

<b>Freedom of Speech Policy and Protocol</b>	
<b>Review Committee:</b>	Governing Body/College Committee
<b>Review of Policy:</b>	July 2025
<b>Date of Next Review:</b>	Easter 2028 (or earlier if legislation changes)
<b>Responsible Officer and Location of Policy:</b>	Senior Tutor/Bursar The website of the College
<b>Accessible to:</b>	Public document

### Revision History

<b>Version</b>	<b>Author</b>	<b>Summary of change</b>	<b>Governing Body approval</b>	<b>Date of next review</b>
	Senior Tutor	Statement on Freedom of Speech and Code of Practice for Meetings.	<i>GB Minute: [7953]</i> March 2021	
2.0	Bursar	Freedom of Speech Policy and Protocol.	<i>GB Minute: [8571]</i> June 2024	Easter 2027
3.0	Bursar	Freedom of Speech Policy and Protocol.	<i>GB Minute: [8792]</i> July 2025	Easter 2028

## Code of Practice on Freedom of Speech

### 1. INTRODUCTION

- 1.1 Fitzwilliam College (the “College”) is fully committed to the principle, and to the promotion, of freedom of speech.
- 1.2 This Code of Practice sets out the College’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 College to manage these issues.

### 2. SCOPE

- 2.1 This Code of Practice applies to:
  - 2.1.1 all members of the Senior Common Room (‘SCR’), staff and students of the College; and
  - 2.1.2 visiting speakers and all other persons invited or otherwise lawfully participating in College activities on College premises.
- 2.2 For the avoidance of doubt, this Code of Practice does not apply to purely commercial meetings or events on College premises.
- 2.3 References in this Code of Practice to “College premises” means those premises over which the College exercises control, whether indoor or outdoor, including those premises where the College acts as a custodian trustee on behalf of the Fitzwilliam College Junior Members’ Association (‘JMA’).
- 2.4 The University of Cambridge and its associated Cambridge Students’ Union both have their own duty to secure freedom of speech within the law and have both issued their own Code of Practice on this topic.
- 2.5 The activities of the College student union(s) undertaken within the JMA are subject to this Code of Practice and adherence of these student union(s) to the Code is monitored by the College.

### 3. KEY CONCEPTS AND LEGISLATIVE FRAMEWORK

- 3.1 *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 in accordance with law, including the Human Rights Act 1998.
- 3.2 Academic freedom, in relation to academic staff at the College, 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 College, or the likelihood of their securing promotion or different jobs at the College being reduced.
- 3.3 These concepts are underpinned by the Human Rights Act 1998, which brings the European Convention on Human Rights into direct effect in national law. Article 10 of the Convention articulates freedom of expression as a human right and sets out the limited circumstances in which that right might be circumscribed (such as to protect public safety, for the prevention of disorder or crime, or for the protection of the reputation or rights of others). These concepts also exist within other UK legislation. Universities and similar institutions in England (including the College) have duties under the Higher Education and Research Act 2017 (as amended by the Higher Education (Freedom of Speech) Act 2023) 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.

- 3.4 Section 26 of the Counter-Terrorism and Security Act 2015 places a duty on specified authorities, including higher education institutions such as the College, in the exercise of their functions to have 'due regard to the need to prevent people from being drawn into terrorism'. This necessitates the establishment of protocols and procedures by which to assess the risks associated with meetings or events that are College hosted, affiliated, funded, or branded. This Act also requires the College to have particular regard to its other duties with regard to academic freedom and freedom of speech. Debate, discussion, and critical enquiry are, in themselves, powerful tools in preventing people from being drawn into terrorism.
- 3.5 Under the Equality Act 2010, Members of the SCR, staff and students must not be subjected to 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 civil partnership, or pregnancy or maternity. However, the provisions of the Equality Act 2010 are not to be interpreted to undermine freedom of speech and academic freedom. As a result, students' learning experience and the working environment of members of the SCR, and College staff may include exposure to research, course material, discussion or speakers' views that they find offensive, contentious or unacceptable, but are nonetheless within the law, and unlikely to be considered unlawful harassment or discrimination under the Equality Act 2010.
- 3.6 There are other legislative requirements that may be relevant in particular cases, including offences under the Terrorism Acts if speech encourages terrorism or under the Public Order Act 1986 if the speech amounts to the incitement of religious or racial hatred or hatred on the grounds of sexual orientation. There are also statutory requirements relating to the holding of processions and assemblies. The College is not under any obligation to secure or promote freedom of speech that contravenes any legislative requirements.

