

# Code of Practice on on Free Speech

## 1. Introduction

- 1.1 Universities have wide-ranging responsibilities. Among the most fundamental of these are the responsibility to protect and promote freedom of speech and academic freedom and to take steps that are reasonably practicable to secure freedom of speech and academic freedom within the law<sup>1</sup>(see Section 4 below). This includes questioning and debating the laws that constrain and promote free speech. Such activity is protected by freedom of speech within the law provided it is done in a way compliant with legally allowed regulations on time, place, and manner.
- 1.2 Other legal obligations exist to protect the rights and freedoms of others, but the governing bodies of higher education providers must have particular regard for the importance of securing free speech and academic freedom.
- 1.3 LSE has adopted this Code of Practice ('the Code') to ensure that freedom of speech within the law is promoted and secured for students, employees and other members of the School (including honorary and visiting staff), as well as for all persons authorised to be on School premises, including visiting speakers. The Code also supports the School's duty to promote and secure academic freedom for academic staff.
- 1.4 This Code supports the [LSE Ethics Code](#) principle of intellectual freedom. However, in cases of apparent conflict between the provisions of the Code of Practice on Free Speech and the LSE Ethics Code or other LSE codes or policies, the former shall take precedence to the extent required by law.
- 1.5 Council must approve the Code and any changes to it. The School Management Committee (SMC) is responsible for policy issues connected with the Code's interpretation and application. SMC will review the Code and, if material changes are being considered, consult with Academic Board before seeking Council's approval.

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<sup>1</sup> Where references are made to the law, this will refer to the laws of England and Wales, unless otherwise specified.

- 1.6 Council will ensure that both the Code and Council's duties respecting freedom of speech and academic freedom are brought to the attention of the School's staff and students annually.
- 1.7 In accordance with the duties imposed upon it by Section 43 of the Education (No 2) Act 1986, as updated by the Higher Education and Research Act 2017 and the Higher Education (Freedom of Speech) Act 2023, the Council of the School has approved the following Code of Practice to help

ensure as far as reasonably practicable that freedom of speech within the law is secured for students and staff of the School and for visiting speakers and that academic freedom is secured for academic staff.

## 2. Scope

- 2.1 This Code applies to all activities on any premises of which the School has title or possession by freehold, leasehold, licence, or otherwise, including its halls of residence, students' union premises and the Faith Centre ('the Premises'). It also applies to activities of staff or current students in any other location when carried out in the name of the School and to the LSESU or its members when using the School's Premises or engaged in events organised, sanctioned by, or carried out in the name of the School.
- 2.2 This Code makes particular provision in respect of activities such as meetings and events, including public lectures, conferences, lectures, seminars, committee meetings, and musical and theatrical performances ('Events'). These are found in Section 6 of this Code. The Code also applies to online events held by or in the name of the School.
- 2.3 The School's Memorandum of Understanding with the LSESU commits the Students' Union to adhere to the provisions of this Code in respect of events organised by its members that are held using the School's Premises or sanctioned by the School or LSESU.
- 2.4 The principles contained within this Code also apply to teaching and curricular content.

## 3. Principles

- 3.1 The School operates with a strong presumption in favour of free speech.
- 3.2 In accordance with the above, the following values are enshrined in Article 13 of the School's Articles of Association:
  - 13.3 Every individual associated with the School shall be entitled to freedom of thought, conscience, and religion, and to hold opinions without interference, disability or disadvantage, and to freedom of expression and speech within the law, including the right to seek, receive and impart information and ideas of all kinds.
  - 13.4 Academic staff shall have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing them in jeopardy of losing their jobs or privileges.
- 3.3 Freedom of academic enquiry, thought, and speech underpins everything we do at LSE. These freedoms are fundamental to our founding purpose to 'understand the causes of things' and we are proud to be a diverse, global community who come together to explore, study, and discuss a wide range of issues through our academic research, educational practices, and rigorous debate. We want to provide an environment where ideas are discussed and debated freely and openly within the law.
- 3.4 The School provides a wide range of fora where free and frank intellectual exchanges take place. Within this both the diverse views of individuals and the voices of those who wish to peacefully protest are tolerated so long as lawfully expressed. This is central to our culture and protected in law.
- 3.5 The School, as an institution, does not take a position or express any opinions on political or international issues. This includes the units that together make up the School such as Departments, Institutes, Research Centres, and Divisions. Instead, the School endeavours to

provide a platform to facilitate discourse on contemporary matters by encouraging critical debate, within the law, where the views of all parties are treated with respect.

