

**Code of Practice
on
Freedom of Speech and Academic Freedom**

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1. Status and Scope

- 1.1. The Higher Education (Freedom of Speech) Act 2023 (“the Act”) places a legal duty on the University of Sunderland to secure lawful freedom of speech and academic freedom.¹ The independent regulator for higher education in England, the Office for Students (OfS), will monitor the University’s compliance with the Act and the University’s delivery of its free speech duties as part of the OfS’s public interest governance principles and any specific or related conditions of registration for registered providers.. The University will also continue to subscribe to the complaints scheme of the Office of the Independent Adjudicator for Higher Education (OIAHE), which will consider student complaints about a University’s handling of free speech and academic freedom where the University’s internal procedures have been completed. See Section 6 of this Code.
- 1.2. The University Board of Governors must take ‘reasonably practicable’ (see Section 3) steps to secure lawful freedom of speech for:
 - i. staff
 - ii. members, such as Independent Governors
 - iii. students, and
 - iv. visiting speakers.
- 1.3. This includes ensuring that:
 - i. the use of the University’s premises, digital platforms, and communications is not denied to any individual in relation to their lawful ideas or opinions, or a body based on their mission or policy objectives
 - ii. any conditions placed on those using University premises, digital platforms and communications are not based on them expressing specific ideas, opinions and objectives.
- 1.4. The Act, and the OfS Regulatory Advice 24 , also requires the Board of Governors to issue and keep up to date a Code of Practice. This Code of Practice contains the minimum requirements of setting out the University’s values as they relate to and support free speech and the headline principles and procedures to secure lawful free speech at meetings, events and activities held on-campus. This Code of Practice also contains key University principles and commitments for free speech and academic freedom across the range of the

¹ On 26th July 2024, the Education Secretary paused commencement of the Higher Education (Freedom of Speech Act 2023), which in turn paused the enforcement of the Office for Students (OfS) Regulatory Advice Notice and specific additional functions on providers for free speech and academic freedom. However, following an announcement on 15 January 2025, the government has confirmed that only selected elements of the Act would be brought into force. This was ratified by a Statutory Instrument and Commencement Order/Regulations signed by the Secretary of State in late April 2025. This Code reflects those requirements as well as other areas deemed by the OfS and the Board of Governors for inclusion in exercising the University’s responsibility to promote the importance of freedom of speech and academic freedom.

University's activities, as a single point of reference, which signposts to detailed existing and new University policy and procedures.

- 1.5. This Code of Practice applies to:
 - i. all members, staff, and students of the University;
 - ii. all visiting speakers and any other persons on University premises, digital channels, and communications hosted by the University;
 - iii. all aspects of University business, including its UK based subsidiaries, premises, and online environments hosted by the University.
- 1.6. The University of Sunderland Students' Union (USSU) is **not** subject to regulation by the OfS, based on amendments to the Act. However, the Students' Union is still expected to maintain a Code of Practice which sets out the ways in which it safeguards freedom of speech, and to work in close partnership with the University to fulfil its obligations under the Act, to the OfS and other bodies.
- 1.7. The application of this Code of Practice, and the requirements it places on the University for academic freedom and freedom of speech, does **not** directly apply to students or staff based at the University's overseas campuses or partners. This is because it is not 'reasonably practicable' to apply the requirements of UK law as defined in this or other legislation, to legal systems outside of the UK. This is also the case where overseas partners of the University are outside of the European Union (EU) and are not subject to European Convention on Human Rights (ECHR). However, the University expects overseas partners to respect UK law as it applies to the University and be aware of the requirements of free speech and academic freedom which apply to the University when engaging with any member of the University who is UK based, and to not breach free speech or academic freedom within the context of their own legal systems in a way which would bring the University's reputation or obligations to promote free speech and academic freedom into question.
- 1.8. The application of this Code of Practice to UK-based teaching and research partners will apply directly where the partner in England is a registered provider with the Office for Students (OfS), and is therefore also bound by the law and registration conditions. Where the partner is not a registered provider with the OfS, there remains an expectation that the partner or body and those staff employed, and students registered with them, will be bound by the wider principles of English law and that their rights to express lawful beliefs are protected under the Human Rights Act 1998.
- 1.9. The University will make available and promote this Code of Practice to staff and students registered at overseas partners and UK-based partners on an annual basis, with an expectation that they have understood and acknowledge these obligations. The Code will be brought to the attention of all new colleagues at the start of their employment with the University. The Code will be brought to the attention of all new students at the time of enrolment and annually, at re-enrolment.

