

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: **5 December 2025**

Public Authority: **The Governing Body of London Metropolitan University**

Address: **166-220 Holloway Road
London
N7 8DB**

1. Request:

The complainant requested the following information from London Metropolitan University on 6 September 2025:

"I write in connection with your current recruitment processes, specifically those job advertisements that require applicants to demonstrate, within their supporting statements or otherwise, evidence of a commitment to EDI.

As you will be aware, the Higher Education (Freedom of Speech) Act 2023 places a statutory duty on higher education providers to uphold and protect freedom of speech and academic freedom within their institutions. The Act, alongside the Equality Act 2010, obliges universities to take reasonably practicable steps to ensure that staff, students and applicants are not subject to unlawful disadvantage on the grounds of their lawful speech or beliefs.

In light of these obligations, I am concerned that requiring applicants to submit evidence of support for EDI may, if framed or applied in a prescriptive manner, risk placing conditions upon employment that could:

1. Compel conformity with contested or ideological viewpoints under the guise of 'commitment to EDI';
2. Deter or disadvantage applicants whose lawful academic or personal

views on such matters diverge from prevailing institutional policies; and

3. Conflict with statutory protections for freedom of expression and academic freedom enshrined by the 2023 Act.

Accordingly, I respectfully request that your institution confirm in writing:

1. That no current or forthcoming recruitment requirements (including those relating to EDI statements or supporting evidence) operate in such a way as to restrict or penalise lawful expression, dissenting opinion, or academic debate;
2. That your recruitment processes are fully compliant with the Higher Education (Freedom of Speech) Act 2023 and associated statutory obligations; and
3. What safeguards your institution has in place to ensure that EDI-related criteria are applied in a manner consistent with applicants' rights under the Act.

Given the significant public interest in ensuring that universities balance their duties with regard to equality, diversity and inclusion alongside the statutory duty to protect freedom of speech, I would be grateful for your clarification."

2. Commissioner's Decision:

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

3. Steps:

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

4. Right of Appeal:

Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
General Regulatory Chamber
PO Box 11230
Leicester
LE1 8FQ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF