



Freedom of Speech Code of Practice

1. Introduction

- 1.1. Loughborough College is a statutory corporation established under the Further and Higher Education Act 1992. Following merger on 1st August 2025, the corporation operates Loughborough College, Stephenson College, Brooksby College and IGNITE (Melton campus), trading as Loughborough College Group ("the Group" or "LCG"). The Group also operates a number of wholly-owned subsidiary companies.
- 1.2. Unless the context requires otherwise, this Code of Practice applies to the whole of Loughborough College Group and to each of the institutions within the Group. References to Loughborough College, the Group, and LCG mean the Corporation and all colleges and subsidiaries operated by it, unless otherwise stated.
- 1.3. Loughborough College Group provides further education to a wide range of learners, studying A Levels, T Levels and vocational qualifications, adult learners and apprentices, and those on foundation-level courses. The Group also provides higher education at levels 4, 5 and 6 up to undergraduate degree level, and including higher education apprenticeships. Provision takes place across the Group's campuses, at partner organisations' sites across the country and in the workplace.
- 1.4. Loughborough College does not have its own degree-awarding powers. The Group's higher education provision is validated by Loughborough University, Sheffield Hallam University, University of Derby, De Montfort University, and Pearson.

2. Legal & Regulatory context

- 2.1. Loughborough College is a statutory corporation, an exempt charity, and a public authority. It is regulated by the Department for Education (DfE) and by Ofsted as a further education provider, and by the Office for Students (OfS) as a registered higher education provider. It is

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also regulated by other funding providers such as the Department for Culture, Media and Sport/Sport England in respect of the provision which they fund.

- 2.2. As the provider of higher education courses validated by external institutions, Loughborough College is also bound by policies and procedures set by those institutions concerning their validated provision.
- 2.3. As a public authority, Loughborough College must act in accordance with the European Convention on Human Rights (ECHR) as incorporated into English law by the Human Rights Act 1998. One of the rights protected by this Act is Freedom of Expression (ECHR Article 10), which includes freedom of speech.
- 2.4. Loughborough College must also comply with the Equality Act 2010, which prohibits discrimination, harassment and victimisation based on protected characteristics (linked to ECHR Article 14). The Equality Act also sets out a Public Sector Equality Duty, requiring Loughborough College to have due regard to the need to eliminate conduct prohibited by the Act, advance equality of opportunity, and foster good relations between those who share a protected characteristic and those who do not.
- 2.5. The core values of Loughborough College are Fairness, Respect, Equality, Diversity, Inclusion and Engagement (FREDIE values). These reflect the fundamental British Values of democracy, the rule of law, individual liberty and mutual respect and tolerance, which the Department for Education requires schools and colleges to promote, including through the curriculum, policies and events. Freedom of speech is a fundamental part of these values.
- 2.6. The Higher Education (Freedom of Speech) Act 2023 amended the Higher Education and Research Act 2017 to strengthen the legal requirements placed on universities and on colleges providing higher education, in relation to freedom of speech and academic freedom.
- 2.7. Each higher education provider must take the steps that, having particular regard to the importance of freedom of speech, are reasonably practicable for it to take in order to secure freedom of speech within the law for its students, staff and members and for visiting speakers. For academic staff, this includes securing their academic freedom. Each provider must also maintain a code of practice setting out matters relating to freedom of speech.
- 2.8. This Code provides an overview of how Loughborough College will secure freedom of speech under the law, including academic freedom, in the context of its other legal and regulatory obligations and its wide-ranging provision across a diversity of learners and locations.

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3. Steps to secure freedom of speech: General approach

- 3.1. The duty extends to all students, staff, members and speakers of a higher education provider, not just those studying/teaching on higher education courses.
- 3.2. The steps that are reasonable to take to secure freedom of speech, however, are likely to be different in a situation which only affects higher education provision to those that might be reasonable in a further-education-only context, or where there is a mixture of higher and further education students or staff. This is because the College's duties in relation to safeguarding vulnerable students and having due regard to the need to prevent students from being drawn into extremism, for example, are likely to apply differently to further education students (many of whom are under 18 and/or vulnerable) than to higher education students. The extent to which curriculum is mandated, and therefore the extent to which alternative viewpoints can be explored, is also likely to be different between further and higher education provision.
- 3.3. Loughborough College will therefore take a differentiated approach in its duty to secure freedom of speech, depending primarily on whether the context is "HE only", "FE only", or "mixed HE/FE".
- 3.4. This does not mean that freedom of speech itself only applies to HE students or staff - it is a fundamental British value, applying to all. It is the steps to secure that freedom that will differ according to the context and to the other overlapping duties which may conflict with the right to free speech or require a balance to be struck (see [OfS Regulatory Advice 24: Guidance related to Freedom of Speech](#), ss.64-67)

4. Steps to secure freedom of speech in different areas

- 4.1. Academic freedom
- 4.1.1. The Corporation's Instrument & Articles of Government embed at the highest level the freedom of academic staff, 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 being adversely affected by loss of their jobs or privileges, or being less likely to be promoted or employed in another role at Loughborough College.
- 4.1.2. Questioning and testing received wisdom or putting forward new ideas and controversial opinions will be of more direct relevance to higher education provision

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than in further education, where the content of the curriculum is more often prescribed.