- 1.10. Every member of staff and student enrolled at the University, other than those who are not subject to UK law in this regard as per 1.7-1.9 above, will be made aware that by joining the University community they are required to respect and follow the principles set out in this Code and related University policies, procedures, and practices. Any breach of this Code could constitute a disciplinary offence for staff and for students.
- 1.11. There are limited circumstances in which the University can restrict freedom of speech. The University must consider if the speech is within the law. All speech is lawful, i.e. 'within the law', unless restricted by law. Free speech includes lawful speech that may be offensive or hurtful to some. There are a range of laws that make speech unlawful such as the Equality Act 2010, Public Order Act 1986 and Protection from Harassment Act 1997. For example, speech that amounts to unlawful harassment, speech or a sign that is threatening or abusive with intent to cause that person to believe that immediate unlawful violence will be used against them does not constitute free speech within the law and is not protected
- 1.12. The University also has a duty under the Counter Terrorism and Security Act 2015 and subsequent government guidance, to "have due regard to the need to prevent people from being drawn into terrorism", known as the Prevent duty. Counter terrorism law forbids the University or any of its members to have any association with, circulate materials or information about, or provide a platform to, members or associates of proscribed organisations or individuals, as they are banned as terrorist bodies in UK law.
- 1.13. This Code will be published online in a prominent position on the University's website and as part of the University's Publication Scheme.

2. Definitions and Context

- 2.1. The University is committed to ensuring that lawful freedom of speech and academic freedom are protected and promoted. **Freedom of speech** is defined as the freedom to express ideas, opinions or information by means of speech, writing, or images (including in electronic form). Freedom of expression and association are also protected by law, including the right to peacefully and lawfully protest as a legitimate form of democratic expression and participation
- 2.2. **Academic freedom** is defined as freedom within the law for academic staff to question and test received wisdom, and to put forward new ideas, including controversial, unpopular or offensive positions without placing themselves at risk of adverse consequences. Adverse consequences include suffering some form of harm or obstacle at the point of applying for, or being recruited to an academic role, or loss of privileges, the prospects of them securing promotion being reduced, or loss of their role as a result of holding and expressing lawful views and opinions.

- 2.3. As well as the rights to academic freedom, a range of responsibilities rest with the University's academic staff and communities in the exercise of academic freedom. These include:
- i. listening, and having regard to the viewpoints of staff, students, visitors and wider society where they differ from their own views;
 - ii. ensuring that their right to academic freedom does not have the effect of indirect discrimination, direct discrimination, harassment or victimisation of another person or persons, including on the grounds of their 'protected characteristics' in the Equality Act 2010. See 2.5 of this Code;
 - iii. that viewpoints and thoughts expressed or voiced to students, staff and external audiences are grounded in scholarship, evidence and a wider context and respect for any disciplinary norms and communities of practice in which they are based;
 - iv. that research engaged in by themselves, students or others under their supervision, should not be influenced by partisan perspectives or any conditions or restrictions imposed by funders or other bodies to present a specific set of ideas or opinions or agenda. However, some funded research may be subject to Intellectual Property rules and be commercially confidential;
 - v. accessing sensitive material, including extremism-related material for teaching and research purposes for *bona fide* purposes only, and by following University and wider legal requirements.
- 2.4. The University is required to take 'reasonably practicable' steps to promote and protect free speech and academic freedom for staff, students and visitors. The key considerations to be weighed up include the following:
- i. whether taking the step, or not taking it, would secure or restrict freedom of speech;
 - ii. the practical costs of time, money, staff or third parties' input and other resources of taking the step, or of not taking it; and
 - iii. financial constraints.
- 2.5. In taking reasonably practicable steps, the University will be risk-based, in proportion to the level of risk involved in relation to the arrangement, activity, or event. This includes recognising that what is reasonably practicable for itself as a larger organisation, may not be the case for the Students' Union as a smaller entity with lesser resources. Partnership operates between both organisations to support each other in taking reasonably practicable steps, including the resource implications of doing so.
- 2.6. The relationship between protected beliefs and characteristics in the Equality Act 2010 and free speech duties will also form an important consideration in relation to those exceptional situations when free speech or academic freedom might be qualified or restricted, and where the exercise of such freedoms could amount to direct or indirect discrimination, harassment or victimisation and the reasonable steps the University would need to take to ensure these are not an outcome.

