

King's College London Code of Practice for Freedom of Speech and Academic Freedom

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| Policy Category: | Governance |
| Subject: | Freedom of Speech and Academic Freedom |
| Approving Authority: | Council and University Executive |
| Responsible Officer: | Assistant Principal, Academic Freedom and Free Expression |
| Responsible Office: | Vice-Chancellor's Office |
| Related Procedures: | Procedures for events, protests and open space gatherings at King's |
| Related College Policies: | Policy statement on Academic Freedom at King's |
| Effective Date: | 1 August 2025 |
| Supersedes: | Any previous versions of the Code of Practice |
| Next Review: | July 2026 |

Preamble

This iteration of the Code of Practice, effective August 2025, supersedes any previous versions. The provisions of this Code of Practice take precedence over any other existing provisions in other policies, procedures, guidelines, and handbooks where there is discrepancy, and may be revised from time to time. Any potential discrepancies may be reported via Governance@kcl.ac.uk.

1. Purpose and Scope

- 1.1. The purpose is to provide an enabling policy framework to support King's College London ("King's") in meeting our statutory duties to take reasonably practicable steps to secure and promote freedom of speech within the law and protect academic freedom within the law.
- 1.2. The scope of this Code of Practice relates to all aspects of activity at King's. It sets out values, institutional expectations, and guiding approaches. It provides signposts to other relevant policies and procedures at King's. Our statutory duties relate to students, staff and visiting speakers. King's also seeks to protect the freedom of expression of external visitors.
- 1.3. This document is the main section of the Code of Practice and there are two supporting appendices that interrelate and should be considered part of our Code of Practice framework. These are 'Policy statement on academic freedom at King's' and 'Procedures for events, protests and open space gatherings' and should be read in conjunction.

2. Definitions

- 2.1. Academic Freedom – This designates the freedom of the academic community - including academic staff and students - in respect of research, teaching and learning and, more broadly, the dissemination of research and teaching outcomes both within and outside the higher education sector, without unreasonable interference. The concept ensures that the academic community may engage in research, teaching, learning and communication in society in an academic context without fear of reprisal, within the limits of the law. The statutory concept and duty on academic freedom is set out in Part A1 (6) of the Higher Education (Freedom of Speech) Act 2023 available to read [here](#).
- 2.2. Freedom of Expression – This encompasses the values of freedom of speech, freedom of thought, freedom of conscience and religion, freedom of assembly and freedom to protest, within the framework of the law. This applies across our premises, both within and beyond classrooms and laboratories, and applies to external visitors and speakers, including in

relation to online or off-campus King's activity.

- 2.3. Freedom of Speech within the law – as outlined in Part A1 (13) of the Higher Education (Freedom of Speech) Act 2023, means the freedom to impart ideas, opinions or information (referred to in Article 10(1) of the European Convention on Human Rights as it has effect for the purposes of the Human Rights Act 1998) by means of speech, writing or images (including in electronic form).

3. Our values and principles

- 3.1. This section is reflective of the values and principles outlined in our [Joint Statement on Freedom of Expression with King's College London Students' Union \(KCLSU\)](#). King's is committed to upholding the values of freedom of speech, freedom of thought, freedom of conscience and religion, freedom of assembly and freedom to lawfully protest or demonstrate. We refer collectively to these as our commitment to upholding freedom of expression. King's has been accepted as a signatory to the [Magna Charta Universitatum](#) 2020, upholding its values.
- 3.2. Individuals, institutions and societies thrive when they enjoy an abundance of freedoms within the law. Learning, the production of knowledge, and human progress rests on the free exchange and testing of ideas and opinions, some of which may be contentious, unpopular, offensive, or discomforting to some.
- 3.3. King's affirms the vitality of freedom of expression and academic freedom to the success of our University and seeks to facilitate a safe, open and vibrant intellectual environment to explore ideas, generate and critique evidence, express opinions and debate a wide variety of topics. We also respect the right to protest or demonstrate where this does not break the law, cause a serious risk to safety, shut down debate, or unduly disrupt the operations of King's to the detriment of others.
- 3.4. We expect the students and staff of King's to engage with civility, being mindful of our common humanity and the dignity and privacy of others, and tolerant of the right of others to exercise their freedom of expression. The [King's Community Charter](#) elaborates on the values and behaviours we encourage our students and staff to demonstrate and foster.
- 3.5. King's has an institutional operating approach of value-based impartiality. This means that, in seeking to secure freedom of expression and foster an inclusive and vibrant intellectual environment, the University as a corporate entity does not normally take institutional positions or make statements on geopolitical and complex social issues barring exceptional factors such as the safety of our students and staff being affected.