3.6 Subject to clause 4.6, the use of the Premises shall not be denied to any individual or body of persons because of:

- a. the beliefs or views of that individual or of any member of that body; or
- b. the policies or objectives of that body

except if there are reasonable grounds to suspect that unlawful activity is likely to occur.

3.7 The School assumes that exposure of students to course materials, and statements made, and views expressed by a person as part of teaching, research or discussions about any subject matter that is connected with the content of a course, are unlikely to constitute harassment, unless otherwise demonstrated that these matters do in fact amount to harassment as defined in section 26 of the Equality Act 2010.

## 4. Legislation

4.1 The Higher Education (Freedom of Speech) Act 2023 places a duty on the School to secure freedom of speech, within the law, for staff members, students, and visiting speakers.

4.2 It also places a duty to secure academic freedom for academic staff. This means freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions without placing themselves at risk of losing their jobs or privileges, suffering other punishment or penalty, or reducing their likelihood of being appointed or of securing promotion or different jobs at the School for reasons unrelated to their academic performance (as judged by established processes, such as Major Review).

4.3 Activity may be deemed unlawful under a range of legislative provisions, including but not limited to the Equality Act 2010 (incorporating protected belief, harassment and the public sector equality duty), the Public Order Act 1986, and the Counter Terrorism and Security Act 2015. Examples, which are not exhaustive, of unlawful activity include:

- expression of racial hatred or religious hatred, or incitement to such hatred or to violence or other criminal acts;
- direct support of an organisation that is proscribed in the UK;
- contravention of counter-terrorism legislation;
- breach of the peace;
- public order offences;
- contravention of health and safety legislation.

4.4 Under the statutory duty derived from the Counter Terrorism and Security Act 2015, the School has a legal obligation to consider whether views that will or are likely to be expressed by a speaker at a School event risk drawing people into terrorism or are shared by terrorist groups. In such circumstances, the School is legally obligated not to allow the event to proceed unless the School is convinced that the risk can be fully mitigated without cancellation. However, the Counter Terrorism and Security Act and the statutory duty it creates do not change the definition of free speech within the law or the School's presumption in favour of free speech within the law.

4.5 The expression of views that are unpopular, controversial, or provocative or that cause offence does not, if lawful, constitute grounds for the refusal or cancellation of an Event or an invited speaker.

- 4.6 The School reserves the right to impose such conditions upon the use of the Premises as are reasonably necessary for the discharge of its obligations relating to the safety and health of its registered students, employees, and other persons lawfully upon the Premises and for the efficient conduct and administration of its functions. Conditions for Events may include, for example, restrictions on access by those outside the School, or the provision of appropriate security. Event organisers may be required, in exceptional circumstances, to meet the cost of conditions required; however, the School will endeavour to help from central budgets if funding is unavailable.
- 4.7 The School reserves the right to decide that practical considerations such as the cost, short notice period, or difficulty of providing the necessary level of security may require an Event to be modified, curtailed, postponed or – in exceptional circumstances – cancelled.

## 5. Interaction with other policies and procedures

- 5.1 The School must take steps that have particular regard to the importance of freedom of speech. In undertaking work to achieve this objective, the duties and obligations arising from this Code will be considered in the context of other activities and relevant policies and procedures, including but not limited to HR policies for academic staff and the Discrimination, Bullying and Harassment Policy.