- 2.7. Lawful free speech and the exercise of academic freedom may mean that views and opinions expressed as part of University life, whether in a teaching and learning session, or an event or activity, may cause offense, distress and upset to other members of the University community and visitors. There may be occasions when the individual(s) or group(s) exercising their right to free speech or academic freedom and/or the content of the material being expressed, relates to one or more 'protected characteristics' in the Equality Act 2010. In turn, those offended, upset or distressed by the exercising of these views may also hold a protected characteristic and accordingly it could result in a breach of the Equality Act 2010. The upholding of free speech and academic freedom is about balancing and protecting the expression of different and sometimes conflicting perspectives and viewpoints, which the University is required to account for in making such judgments.
- 2.8. In UK law, there must be an objective test of what is reasonable for free speech or academic freedom to be limited or qualified, and this is likely to happen only in exceptional circumstances. Circumstances might include where the exercise of free speech constitutes harassment, based on the definition of s26 of the Equality Act 2010. Decisions taken on behalf of the University will therefore adopt a case-by-case, context-sensitive approach in considering the relationship between its equality, diversity and inclusion ethos and obligations and the satisfaction of academic freedom and free speech obligations, which seek to balance the lawful rights of all parties and individuals. More information will be contained in the University's relevant equality, diversity and inclusion policies and practices.
- 2.9. In satisfying the University's obligations in relation to OfS registration condition E6: harassment and sexual misconduct, the University operates on the basis that an unduly narrow view of, or low bar for what qualifies for 'harassment' will not be accepted where this is made on behalf of the University or any of its staff, students or visitors, where this could have the effect, intended or not, of restricting freedom of speech or the academic freedom of staff. See Paragraph 10.3 for more information on harassment in the content of higher education course materials and teaching and learning settings more widely.

3. University values and their relationship to free speech and academic freedom

- 3.1. The University of Sunderland's Strategic Plan is built on themes which inform a culture of free speech as a student-focussed, professions-facing and society-shaping institution. To be genuinely student-focussed, the diversity of student voices and perspectives must be heard and harnessed on a whole range of matters that affect their student experience, and wider place in society. As a professions-facing University, we have a role to play to prepare students for the world of work and reasoned, respectful debate and challenge with colleagues, which is part of professional life. Finally, to be society-shaping and make a positive change for the better of society, means creating a climate in which research, teaching and learning and wider engagement disrupts norms and pushes the boundaries of knowledge. This can mean presenting novel and sometimes unorthodox and unaccepted viewpoints and positions.

3.2. The strategic themes are underpinned by five values, which are expanded on in the University's Culture Framework: Inclusive, Inspiring, Innovative, Collaborative and Excellence. In particular, the values of being Innovative, Collaborative and Inclusive, individually and collectively contribute to supporting free speech and academic freedom:

- To be 'Innovative' in our approach we need to be curious about, and ready to hear and respond respectively to others' perspectives and viewpoints, even where these may be disruptive and challenging to our own perspective, or may vary from a mainstream outlook.
- To be 'Collaborative' involves all members of the University community having a right to free speech, whilst at the same time being accountable for what we say and how we say it and recognising its impact others, in the interests of building relationships across our community, even where we have differences of opinion and outlook.
- To be 'Inclusive', we seek to balance difficult and sensitive subject and topics with sensitivity to those who may feel offended, upset or aggrieved by the expression of those viewpoints, to ensure there is opportunities for the diversity of perspectives to be voiced and felt heard, and for every member of our community to feel valued.