#### **4. VALUES**

- 4.1 The College's core values are 'freedom of thought and expression' and 'freedom from discrimination' and it encourages its staff, students and visitors to engage in robust, challenging, evidence-based and civil debate as a core part of academic enquiry and wider College activity, even if they find the viewpoints expressed to be disagreeable, unwelcome or distasteful. These values extend to the student unions of the College. The steps the College takes to embed its values in practice are set out in section 5 below.
- 4.2 The College fosters an environment in which all of the members of the SCR, staff and students can participate fully in College life, and feel able to question and test received wisdom, and to express new ideas and controversial or unpopular opinions within the law, without fear of intolerance or discrimination. In exercising their right to freedom of speech, the College expects the members of the SCR, staff, students and visitors to be tolerant of the differing opinions of others, in line with the College's core value of freedom of expression. The College also expects the members of the SCR, staff, students and visitors to be tolerant of the diverse identities of others, in line with the College's core value of freedom from discrimination. While debate and discussion may be robust and challenging, all speakers have a right to be heard when exercising their right to free speech within the law. Neither speakers nor listeners should have reasonable grounds to feel censored or intimidated.
- 4.3 The College will ensure that the members of the SCR, and staff are able to exercise freedom of thought and expression within the law without placing themselves at risk of losing their job, Fellowship or other supernumerary position, or any College privileges and benefits they have or affecting the likelihood of their securing other jobs or roles in the College. The College expects all members of the SCR, staff and students to engage with intellectual and ideological challenges in a constructive, questioning and peaceable way. The right of members of the SCR, staff and students to freedom of assembly, and to protest should not unlawfully obstruct the ability of others to exercise their lawful freedom of speech.

## **5. STEPS THE COLLEGE TAKES TO ENSURE FREEDOM OF SPEECH AND ACADEMIC FREEDOM**

- 5.1 The College will ensure that its teaching, curriculum, programmes of events (both of the College and its student union), policies and procedures reflect its duties to ensure, so far as is reasonably practicable, freedom of speech and academic freedom within the law and the very high level of protection for the lawful expression of viewpoints and for speech in an academic context, including but not limited to:
- a) its processes for programme development and approval, quality assurance and academic assessment;
  - b) its processes for admission, appointment, reappointment and promotion;
  - c) its policies relating to equality, diversity and inclusion (including the public sector equality duty) and the Prevent duty;
  - d) its processes for facilitating research; and
  - e) its codes of conduct and other behaviour policies, which will ensure no individual will be subjected to disciplinary sanction or other less favourable treatment by or on behalf of the College because of the lawful exercise of freedom of speech or academic freedom.
- 5.2 The College does not enter into non-disclosure agreements related to complaints about sexual misconduct, bullying or harassment.
- 5.3 The College has processes in place to identify and manage any risks to freedom of speech or academic freedom arising from the terms of certain overseas funding, including funding from endowments, gifts, donations, research grants and contracts, and educational or commercial partnerships.
- 5.4 The College shall:
- 5.4.1 ensure that this Code of Practice is brought to the attention of new students at registration and new members of the SCR and staff during induction;
  - 5.4.2 draw the attention of members of the SCR, staff and students to this Code of Practice annually, and ensure that it is referred to in other College documentation as appropriate;
  - 5.4.3 ensure that all relevant members of the SCR and staff are aware of and/or receive appropriate training on freedom of speech and academic freedom;
  - 5.4.4 ensure that all relevant decision-makers, in making any decision or adopting any policy that could directly or indirectly (and positively or negatively) affect freedom of speech, act compatibly with the College's free speech duties as they apply in the relevant circumstances;
  - 5.4.5 periodically seek feedback from members of the SCR, staff, students and other stakeholders to secure their views on whether freedom of speech and academic freedom at the College are being adequately protected and take the responses into account;
  - 5.4.6 ensure that there are adequate measures in place to raise concerns about freedom of speech and academic freedom;
  - 5.4.7 ensure that when new policies and procedures are introduced consideration is given to their impact on freedom of speech and academic freedom;
  - 5.4.8 ensure that it has appropriate processes for the holding of events and meetings as set out in section 6 below;

- 5.4.9 monitor any concerns that have been raised about freedom of speech and academic freedom to ensure that they are addressed so far as is reasonably practicable and to address any lessons learned and draw the attention of complainants to its processes for investigating complaints and the OfS complaint scheme as set out in section 7; and
- 5.4.10 take steps to secure compliance with this Code of Practice, including where appropriate taking disciplinary action.