- 4.1.3. Provision is generally either HE-only or FE-only, with no "mixed HE/FE" delivery.
- 4.1.4. For HE-only provision, academic staff will have and be able to exercise academic freedom within the law, except to the extent that this conflicts with any requirements or constraints lawfully imposed by the validating institution, qualification provider or other relevant professional body, or causes an unacceptable risk of significant harm to any person(s).
- 4.1.5. For FE-only provision, the extent to which teaching staff enjoy academic freedom is more heavily constrained by the need to deliver a defined curriculum and to comply with professional regulatory standards and government regulations regarding political impartiality. Teaching staff may be able to explore controversial ideas in the context of historical or literary analysis, for example, but not at the expense of delivering other aspects of the curriculum needed to pass an exam, nor by teaching facts or techniques which are at odds with those which students require to succeed in their assessed work.

4.2. Research

- 4.2.1. While not a primary focus of higher education provision at Loughborough College, staff and students carrying out research in an HE-only context will be free to explore issues which may be controversial or unpopular and to question and test perceived wisdom, within the law. Any funding which might be available for research will not be denied or constrained by conditions on account of its controversial nature, or of any views or stance taken or expressed by the proposer. When considering a proposal for ethics approval, such approval will not be denied or constrained on account of the proposal's controversial nature or of any views or stance taken by the proposer, nor will such factors impact the evaluation or grading of any such research.
- 4.2.2. To the limited extent that research takes place within FE-only provision, whether by staff or students, the same considerations will apply.

4.3. Students: recruitment, admission, induction, conduct & discipline

- 4.3.1. The views expressed by a prospective student (HE or FE) will not be relevant to their recruitment or admission to a course, which is generally based on achievement of qualifying grades in prior qualifications or assessment. To the extent that any

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interview with a prospective student, or the views expressed in any written personal statement by a prospective student, form part of the recruitment process, the prospective student will not be penalised or treated less favourably on account of any controversial views or position that they may have expressed, provided always that this is compatible with the College's duties for Safeguarding and PREVENT, the Equality Act 2010 and other statutory duties.

4.3.2. As a condition of admission, HE and FE students are required to comply with their respective Learner Agreement & Code of Conduct, which embeds the Student Behaviour Policy & Procedure. Refusal or failure to accept the Code of Conduct, or to abide by its conditions following admission as a student, may result in refusal of admission or disciplinary sanction, including potential removal from a course.

4.3.3. Observing and upholding the College's FREDIE values are integral to the expected standards of behaviour for students. Students are expected to treat others with respect, to comply with equalities legislation and not to act in a way which would cause the College to be in breach of equalities legislation. Freedom of speech which breaches equalities legislation is not "within the law" and will be a breach of the Code of Conduct. It would not be reasonable for the College to take steps to secure freedom of speech where this would place the College itself in breach of equalities legislation (for example, through permitting harassment of a staff member in relation to a protected characteristic).

4.3.4. The Code of Conduct / Student Behaviour Policy also provide for disciplinary sanction against conduct which may bring the College into disrepute. This typically applies to conduct which takes place away from the College. In considering whether a student's expressed views or actions are in breach of the Code of Conduct, context is likely to be important. The exercise of freedom of speech within the law, away from and unconnected with the College, will not be used as the standalone basis for behavioural intervention/disciplinary sanction against a student.

4.4. Staff: recruitment & selection, induction & training, promotion, conduct, discipline

4.4.1. Staffing roles may be HE-only, mixed HE/FE (including cross-college/management) or FE-only.

4.4.2. HE-only staff roles - academic freedom

4.4.2.1. For HE-only roles to which academic freedom applies, applicants for roles and existing staff will not be disadvantaged in any way because of

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any current or previous lawful exercise of their academic freedom, provided that this is compatible with the College's duties for Safeguarding and PREVENT, the Equality Act 2010 and other statutory duties.

4.4.3. Other staff roles - relevance of academic freedom

4.4.3.1. In the context of a College delivering HE-in-FE, some staff roles may involve delivering to both HE and FE students, or managing or supporting both HE and FE functions. Other staff roles may deliver exclusively to FE students or manage or support only FE functions.

4.4.3.2. Where a staff role is one to which academic freedom applies, the provisions of 4.4.2 above will apply. Where an applicant for a role or a person employed in a role has previously enjoyed academic freedom (for example at another institution) but is now applying for/employed in a role to which academic freedom does not apply, they will not be disadvantaged in any way because of any current or previous lawful exercise of their academic freedom, provided that this is compatible with the College's duties for Safeguarding and PREVENT, the Equality Act 2010 and other statutory/regulatory duties.

4.4.4. All staff - freedom of speech

4.4.4.1. Staff will not be required as part of induction or training, or as a condition of ongoing employment, to confirm agreement to a particular point of view, and any non-acceptance or non-confirmation of a particular point of view will not be used against such a member of staff in any disciplinary context, or as a barrier to accessing funding or opportunities, promotion or otherwise, provided always that this is compatible with the College's duties for Safeguarding and PREVENT, the Equality Act 2010 and other statutory duties.