4. Admissions, Appointments, Employment and Promotion

- 4.1. No prospective student will be disadvantaged or discriminated against during the admissions process on the basis of lawful free speech. An offer of admission will not be withdrawn on the grounds of that person's opinions or ideas.
- 4.2. Students will not be admitted to the University subject to funding agreements, or other criteria, that could have the effect of restricting theirs or another's free speech or academic freedom within the law. This also applies to visiting staff members, or external advisors to the University.
- 4.3. The University is committed to robust and fair staff recruitment. The University will take the appropriate steps to ensure that no academic applicant is disadvantaged during the appointment process because they have previously exercised their freedom within the law to question and test received wisdom, or to put forward new ideas and controversial or unpopular opinions. The University will not request that applicants commit to certain values, beliefs, or ideas, as part of the appointment process.
- 4.4. No member of staff will be dismissed or denied promotion on the basis of lawful free speech, or because they have exercised their lawful right to question and test received wisdom, or to put forward new ideas and controversial or unpopular opinions. Similarly, the University will not require holders of any academic position to commit (or give evidence of commitment) to values, beliefs or ideas, if that may disadvantage them for exercising their academic freedom within the law.

- 4.5. Accurate and thorough records of all decision making will be taken and retained in accordance with the University's retention policy. This will evidence that no applicants, staff, or promotion candidates have been penalised on the basis of lawful free speech or for exercising their freedom to question and test received wisdom, or to put forward new ideas and controversial or unpopular opinions.

5. Codes of Conduct and Associated University Policies

- 5.1. This Code of Practice and the University's values towards freedom of speech and academic freedom is underpinned by a number of key University policies:
- i. University Strategic Plan 2030
 - ii. [Culture Framework UoS](#)
 - iii. [Events and External Speakers](#)
 - iv. [Equality, Diversity and Inclusion Policy](#)
 - v. [University of Sunderland Prevent Statement](#)
 - vi. [The Code of Practice for Research](#)
- 5.2. There are further policies, specifically related to the most appropriate complaints route for matters related to freedom of speech or academic freedom outlined in section 6.

6. Complaints

- 6.1. The University takes all forms of complaints seriously, and 'free speech complaints', which include those from staff, students or members of the public relating to free speech and academic freedom are no exception.
- 6.2. Free speech complaints may be made by:
- i. an enrolled student via the Office of the Independent Adjudicator for Higher Education (OIAHE) complaints scheme, once the University's internal procedures have been completed.
 - ii. a staff member *or*
 - iii. a member of the public (including external speaker who may or may not have spoken at an event at one of the University's campuses).
- In the case of categories of person(s) ii and iii above, there is a right to make such complaints to the Office for Students.
- 6.3. The University's Students' Union (SU) operates its own procedures for dealing with free speech complaints made to it in relation to students acting as members of the SU, its officers, staff or actions taken or not taken in its name. Such complaints may require joint working and liaison with the University.

6.4. There are several grounds which will not be accepted for a free speech complaint to the University:

- i. complaints based solely on the subject matter of lawful free speech and academic freedom which has offended, caused upset, distress or hurt, as this is not a legitimate or valid basis for a complaint in its own right;
- ii. where the person making the complaint has already referred the matter to the police or it is being dealt with by a court or tribunal and/or legal action is being taken against the University. In such cases University will suspend any investigation into the complaint until such time that the legal outcome has been reached. The University may pick up the investigation at that stage;
- iii. where the complaint is about a staff member or student at one of the University's teaching partnerships and study centres overseas who are not subject to UK law or OfS regulation, or a UK partner not subject to OfS registration; or
- iv. where the complaint is malicious, trivial, frivolous or unfounded. The making of such complaints by a student or staff member may trigger the relevant University disciplinary or general misconduct policy.

6.5. The University's policies for channelling student and staff free speech complaints are listed below:

Student Admissions Policy	See section (4) of the Code of Practice in relation to Admissions, Recruitment, Selection and Promotion
Student Complaints Policy	<p>It is possible that a student complaint may also be identified through allegations made under the:</p> <ul style="list-style-type: none"> • Student General Misconduct Policy • Academic Integrity Regulations • Rules for investigating research misconduct for research students <p>which will be routed to the Student Complaints Policy as appropriate.</p>
Staff Policies	<p>Members of staff may make complaints under any one of the following staff policies:</p> <ul style="list-style-type: none"> • Grievance • Dignity at Work • Disciplinary • Whistleblowing • Rules for investigating and resolving allegations of misconduct in Academic Research by members of staff. <p>Human Resources will ensure that the relevant process is followed in each case and will advise on the appropriate course of action. Further details or advice on any of the policies listed above, including which may be the most appropriate policy for an individual case, Human Resources can be contacted HERE.</p>
Whistleblowing Policy	The Public Interest Disclosure Act 1998 (the Act) came into force on 2 July 1999 and gave legal protection to employees against being

	dismissed or victimised by their employers in consequence of reporting malpractices. If any staff member would prefer to raise a protected disclosure please refer to the Whistleblowing policy .
General complaints from members of the public may enter the University through various routes, for example, through the Vice-Chancellor and Chief Executive's office. They will be responded to by the relevant University department.	