## **6. COLLEGE AND STUDENT UNION EVENTS AND MEETINGS – PROCEDURES AND CONDUCT OF ATTENDEES**

- 6.1 Active speaker programmes are fundamental to the academic and other activities of the College and the members of the SCR, staff and students are encouraged to invite a wide range of speakers and to engage critically but courteously with them, including as set out at paragraph 6.6 of this Code of Practice. This Code of Practice provides the only mechanism by which the College can cancel or impose conditions on College and student union meetings or events where this action is deemed necessary as a result solely of the event's subject matter and/or speaker(s). This is to ensure that the use of College premises is not inappropriately denied to any individual or body of persons on any ground connected with their beliefs or views or the policy or objectives of a body (with the exception of proscribed groups or organisations) of which they are a member. However, all speakers should anticipate that their views might be subject to robust debate, critique and challenge.
- 6.2 The starting point should always be that the event should go ahead and that cancellation is exceptional and undesirable. Depending on the circumstances, it may however be reasonable to refuse permission for a College meeting or event where the College reasonably believes (from the nature of the speakers or from similar activities in the past whether held at the College or otherwise) that:
  - 6.2.1 the views likely to be expressed by any speaker are contrary to the law;
  - 6.2.2 the speaker is likely to incite breaches of the law or to intend breaches of the peace to occur;
  - 6.2.3 the meeting will not permit contrary or opposing viewpoints to be expressed;
  - 6.2.4 the speaker and/or the organisation they represent advocates or engages in violence in the furtherance of their political, religious, philosophical or other beliefs;
  - 6.2.5 the views likely to be expressed by any speaker are for the promotion of any illegal organisation or purpose, including organisations that have been proscribed under the Terrorism Act 2000; or
  - 6.2.6 it is in the interest of public safety, the prevention of disorder or crime, the proper functioning of the College or the protection of those persons lawfully on College premises, that the meeting does not take place.
- 6.3 The lawful expression of controversial or unpopular views will not in itself constitute reasonable grounds for withholding permission for a College or JMA meeting or event.
- 6.4 Where the College is reasonably satisfied that the otherwise lawful expression of views at an event or meeting on College premises is likely to give rise to disorder or threats to the safety of participants or the wider College community, the College shall consider what steps it is necessary to take to ensure the safety of all persons and the security of College premises. These may include but are not limited to: requirements as to the provision of security/stewards, the speaker being part of a panel, ensuring that a member of staff is in attendance, or that the event or meeting should take place in alternative premises, at a later date, or in a different format. The College 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. The College will only pass on the costs of security for using the premises to those arranging the

relevant event or meeting in exceptional circumstances, including where the costs are significantly higher than the average costs of an event of a similar size. or the event could be held in a more proportionate way, or where the visiting speaker could reasonably be expected to have their own security because of the political or state office they hold. Without prejudice to the foregoing, any request to a meeting or event organiser to pay security costs in exceptional circumstances will be in writing and will explain those costs and any appeal mechanism. Any request to pay security costs will not be influenced to any degree by the ideas or opinions of any individual involved in organising the event or meeting, or by the policy or objectives of, or the views of any of the members of, anybody involved in organising the event or meeting.

- 6.5 These narrow exceptions to the general principle of freedom of speech are not intended ever to apply in a way that is inconsistent with the College's commitment to the completely free and open discussion of ideas.
- 6.6 Those attending events and meetings at the College are expected to conduct themselves in a manner consistent with the following principles:
  - 6.6.1 everyone has the right to free speech within the law.
  - 6.6.2 the aim of events at the College is to expose members of the SCR, staff and students to the widest possible range of views, within the law.
  - 6.6.3 protest is itself a legitimate expression of freedom of speech but protesters should recognise the rights of others participating in the event or meeting, and in particular not violate the rights of others to speak during the event. Protest must not shut down debate.
- 6.7 Where any person or body to whom this Code of Practice applies is seeking to hold a College or student union event or meeting on College premises which is outside of the normal academic curriculum the processes in the Annex shall be followed, except where the event or meeting is purely commercial.