4.4.4.2. Staff must not express a point of view on behalf of the College or in any way that appears to represent the College, unless authorised to do so.

4.4.4.3. Staff expressing a personal point of view publicly (in person, in writing, online, on social media or otherwise) must ensure that it is clear that this is their own personal point of view and does not in any way represent the College or bring the College into disrepute.

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4.5. Contractors & Partners

- 4.5.1. The College works with a range of partners in the delivery of curriculum, both in FE and HE, and more broadly in support of other activities across the College. This covers a huge range of situations, from curriculum guest speakers to auditors, and from estates contractors to sports governing bodies.
- 4.5.2. Third party organisations and individuals delivering curriculum under a subcontract or similar provision to students under a collaboration agreement on behalf of the College will be required to observe this Freedom of Speech Code in respect of such delivery. The College will not "contract out" of its obligations regarding freedom of speech and academic freedom.
- 4.5.3. Third party organisations or individuals delivering in some other way on behalf of the College to students or staff (e.g. guest speakers, or CPD conference) will not be doing so in the external party's exercise of free speech or academic freedom, but as a service procured by and on behalf of the College (for payment or otherwise). In selecting and arranging an external party as a guest speaker, a member of staff is acting on behalf of the College and must observe relevant College policies, including this Freedom of Speech Code.
- 4.5.4. Where third party organisations or individuals work with the College in some other way (e.g. building contractor, auditor), questions of freedom of speech and academic freedom are unlikely to arise. The views expressed by a potential contractor or their affiliations will not prevent their selection as a contractor, provided that this is compatible with the College's duties under Safeguarding and PREVENT, the Equality Act 2010 and other statutory/regulatory duties.
- 4.5.5. A third-party organisation or individual attending at the behest of the College (contractor or invitee) at any College premises or at a College-branded event at any location (including online), may be present directly before or after the event or business for which they are invited. Even if the event is HE-only, the mixed nature of the site may mean that the attendee is present for some of the time in a mixed HE/FE or FE-only location. In any context which is not restricted to HE-only, attendees will be expected to refrain from expressing themselves in a way which conflicts with the College's FREDIE values. For the avoidance of doubt, this applies before, during and after the event or business for which they are present.

4.6. Campus events & Speakers

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- 4.6.1. For campus events and speakers arranged by the College, the provisions of 4.5 above will apply.
- 4.6.2. The College does not normally host or permit external speakers or events to take place on site unless organised by the College itself. This is largely due to the mixed nature of the College campuses, generally accessible to both HE and FE learners including children and vulnerable adults, and to the staff-led nature of the vast majority of provision and activities.
- 4.6.3. To the limited extent that external events not organised by the College take place on site at any College premises, or at a College-branded event at any location (including online), the External Speaker Protocol at Schedule 1 of this Freedom of Speech Code will apply.

4.7. Governance

- 4.7.1. Academic freedom for relevant staff is protected within the Instrument & Articles of the Corporation. The Corporation must not amend its Instrument & Articles so as to remove this protection.
- 4.7.2. Policies and practices relating to:
 - 4.7.2.1. the recruitment, admission, induction, conduct and discipline of students
 - 4.7.2.2. the recruitment, selection, induction, promotion, conduct and discipline of staff
 - 4.7.2.3. the selection of or controls over contractors and partners
 - 4.7.2.4. the letting or making available of sites or premises to third parties or terms of such use
 - 4.7.2.5. the giving or refusing of permission to third parties coming on to site
 are Executive responsibilities, which do not generally require permission or approval by the Corporation Board, any committee of the Board, or any individual governor.
- 4.7.3. The relevant Executive member will ensure that they or, where delegated to another member of staff, the person exercising such function, are aware of comply with the requirements of this Freedom of Speech Code and the legal duties in relation to

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academic freedom and free speech, in so far as they are relevant to the matter to be considered/determined.

- 4.7.4. Where any such function does fall to be considered and/or determined by the Board, any of its committees, or any individual governor (e.g. appointment of Senior Post Holder), the Director of Governance or other appointed advisor will ensure that those exercising such function are aware of and comply with the requirements of this Freedom of Speech Code and the legal duties in relation to academic freedom and free speech, in so far as they are relevant to the matter to be considered/determined.

5. Complaints

- 5.1. Any staff member wishing to complain about any constraint or perceived constraint on their freedom of speech or academic freedom should raise the matter in the first instance with their line manager or with hr@loucoll.ac.uk. If this is not resolved to the staff member's satisfaction, the staff member should follow the Grievance Procedure, available via SharePoint.
- 5.2. Any student or external individual or organisation wishing to complain should follow the College's Complaints Procedure by emailing somethingtosay@loucoll.ac.uk.
- 5.3. HE students who have exhausted the College Complaints Procedure can complain to the Office of the Independent Adjudicator. The Office for Students does not yet have powers to consider complaints (June 2026).

6. Document Access

- 6.1. This document can be found on the College Group's website and on the Document Control SharePoint.

7. Change Log

Date	Version	Details of Change	Reviewer

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