- 6.6. The University authorises the Head of Legal or Head of Legal's nominee to act as the 'Designated Officer' to ensure that all students and staff of the University and visitors comply with the provisions of this Code. Appeals against decisions or conditions issued by the Designated Officer may be made to the Chief Operating Officer, as appointed by the Vice-Chancellor, to consider any appeal. The decision of the Chief Operating Officer shall be final.
- 6.7. The University commits to completing the complaints processes in as short a time frame as is possible. Where a complaint is judged to have a basis to enter a formal stage of a University policy, there will be a robust enquiry into the facts and hearing from those making, and those subject of, the allegations.
- 6.8. In line with freedom of speech, the University will not enter into non-disclosure agreements with students related to sexual misconduct, harassment or bullying. This means that the University would never impose any provision that would prevent or restrict any student from disclosing information about an allegation of harassment and/or sexual misconduct which involves or affects one or more students.
- 6.9. Once the University has concluded its internal complaints procedures, it will issue confirmation to the student(s) or staff member(s) known as a 'completion of procedures' or equivalent. This marks the end of the University's internal procedures, for onward referral to the OIAHE for student complaints and the OfS for staff complaints, and those of members of the public.²

7. Governance

- 7.1. The University's overarching governance arrangements for oversight of free speech and academic freedom are enshrined in Article 9 of the University's Articles of Government, including the Board of Governors' responsibility to both:
- ensure that lawful freedom of speech and academic freedom are upheld; and
 - that the importance of lawful freedom of speech and academic freedom are promoted.

² The OfS's free speech complaints procedure is not currently in operation. See footnote 1 explanation. Therefore, the provisions which refer to a 12-month window to refer a free speech complaint to the Office for Students (OfS) have been removed from this Code.

- 7.2. The Board of Governors and the University Executive are accountable for setting and approving the University's strategic objectives and, in doing so, consideration will be given to the balance of duties in relation to freedom of speech, academic freedom, and equality, diversity and inclusion. This is in the context of the University being required under law to have 'particular regard' to free speech and academic freedom within the law, which is a higher demand than 'due regard' for the Public Sector Equality Duty (PSED) in the Equality Act 2010. See also section 2.5.
- 7.3. As an exempt charity, the University Board of Governors as the trustee body, and the University Executive are restricted to engage the University in political activity or campaigning. Therefore, as a rule, the University will adopt a neutral position in relation to sensitive, lawful topics.. Its role instead is to facilitate debate on such topics for its students, staff, members and visitors.
- 7.4. The Vice-Chancellor and Chief Executive and the University Executive will hold leadership responsibility for compliance with this Code, with specific responsibility assigned to the Chief Operating Officer given their role as Clerk to the Board of Governors. The Board of Governors' Academic Assurance Committee may also seek assurance from the University Executive, or Academic Board, on compliance with our free speech and academic freedom obligations.
- 7.5. Supporting the University Executive and Chief Operating Officer, there will be delegated authority via a group of the Executive or as determined by it, to :
- oversee compliance with this Code of Practice;
 - require escalation to it of any serious matters relating to freedom of speech and academic freedom, including significant departures from the Code, including potential reportable events to the Office for Students (OfS) in relation to free speech and academic freedom, or student free speech complaints via the OIAHE;
 - periodically update and provide assurance to the University Executive and via it to the Board of Governors and its committees as appropriate;
 - consider actions proposed or taken from lessons learned, liabilities and internal control improvements for complex and sensitive free speech or academic freedom cases;
 - expect to be notified if a free speech complaint has been submitted to the Student Casework Team.
- 7.6. The intended remit of free speech and academic freedom policy considerations for other key University committees across the University's key corporate and academic governance bodies is as follows:

Audit and Risk Committee	To seek assurance in relation to strategic or significant risks and internal controls mitigation for free speech and academic freedom matters affecting the University.
Academic Assurance Committee	As above for Audit and Risk Committee, with a specific emphasis on compliance with legislative and OfS requirements for free speech and academic freedom.