4. Our policy approach – general provisions

- 4.1. King's will take reasonably practicable steps to secure freedom of expression and academic freedom within the framework of the law for our students, staff, visiting speakers and external visitors. We affirm our commitment to fulfilling the University's statutory duties outlined in the Education (No.2) Act 1986, the Human Rights Act 1998, the Higher Education & Research Act 2017, the Higher Education (Freedom of Speech) Act 2023, the Equality Act 2010, The Counter Terrorism and Security Act 2015, and related provisions in relevant regulatory frameworks and guidance.

- 4.2. King's recognises that our statutory duties relating to freedom of expression and academic freedom must be implemented with appropriate regard to our other obligations under the laws and regulations of the United Kingdom. King's has duties to foster good community relations, advance equality of opportunity, and ensure the safety of our staff, students, visiting speakers and external visitors. This includes safety from physical violence, intimidation, harassment, victimisation, discrimination and incitement to hatred in relation to protected characteristics, and incitement to violence. We also have duties to help prevent encouragement of support for proscribed organisations and to help prevent people from being drawn into terrorism or promoting, encouraging or glorifying terrorism.
- 4.3. King's respects and affirms the right of our students and staff to express views and opinions and promote information within the parameters of the law in the course of their day to day lives both on and off campus. In operating other policies and procedures at King's, staff must have particular regard to the protection of lawful expression as well academic freedom. We set out more detail on our approach to academic freedom in our Policy Statement on Academic Freedom. We recognise that people may say and do things in the heat of the moment, including using language that may be offensive but not, on the balance of probabilities, unlawful. Our policies and our procedures must give reasonable regard to situational context and consider the spontaneity of everyday discourse.
- 4.4. Notwithstanding the provisions of 4.3, there may be situations where disciplinary or remedial action is merited against a student, member of staff or an entity at King's in relation to inappropriate language or behaviours amounting to bullying, harassment, discrimination or other forms of grossly abusive behaviour or misconduct as set out in various disciplinary procedures on the [King's Policy Hub](#). King's has adopted definitions of antisemitism and Islamophobia which it has regard to in operating this code of practice.
- 4.5. General inconveniences to the University's reputation in respect to the exercise of lawful freedom of expression by students and staff are not grounds for disciplinary action. Any disciplinary matter relating to the grounds of "bringing the University into disrepute" must be serious, clearly evidencable, and pose a material risk to the operations and/or community relations of the University to be actionable.
- 4.6. In promoting the importance of freedom of speech and academic freedom, King's will annually draw the attention of students and staff at King's to this Code of Practice as well as Part A1 of the Higher Education (Freedom of Speech) Act 2023 through communications.
- 4.7. King's continues to commit to not use non-disclosure agreements in relation to complaints about sexual misconduct, bullying or harassment in line with the provisions of the Higher Education (Freedom of Speech) Act 2023.

5. Our policy approach and required conduct for events, protests and open space gatherings

- 5.1. Our guiding principle is that everyone has the right of free speech within the law and we take reasonably practicable steps to ensure as many proposed events can take place as possible. King's takes pride in ensuring our community is exposed to a wide range of views, enabling a large and diverse range of speaker events, cultural events, and screenings and exhibitions.
- 5.2. This Code of Practice covers events that take place on King's premises as well as those organised online or off-campus under the aegis of entities related to King's and KCLSU. We

consider, working with KCLSU when it relates to ratified student societies and groups, the risks of event booking requests and, if necessary, apply conditions to mitigate identified risks to ensure events take place safely and lawfully. KCLSU ratified societies and groups must have regard to KCLSU's relevant policies.