## 6. Procedures in respect of Events

- 6.1 Advance booking of at least ten working days is required for most School venues that are suitable for Events. Most bookings are handled by Room Bookings in Estates Division. However, venues controlled by LSE Residences or the Faith Centre should be booked directly with those units. Other venues in the Saw Swee Hock Student Centre should be booked through the Students' Union. Departmental meeting rooms and other rooms controlled by departments should be booked with the staff responsible for those spaces. Extensive guidance for Event organisers is available on the School website.
- 6.2 The organisers of any Event for which a venue is booked through Room Bookings are required to appoint an individual to act as Principal Organiser of the Event for the purposes of this Code. The Principal Organiser, who must be either a registered student booking on behalf of a registered SU Society or an employee of the School, shall be responsible, as far as is reasonably practicable, for ensuring that the organisation of the Event and the conduct of those attending it, whether from the LSE community or outside, are lawful and conform to the provisions of this Code, to all relevant School guidance, and to any condition relating to the Event imposed under this Code. This includes ensuring that the Event Chair is properly briefed. For the avoidance of doubt, a registered student for the purposes of this Code is a student who is pursuing an undergraduate or postgraduate programme of study for which they are receiving teaching or supervision or both.
- 6.3 In respect of Events for which they handle bookings, Room Bookings will, if necessary, seek advice on matters related to free speech from the Director of Communications or their nominee. They will seek further advice, if necessary, from the Chief Operating Officer or Deputy Chief Operating Officer as the Chair of the Events Management Board (who will consult with one of the Vice Presidents/Pro-Vice Chancellors), especially if the question is whether to significantly modify or curtail access to an Event or to postpone or cancel it. Any stipulation to exclude one or more invited speakers from an Event that otherwise goes forward requires the explicit approval of one of the Vice Presidents/Pro-Vice Chancellors.
- 6.4 Venue controllers other than Room Bookings have discretion in respect of venues they control not to require a Principal Organiser from the School community should that be inappropriate. However, all venue controllers shall, as far as is reasonably practicable, be responsible for ensuring that the organisation of the Event and the conduct of those attending it, whether from the LSE community or outside, are lawful and conform to the provisions of this Code and to all relevant School

guidance, including any conditions the School may require to be met. This includes ensuring that the Chair is properly briefed. If advice on free speech matters is needed, venue controllers should contact the Director of Communications, who will, if necessary, escalate the issue as set out in the previous paragraph.

- 6.5 The School's Head of Security or their nominee will provide security risk management advice to Event organisers. If the Event organiser believes that an Event poses a security risk to any person, facility, or business process, they can request the Head of Security or their nominee to provide or coordinate security arrangements for the Event. The Head of Security or their nominee will act as the main point of contact for any necessary dealings with the police. In addition, where security-related decisions need to be taken at very short notice – such as immediately prior to an Event, or where an Event is under way - the Head of Security or their nominee has delegated authority to cancel, postpone, or close the Event, or to impose whatever restrictions are necessary to ensure security, safety, and the maintenance of good order. They will normally do so in consultation with the Event Chair, as long as circumstances allow.
- 6.6 For the purposes of the preceding paragraph, security and safety risks are defined as risks to the life or physical health of any person, or of damage to the Premises, or of theft of or damage to property, or of disruption of an Event to the point at which good order is threatened. Examples of contravention of good order are given at paragraph 6.13 below.
- 6.7 The Head of Security or their nominee has authority over the conduct of all security activity conducted on the Premises. Normally, only LSE Security and officially retained contractors may conduct security activity on the Premises. The presence of any external security organisation on the Premises and their role and conduct while on the Premises must be authorised by the Head of Security or their nominee.
- 6.8 In considering whether to allow a particular event to take place under its authority, the School has to consider whether the activity may be unlawful (see paragraph 4.3 above). This responsibility rests with the Principal Organiser of the Event in the first instance, who may, if necessary, consult as set out in paragraph 6.3.
- 6.9 In accordance with the functioning of academic freedom and freedom of speech, individuals are required to behave in a way that enables staff, students, or visitors to access any teaching, class, or event and allows them to hear a speaker and contribute to discussion, including questioning the views of those participating in the class or event.
- 6.10 Where there are concerns about an event or an associated protest the School must consider how risks can be managed or mitigated. This assessment will be made keeping in mind the School's strong commitment to freedom of speech within the law.
- 6.11 The School reserves the right to impose such time, place, and manner conditions upon the use of the Premises as are reasonably necessary for the discharge of its obligations relating to the safety, health, and welfare of its registered students, employees, and other persons lawfully upon the Premises, and for the efficient conduct and administration of its functions. Conditions for Events may include, for example, restrictions on access by those outside the School, or the provision of appropriate security. Event organisers are expected to cover the cost of required conditions, but the School will endeavour to help from central budgets if funding is unavailable.
- 6.12 The withholding or withdrawal of permission pursuant to section 4.7 of an Event will only occur in exceptional circumstances, where measures cannot be put in place to secure freedom of speech within the law, and wherever possible after consultation with the Principal Organiser and any internal and external parties deemed appropriate by the School.
- 6.13 Everyone who organises, speaks at, or attends an Event at LSE is required to observe good order. Good order includes, but is not limited to, refraining from the following:

- preventing participants from accessing or leaving Events safely;
- chanting or otherwise preventing speakers from being heard clearly;
- using foul or abusive language, including racial or other forms of abuse;
- refusing reasonable requests from an Event Chair, Event steward, or other LSE staff involved in managing an Event;
- displaying flags, banners, placards, or similar items in an Event;
- throwing any item;
- acting in any other way that is threatening or abusive, or that denies to others their right to legal free speech.