## **7. BREACHES AND COMPLAINTS**

- 7.1 Where the College receives a concern about the exercise of academic freedom or freedom of speech or where it has received a concern about a possible infringement or departure(s) from the values and procedures set out in this Code of Practice, it will consider which of its procedures are most appropriate to consider the concern, making such enquiries and seeking such information as it considers necessary. Such consideration may lead to further investigation in accordance with the College's disciplinary procedures (member of the SCR, staff or student), or the College's grievance or complaints procedures.
- 7.2 The Office for Students (OfS) operates a free speech complaints scheme. Under that scheme, the OfS can review complaints about free speech from members of the SCR, students, staff, applicants for academic posts and (actual or invited) visiting speakers. Information about the complaints that the OfS can review is available on its website.

## **8. MONITORING AND REVIEW**

- 8.1 The College Committee will periodically review the contents and operation of this Code of Practice and report on its operation.
- 8.2 The point of contact for any query about this Code of Practice and its Annex is the Senior Tutor [senior.tutor@fitz.cam.ac.uk](mailto:senior.tutor@fitz.cam.ac.uk).

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**Annex: Processes for meetings and events on College premises****Section A**

- A1. This Annex is issued under paragraph 6.7 of the College's Code of Practice on Freedom of Speech, which reads: "Where any person or body to whom this Code of Practice applies is seeking to hold a College event or meeting on College premises which is outside of the normal academic curriculum the processes in the Annex shall be followed, except where the event or meeting is purely commercial."

**Organisation and approval of meetings and events on College premises**

- A2. Any meeting or event on College premises to which this Annex applies should have at least one organiser who is responsible for the meeting or event and is a member of the SCR, member of staff, or student of the College. If a meeting or event is proposed without such an organiser, it may only proceed on condition that a member of the SCR, member or staff or student is identified or nominated as the organiser responsible for the meeting or event.
- A3. Permission is required for meetings and events to be held on College premises, whether indoors or outdoors. Further details of who to contact are available in the College's Guidance for Booking Meetings and Events (See Section B below).
- A4. It is anticipated that, in the vast majority of cases, the authority in question will straightforwardly consider the request as part of normal business.
- A5. However, in the exceptional circumstances that the authority in question considers that the holding of the meeting or event might reasonably be refused on any of the grounds set out at paragraph 6.2 of the College's Code of Practice on Freedom of Speech, there is a process of escalation to College Committee. Only College Committee may refuse permission in this way and on these bases. The request should be forwarded to the College Committee with a statement of the concerns. This referral should be, where reasonably practicable, made at least seven working days in advance of the proposed meeting or event. Members of the College who are concerned that a particular forthcoming meeting or event should be escalated to College Committee may do so directly. College Committee will, in consultation as necessary, determine whether the meeting or event can go ahead as originally planned, or should be subject to reasonable conditions such as those set out in paragraph 6.4 of the Code of Practice on Freedom of Speech. Only in exceptional circumstances, when there are risks which cannot be mitigated or the event organiser refuses to meet any conditions imposed, will permission be withheld.
- A6. Any decision by College Committee (including one upheld on appeal in accordance with paragraph A7) that a meeting or event should not take place, or may only take place subject to conditions, is binding and takes precedence over any other decision which may have been taken by any other body or officer in the College, subject to the right of appeal set out below.
- A7. An organiser who is unhappy with College Committee's decision has the right of appeal to the Master's deputy appointed for this purpose.

**Management of meetings and events on College premises**

- A8. Once approved, the organisers of meetings and events must comply with any conditions set by the College authorities concerned. Such conditions may include the requirement that tickets should be issued, that an adequate number of stewards or security staff should be available, that the Porters

and/or the Police should be consulted and their advice taken about the arrangements, and/or that the time and/or place of the meeting should be changed. The cost of meeting the conditions, apart from security costs, and the responsibility for fulfilling them, rests with the organisers. Security costs will be borne by the College other than in exceptional circumstances, as set out in paragraph 6.4 of the Code of Practice on Freedom of Speech.



## Section B

### Booking and approval process for College events

- 1) This policy shall apply to any meeting or event (the 'Event') where a speaker is part of the Event, to be held in:
  - a) College facilities or external spaces, including the External Properties;
  - b) Junior Members' Association ('JMA') facilities or external spaces, including the Boat House, the sports ground and Red Cottage; and
  - c) College facilities or external spaces that are made available for JMA use.
- 2) No approval process is required for any:
  - a) religious service organised by the Chaplain;
  - b) meeting organised by a Fellow, Bye Fellow, Life Fellow, Retired Fellow, Supervisor of Studies or Research Associate ('member of the SCR') of the College for the purposes of University or College teaching, or for academic research;
  - c) governance meetings of the JMA and its constituent parts (JCR, MCR, and Clubs & Societies); and
  - d) sport activities (practice, training or competitive matches) organised clubs or societies constituted in the JMA.
- 3) The policy shall apply to all members of the SCR, students and staff of the College, other than as set out in (2) above.
- 4) The Conferencing and Events Team ('C&E') will be responsible for managing the booking of all Events. Initial Event enquiries may be made by telephone, letter, or email [events@fitz.cam.ac.uk](mailto:events@fitz.cam.ac.uk); all further communications between the College and the Events Team (whether College or third party) will be in writing. An initial enquiry (either by telephone, letter, or email) for an Event at the sports ground or boat house should be to the Groundsman or Boatman and a copy the enquiry to C&E.
- 5) When an enquiry is made, C&E will clarify the:
  - a) Name and contact details of the Event organiser;
  - b) Proposed date, time and location of the Event;
  - c) Confirmation of whether they are acting in a personal capacity or on behalf of an organisation;
  - d) If working for an organisation, the registered name, address and (if relevant) company number of the organisation;
  - e) Overview of the Event, including:
    - the purpose of the booking (e.g., lecture, networking event, debate) and its nature (both its subject matter, and whether the Event is academic, religious, or social);
    - the type of booking (e.g., whether from a College member, whether for academic, research, commercial, religious, or personal purposes);
    - the title of the Event and a detailed summary of Event topics;
    - the target audience, number of attendees expected, whether open to the public or for invited attendees only, and whether tickets will be issued; and
    - Its sponsorship (if there is any sponsorship – financial or otherwise, the details of each sponsor and any agreements regarding publicity and advertising).
  - f) Formal speakers at the Event, including:
    - Their full names; and
    - Their affiliations (either the Collegiate University or external, and if so, their organisation's details).

- 6) The Head of C&E will undertake a sense check of the Event to determine the way to proceed with the enquiry, including whether the Event is exempted from approval under (2) above.
- 7) At provisional booking stage, the C&E will issue a provisional booking contract for the Event which will:
  - (a) reiterate the information provided by the organiser(s) about the Event,
  - (b) draw attention to the College's standard terms and conditions for booking Events, including the College's Code of Practice on Freedom of Speech and Prevent responsibilities;
  - (c) advise the organiser that a member of the College staff may, at any time, listen to their Event as it takes place, and read any associated literature on or off-line;
  - (d) draw attention to the College's right to cancel the booking if the College believes that the Event details have changed without sufficient time for the College to carry out its due diligence, or if any of the information submitted to the College during the bookings process is identified as being inaccurate or incomplete.
- 8) The C&E may at any time follow up with the Event organiser for additional written information if concern is expressed over the proposed subject matter and may conduct additional research. The C&E may also, at any time, refer enquiries to: 1) Officers of the College (Master, Bursar, Senior Tutor) and Director of Operations in the case of Events relating to College facilities or College facilities made available to the JMA; and 2) Executive Trustees of the JMA (The President and Treasurer) in the case of Events relating to JMA facilities, for further consideration.
- 9) Between confirmation of the provisional booking per (7) and the day of the Event, the C&E will monitor the Event for consistent and complete information provided on request and in accordance with the College's standard terms and conditions. If information is not provided within the specified timeframe, the Event will be deemed to have been cancelled by the organiser(s), and the C&E will communicate this decision in writing.

**Policy approved**  
**July 2025**