- 5.3. King's acknowledges the importance of the right to lawful protest and freedom of assembly on and adjacent to our premises within the parameters of the law and where it does not unduly affect the normal operations of the University or prevent lawful free speech or access to our premises for others. Our detailed approach, including further detail on conduct and relevant guidance for senior staff dealing with these matters, is set out in our Procedures for events, protests and open space meetings.
- 5.4. Events organised on King's premises by third parties as commercial bookings with King's are also risk assessed by the University and may have conditions to mitigate risk applied. King's is under no commercial or legal obligation to accept third party booking requests.
- 5.5. Detailed procedures on the criteria for events taking place and conduct expected are contained in an appendix to this Code of Practice called *the Procedures for events, protests and open space meetings*. Ratified KCLSU student societies and groups must also have regard to KCLSU policies and procedures.
- 5.6. King's will not charge internal individual members of the King's community, including student societies both affiliated or unaffiliated to KCLSU for additional security costs in relation to a high risk or high-profile speaker event or presentation, unless costs are prohibitive and not reasonably practicable to meet. Costs will be met by the University. For commercial bookings, additional security costs will be charged to event organisers.
- 5.7. Required conduct of an event organiser - Any event with an invited audience, whether held on King's premises or online under King's/ KCLSU related entity auspices, must have a designated event organiser who is responsible for the arrangements and the conduct of the meeting. An event organiser is expected to behave with reasonable courtesy and integrity towards King's staff and ensure that preparations for and conduct of a speaker event or screening/presentation comply with any specific conditions, established University procedures, and the laws of the United Kingdom. The option of disciplinary action exists where event organisers fail to behave appropriately.
- 5.8. Required conduct of an internal or visiting speaker – A speaker, whether internal or external to the King's Community, is expected to abide by UK law, the relevant provisions on required conduct set out in this Code of Practice and the accompanying Procedures for Events, Protests and Open Space Gatherings. An internal or visiting speaker should not undermine the freedom of expression of others and is expected to comply with any conditions or mitigations applied as reasonably practicable steps for an event.
- 5.9. Required conduct of event audiences or participants at any protest or demonstration on King's premises are detailed in *the Procedures for events, protests and open space meetings*. Events and protests are supported but events are risk assessed, and the place, time and manner of protests is constrained to support protests but ensure they do not create a health or safety issue, disrupt the regular operations of the University, or deny other community members their rights to free expression. We expect all our community to engage with civility to one another at all times. Where an individual or group breaches the protocols laid out in *the Procedures for events, protests and open space meetings*, King's has

the right to remove that individual or group from our premises and take disciplinary action if they are a member of our community.

6. Roles and responsibilities

- 6.1. King's Council has ultimate responsibility for ensuring reasonably practicable compliance with the University's statutory duties and the provisions outlined in this Code of Practice.
- 6.2. Via the Vice-Chancellor, the Senior Vice President (Academic) is the designated responsible owner for all aspects of this Code of Practice relating to the consideration of matters of legitimate academic freedom. The Senior Vice President (Operations) is the designated responsible owner for all other operational aspects of this Code of Practice and interrelated policies and procedures. Both share responsibility for ensuring adequate training, recording of decisions that may affect freedom of speech within the law, and monitoring of compliance with this Code of Practice are in place.
- 6.3. If a designated responsible owner is unavailable or conflicted, the Vice-Chancellor & President shall assume responsibility or designate another person to deal with the matter.
- 6.4. The Freedom of Expression Management Group (FEMG) is a sub-committee of the University Executive, with a mandate to promote and protect academic freedom and free speech at King's. It is chaired by the Assistant Principal, Academic Freedom & Free Expression.
- 6.5. FEMG is supported by 3 groups. The Freedom of Expression Student Advisory Group (FESAG) is a joint committee of King's and KCLSU focusing on free speech for students. The Freedom of Expression Complaints Advisory Group advises HR and Student Conduct and Appeals on any complaints relating to free expression. The Freedom of Expression Operations Group reviews the risk associated with events and provides mitigations where necessary, jointly with KCLSU for student events. FEMG and its sub-groups provide advice and have delegated authority to implement provisions of this Code of Practice and associated procedures.

7. Appeals and Complaints

- 7.1. If an event organiser is dissatisfied with a decision taken by King's in relation to an event, the University encourages them to initially discuss the matter informally with the Assistant Principal, Academic Freedom & Free Expression. If they wish to formally appeal the decision, then the University will expeditiously form an appeal panel to consider the matter.
- 7.2. If a student, staff member, visiting speaker or external visitor believes their freedom of expression or academic freedom has been infringed, or procedures have not been properly followed, they have a right to complain through the relevant procedure below:
 - For staff – see various complaints / grievance procedures on King's [Policy Hub](#).
 - For students – see relevant complaints procedures on the King's [Policy Hub](#).
 - For visiting speakers and external visitors – by contacting either the Senior Vice President (Operations) or the Senior Vice President (Academic) – details available [here](#).
- 7.3. When all internal procedures for a complaint are complete, a student may request an independent review of their case by the Office of the Independent Adjudicator for Higher

Education, if they remain dissatisfied with the University's final outcome.

- 7.4. 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 public, 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](#).