerns about free speech or academic freedom that have arisen or might reasonably arise, including reasons why the process did not penalise someone for their exercise of free speech or academic freedom.

Additional points for staff involved in research ethics processes

- Remember that academic staff have the right to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions.
- Don't make research ethics decisions on the basis that you don't agree with an applicant's controversial but lawful views as outlined in their planned research project, or that it may carry reputational risks to the University.
- Ensure that your deliberations are focused on relevant ethical issues and that the outcome is transparently communicated to the researcher.

Additional points for staff involved in governance and policy-making, where freedom of speech and/or academic freedom might be impacted

- Take a broad view of decision-making that impacts upon free speech and/or academic freedom – it could include decisions on topics like curriculum development or research strategy as well as more obvious topics like student discipline or external engagement.
- Check that relevant committee terms of reference adequately reflect the delegated authority you hold to take any decision that may impact on freedom of speech or academic freedom. Seek advice if necessary.
- Check that relevant committee terms of reference expressly contain provisions to ensure that freedom of speech and/or academic freedom issues are taken into account during relevant decision-making.
- Make sure that relevant committee Minutes adequately record any discussions and decisions that could reasonably be said to impact on freedom of speech or academic freedom.

Additional points for staff involved in equality, diversity and inclusion work

- Freedom of speech within the law is a human right and can work in tandem with equality, diversity and inclusion work.
- Philosophical beliefs themselves are a protected characteristics under the Equality Act 2010 and the courts have found that certain views have protected status – these include belief in climate change, ethical veganism, and gender-critical belief.
- Allow a range of views to be expressed and debated in the course of carrying out EDI work.
- Do not pursue initiatives or issue guidelines that have the effect of imposing behavioural conditions on staff or students which ‘chill’ their ability to hold and express legally acceptable viewpoints.
- Do not attempt to suppress lawful content in teaching or research, even if it might be contentious, unacceptable or even offensive to some.
- The Public Sector Equality Duty still applies: having due regard to the equality impacts of decisions is important but remember that the PSED does not impose any general legal requirement to restrict or regulate speech.

What changes to policies have been made or are planned?

Over the past year, updates have been made to numerous University policies, procedures, websites, training materials and committee terms of reference to ensure that freedom of speech

and academic freedom are appropriately embedded in those places (often by way of cross-referral to the [University Code of Practice on Freedom of Speech](#)). Some of these changes are still being formally approved and/or implemented and this will continue over the next few months.

Regardless of references to free speech issues in formal documentation, it is important to follow the guidance on this webpage as it is designed to help staff and students with the practical implementation of the values in the Code of Practice.

Is there any training I should complete?

The University is in the process of developing a range of free speech training materials. These will be launched in autumn 2025 and will consist of both events and online materials. More details will be published and communicated nearer the time. In the meantime:

For all staff and students

- Read the guidance on this webpage (ideally read it all even if some of it doesn't seem relevant to you).
- Read the [University Code of Practice on Freedom of Speech](#) – this is the formal statement of the University's free speech values and associated policies and procedures.
- For background, you may also wish to look at:
 - The [overview page about the Higher Education \(Freedom of Speech\) Act 2023](#).
 - A [briefing presentation](#) about freedom of speech and the University's legal duties prepared by the Governance and Compliance Division.

For staff

- You may also wish to [watch the video and check the summary guidance on the OfS website](#).
- Some groups of staff are receiving specialist briefing sessions on the applicability of the free speech duties to their specific roles.

For students

- You may also wish to [watch the video and check the information aimed at students on the OfS website](#).

How do I complain to the University if I think my own free speech rights have been infringed?

If you think your own rights to freedom of speech within the law or academic freedom have been infringed, you may wish to raise your concern with the University.

You may be able to resolve your complaint informally by engaging directly with the relevant part of the University.

If you are dissatisfied with any attempt at informal resolution, or if you wish to complain formally:

- Students should use the existing [Student Complaint Procedure](#).
- Staff should use the existing [grievance and complaint mechanisms](#) as appropriate for their staff category.
- Applicants for academic posts have the right to complain on free speech grounds and should use the existing [recruitment complaints procedure](#).
- Visiting speakers have the right to complain on free speech grounds – they should write to freespeech@admin.cam.ac.uk outlining their complaint. Relevant staff (see below) will consider their complaint, make enquiries as necessary, and provide an outcome as soon as possible.

Note that the Office for Students' free speech complaints scheme, which will be aimed at staff and visiting speakers but not students (who, as now, can escalate their complaints to the OIA), is not yet operational. More information will be published once the OfS scheme is launched.

Who do I contact with feedback or questions?

Please email freespeech@admin.cam.ac.uk

This mailbox reaches staff in the Governance and Compliance Division who oversee University-wide free speech policy and act as the Secretariat to the University's [Committee on Prevent and Freedom of Speech](#), a joint committee of the Council and the General Board that holds delegated responsibilities in this area as outlined in its terms of reference.

Links to resources in this guide

University resources

The Code of Practice on Freedom of Speech -

<https://www.governanceandcompliance.admin.cam.ac.uk/governance-and-strategy/university-code-practice-freedom-speech>

The overview page about the Higher Education (Freedom of Speech) Act 2023 -

<https://www.governanceandcompliance.admin.cam.ac.uk/governance-and-strategy/higher-education-freedom-speech-act-2023-overview>

Freedom of speech guidance, resources and training -

<https://www.governanceandcompliance.admin.cam.ac.uk/governance-and-strategy/freedom-speech-guidance-resources-and-training>

Guidance for booking University meetings and events -

https://www.em.admin.cam.ac.uk/files/uoc_event_booking_guidance_0.pdf

Guidance on demonstrations and protests -

https://www.cambridgestudents.cam.ac.uk/files/guidance_on_demonstrations_and_protests_draft_v2.pdf

Statement on political campaigning and leaflet -

<https://www.governanceandcompliance.admin.cam.ac.uk/governance-and-strategy/university-statement-freedom-speech/statement-political-campaigning>

External resources

Summary guidance and video on the Office for Students website -

<https://www.officeforstudents.org.uk/for-providers/freedom-of-speech/securing-free-speech/>

Recruitment complaints procedure - <https://www.cam.ac.uk/jobs/how-to-apply/contact-us>