Academic Board	To consider and approve policy (and be sighted on) key developments in relation to free speech and academic freedom at, or affecting, the University
University Executive	<p>To:</p> <ul style="list-style-type: none"> • approve sensitive or higher-risk external speakers and related events escalated to it • recommend or endorse free speech and academic freedom policy (including this Code of Practice) presented to it • be sighted on and to provide direction to EFRG, other University staff and assurance to the Board of Governors on any significant free speech or academic freedom matter.

7.7. The intended remit of free speech and academic freedom policy considerations of management and monitoring groups of the University Executive:

Prevent and Safeguarding Group	<p>To consider the prevent and safeguarding implications of sensitive, lawful speakers on campus including the exercise of free speech and academic freedom in relation to counter-terrorism subject matters which might pose a risk to radicalisation, or be seen to be in breach of the prevent duty or the University's safeguarding duties.</p> <p>To recommend the OfS annual Prevent Duty return, which currently include wider data related to the number of external speaker events held on campus, including those with conditions attached/requiring escalation within, or rejected by the University.</p> <p>The Group also considers progress against University's action plan to satisfy OfS registration condition E6 on harassment and sexual misconduct. This includes considering any cases where the exercise of free speech or academic freedom may be compromised through a narrow interpretation of harassment.</p>
Equality, Diversity and Social Responsibility Group	To promote a culture, and approve and review EDI policy to ensure the University balances its EDI strategic objectives and legal obligations through the Equality Act 2010 and across all 'protected characteristics' with the exercise of free speech. See also above and the distinction between 'particular regard' and 'due regard'.
Other Groups (non-exhaustive)	Consideration of free speech and academic freedom management and operational provisions may arise through other groups including the Due Diligence Group for the assessment of new University partnerships, Mental Health and Wellbeing Steering Group and the Joint Consultative Committee (JCC) with the recognised trades unions.

7.8. As a University, we will maintain appropriate records and record decisions that could directly or indirectly (and positively or negatively) affect free speech within the law, and the reason for making those decisions. This will be managed through routine recording protocols, data

protection and transparency frameworks, where academic freedom and freedom of speech are embedded into existing regulations, policies and procedures which is the case in most instances.

8. Research

- 8.1. Academic staff will have the academic freedom to undertake lawful research without restriction or compromise in any way because of a perceived or actual tension between:
- i. any conclusions that the research may reach or has reached or the viewpoint it supports; and
 - ii. the University's policies or values.
- 8.2. This includes undertaking and disseminating research which is controversial or sensitive by nature, including that which may be security sensitive, which will be subject to the University's research ethics review controls and wider protocols in the University's Code of Practice for Research.
- 8.3. Sensitive research undertaken by students during the course of their study, or as a Postgraduate Research (PGR) student will be subject to the subject to equivalent freedoms, to support bona fide research being undertaken responsibly, within the regulations and procedures set by the University.

9. Events

- 9.1. The University will take reasonably practicable steps to secure freedom of speech for staff, students, and external visiting speakers and others on University premises and through digital channels and communications hosted by the University. This includes those wishing to hire University premises. The Students' Union will apply the same principles and procedures for considering events, and there will be a mechanism to escalate consideration and approval of sensitive and higher-risk events into the University.
- 9.2. The following principles underpin this commitment:
- i. The default assumption for the University is that lawful free speech and academic freedom for external speakers at events hosted by the University will be facilitated and events will be authorised to take place, although these may be subject to a range of conditions to mitigate risks in relation to an event going ahead.
 - ii. The University supports the right to freedom of speech at events, including the expression of controversial, unpopular, or offensive views, provided those views are lawful and cannot be reasonably restricted within the law. Further information is provided in Section 2 of this Code.
 - iii. The University wishes to foster an inclusive environment and good relations on campus and accommodating the breadth of protected beliefs and characteristics under the

Equality Act 2010 in the exercise of free speech and academic freedom. See section 2.5 of this Code for further information.

- iv. That we work in close partnership with the University of Sunderland Students' Union in relation to consideration of student, staff and external visitor related events on campus.