- 6.14 Nobody who has exercised their right to lawful free speech should suffer censure as a result.
- 6.15 It is the responsibility of the Event Chair to ensure that anyone who wishes to challenge or criticise the views of the speaker(s) in an orderly fashion is allowed to do so. Chairs at LSE events should always act impartially in their facilitation of discussion and debate.
- 6.16 Events that are open to people other than current LSE staff or students should always be chaired by a suitable and experienced figure who is fully familiar with the School, meaning in principle a current (not visiting or emeritus) member of the LSE academic staff. Any exceptions to this should be approved by the Deputy President. If the Deputy President is unavailable, approval can come from one of the Vice President & Pro-Vice Chancellors.
- 6.17 The primary duty of the Event Chair at all School events is to uphold freedom of speech within the law by adhering at all times to this Code of Practice on Free Speech. The Event Chair is responsible for maintaining good order at events and must follow the relevant School guidelines.
- 6.18 At Events where discussion is likely to provoke especially strong feelings and responses, Chairs should take particular care to ensure that they act impartially and are seen to do so. Chairs may pose questions to the speaker(s) but should not be a speaker at the Event themselves or express their own views on the subject matter of the Event. Chairs for events of this type must be willing to undertake the relevant preparation, in coordination with the appropriate School staff, in the run up to the Event.
- 6.19 SMC reserves the right to reject a proposed Event Chair and require event organisers to find a different Event Chair, but only if the proposed Event Chair is not a suitable and experienced figure who is fully familiar with the School, or there is evidence that provides reasonable grounds to believe the proposed Event Chair has not acted impartially or has not upheld freedom of speech when chairing previous Events. Imposing a change of Chair requires approval from the Deputy President or, if they are not available, from one of the Vice President & Pro-Vice Chancellors. The reasons for requiring the change must be communicated in written form to the Event organiser.
- 6.20 An appeal by any registered LSE student or staff member from a decision made by the School's staff at the level of Vice President & Pro Vice Chancellor or Chief Operating Officer may be made, within ten working days, to the Deputy President, whose decision shall be final. If the challenged decision was made by the Deputy President, the appeal shall be to the President and Vice Chancellor.

## 7. Complaints

- 7.1 Any contravention of or departure from the provisions of this Code may render the responsible individual(s) liable to appropriate sanctions or disciplinary procedures of the School.

- 7.2 The School will ensure appropriate procedures are in place for members of the School community to raise concerns, and where applicable, make formal complaints in relation to their rights to free speech and academic freedom.
- 7.3 The School will ensure that appropriate procedures are in place for its stakeholders to report any concerns and for these to be investigated promptly and thoroughly.

## Relevant Policies, Guidance and Forms

[Policies and Regulations for Events \(including Room Booking Policy, Health and Safety Policy, Prevent Duty\)](#)

[Good Practice Guidance for Events Room Bookings for Staff](#)

[LSESU Society Room Bookings](#)

[Free Speech Complaints Procedure – \[To be added once guidance provided\]](#)

## Review schedule

Review interval	Next review due by	Next review start
3 years	November 2026	April 2026

*The Code will continue to be reviewed and updated as the Higher Education (Freedom of Speech) Act 2023 is fully implemented and relevant guidance provided to the sector. This may result in reviews of the Code taking place more frequently than at the standard three yearly intervals.*

## Version history

Version	Date	Approved by	Notes
1.0	26/4/2016	Council	
2.0	15/05/2018	Council	Updated to reflect change to rules on event chairs, etc.
2.1	May 2021	SMC	Minor changes approved with a further review due in one year
3.0	November 2023	Council	Updated to reflect provisions of the Higher Education (Freedom of Speech) Act 2023
3.1	January 2024	SMC	Minor amendment agreed.
4.0	November 2024	Council	Minor amendment approved.
4.1	July 2025	SMC	Minor amendments and refinements agreed to comply with OfS regulatory guidance note 24 by 1 August 2025.

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## Communications and Training



Will this document be publicised through Internal Communications?	Yes
Will training needs arise from this policy	No
If Yes, please give details	