9.3. The University's Events and External Speakers Policy and Procedure outlines the procedures for assessing and approving events and speakers and for dealing with appeals and complaints. This Policy includes that apart from in exceptional circumstances, use of University premises by any individual or body is not on terms that require the individual or body to bear the costs of security relating to their use. In considering whether to pass on security costs to the organiser of an event, the University's risk assessment team will use objective criteria and will not take into account the speaker's ideas or opinions, they will consider:

- 9.3.1 whether the event was internal or external, with internal also meaning events organised by and through the Students' Union. There would be limited circumstances in which the University would pass on all of the security costs to students' union related events held on-campus, but may expect some of the costs to be borne where additional, exceptional security measures might need to be put in place;
- 9.3.2 if it is a commercial event and the objective is to secure freedom of speech for University staff and/or students, costs would be charged;
- 9.3.3 whether the event was wholly organised by and for an external organisation such as holding their annual conference or convention. As part of agreeing commercial terms for use of the University's premises, in exceptional circumstances where additional security costs to be anticipated due to the nature of the event being held, these should be negotiated at the point of agreeing the payment to the University for the use of its premises. Where the need for security costs arose once an event had been agreed, this would be by negotiation with the organiser and be informed by factors such as the commercial status of the organising event as opposed to whether it was a charity or membership organisation, conference/delegate fee structures. The political positioning or viewpoints of the organisation, provided they were a lawful body, would not be a consideration in determining or passing on all or some security costs.

10. Teaching

- 10.1. The University will not treat a student unfavourably, or less favourably than it would treat another student on the ground of their opinions or ideas in relation to:
- i. the way it provides education for the student;
 - ii. the way it affords the student access to a benefit, facility, or service;
 - iii. by not providing education for the student;
 - iv. by not affording the student access to a benefit, facility, or service;
 - v. by excluding the student; or
 - vi. by subjecting the student to any other detriment on the grounds of their opinions or ideas.

- 10.2. The right of academic staff in relation to academic freedom (as set out in sections 2.1 and 2.2) will be upheld in the teaching context. Academic staff must not be constrained or pressured in their teaching to endorse or reject particular value judgements.
- 10.3. Students have responsibilities in the pedagogic exchanges they have with academic staff. Students will not be disadvantaged on the grounds of their opinions or ideas. In turn, students must uphold the academic freedom of academic staff and must not harass or discriminate against staff on the basis of a staff member expressing their academic freedom. The University will not tolerate the practice of 'sousveillance' – academic staff being monitored by students (or other staff) or named online, for example, because students do not agree with their lawful position. In turn, the University operates on an assumption that the circulation, presentation and discussion of sensitive and controversial matters and material in a teaching or learning context would not constitute 'harassment' of any student or other recipient, participant or parties referred to in such exchanges.
- 10.4. In the teaching context, both staff and students must ensure that, as set out in section 2, opposition to new ideas or controversial or unpopular opinions is by reasoned refutation, not by denial of opportunity to be heard, or by disruption of academic activities.

11. Training and Induction

- 11.1. The University will offer online training for students, to be completed as part of the induction and re-induction processes. This will ensure that students have a clear understanding of the principles of freedom of speech and academic freedom, and of lawful speech, and how this relates to their own rights.
- 11.2. It will be determined which staff in key roles will receive appropriate and proportionate training to support their understanding and interpretation of the Code, and how it applies in practice in their area of activity and beyond. Staff will also be given information on how to support students and respond to issues in a learning and teaching context, as well as implications for student disciplinary matters.
- 11.3. As detailed in section 2 above, opposition to any new ideas or controversial or unpopular opinions should be by reasoned and constructive challenge, debate, and refutation. This means that the University community may be exposed to views they strongly disagree with, or even find offensive, but which are lawful. Through awareness building and specifically designed content, the University will encourage staff and students to 'disagree well', and in an appropriate manner which does not in itself impinge on freedom of speech of academic freedom.
- 11.4. This Code will be brought to the attention of new members of the Board of Governors at time of appointment. Alongside awareness building, the Board will receive a report on the

operation of this Code of Practice, together with any recommendations for its revisions, at regular intervals not exceeding three years.

- 11.5. All colleagues who may be involved in decision making on matters which could be relevant to this Code will receive relevant training. For example, those involved in the events and external speakers process.

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