

Code of Practice on Free Speech

1. Introduction

- 1.1 Universities have wide-ranging responsibilities. Among the most fundamental of these is the responsibility to protect and promote freedom of speech and academic freedom, and to take the steps which are reasonably practicable to secure freedom of speech and academic freedom within the law¹ (see Section 4 below). This includes enabling the questioning and debating of the laws that constrain free speech. Such activity is protected by freedom of speech within the law provided this is done in a way compliant with the legal framework.
- 1.2 Other legal obligations also exist which may set limits on certain freedoms, in order to protect the rights and freedoms of others, but the governing bodies of higher education providers must have particular regard to the importance of securing free speech and academic freedoms.
- 1.3 The School 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) and for all persons authorised to be on School premises, including visiting speakers. It 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. The Ethics Code supports the School's commitment to intellectual freedom through the protection of individuals' freedom of expression and by upholding the freedom to research and to convey the findings of research.
- 1.5 The School supports the Russell Group [statement of Principles on Freedom of Speech](#).
- 1.6 The School Management Committee (SMC) will be responsible for policy issues connected with the interpretation of this Code, and will consider matters relevant to this Code as circumstances require. SMC will review the Code and consult with Academic Board on significant changes to it. Council will approve the Code and also ensure that it brings both its duties and the Code to the attention of the School's 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

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

(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 academic freedom is secured for academic staff.

2. Scope

- 2.1 This Code applies to all activities on any premises wherever situated, 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 as appropriate to all activities of staff or current students in any other location when carried out in the name of the School or of the LSESU or its members are using the School's premises or engaged in events organised or sanctioned by 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 provided in Section 6 of the Code. The principles of this Code also apply to online events held by the School.
- 2.3 The School's Memorandum of Understanding with the LSESU commits the Union to adhering to the provisions of this Code, in respect of events organised by its members which 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 curriculum 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 are two of the most relevant values, which 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 are tolerated, as are the voices of those who wish to peacefully protest. This is central to our culture and protected in law.
- 3.5 The School, as an institution, does not take a formal position 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 on any ground connected with:

- 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.

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 or reducing their likelihood 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 the following:
- 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 the views to be expressed, or that are likely to be expressed, by a speaker on campus constitute extremist views that risk drawing people into terrorism or are shared by terrorist groups; and in such circumstances not to allow Events to proceed except where the School is entirely convinced that such risk can be fully mitigated without cancellation of the Event. However, the Counter Terrorism and Security Act and the statutory duty do not in any way change the definition of free speech within the law or presumption in favour of free speech within the law. Support for or promotion of terrorism is already illegal under previous legislation and as such the School will not allow it to take place on the Premises.
- 4.5 The expression of views which are unpopular, controversial or provocative or which 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 or 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 it will need to consider other duties and matters.
- 5.2 The duties and obligations arising from this Code will be considered in the context of various activity and within 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 which 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 similar should be booked with their owners. 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, who must be a registered student booking on behalf of a registered SU Society or an employee of the School, to act as Principal Organiser of the Event for the purposes of this Code. The Principal Organiser 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, is lawful and conforms 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 seek advice if necessary on matters related to free speech, in the first instance 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 (who will consult with one of the Vice President & Pro-Vice Chancellors), especially in cases in which issues of principle in respect of free speech arise, or if it is proposed that access to an Event be significantly modified or curtailed or that it be postponed or cancelled. Any stipulation requiring one or more speakers not to participate in an Event which otherwise goes ahead requires the explicit approval of one of the Vice President & Pro-Vice Chancellors. The Vice President & Pro-Vice Chancellor concerned will

retain the right to take the final decision in respect of the operation of this Code.

- 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 similarly 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 and to all relevant School guidance, including in respect of 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. Where it is identified that an Event poses a security risk to any person, facility or business process, the Head of Security or their nominee can be requested to provide or coordinate security arrangements for the Event. They 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 an Event, or 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 or not to allow a particular event to take place under its authority, the School (and in the first instance this responsibility sits with the Principal Organiser of the Event) has to consider whether the activity may be unlawful (see paragraph 4.3 above).
- 6.9 In accordance with the functioning of academic freedom and freedom of speech, individuals are required to behave in a way which enables staff, students or visitors to access any teaching class or event, or their immediate vicinity, 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.
- 6.11 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, health and welfare of its registered students, employees and other persons lawfully upon the Premises or 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 will in principle be required to meet the cost of conditions required; however, the School will always endeavour to help from central budgets if funding is unavailable.
- 6.12 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. The withholding or withdrawal of permission 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 contact and appropriate internal and external parties as are 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;
 - preventing speakers from being heard clearly;
 - chanting or using foul or abusive language, including racial 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 which is threatening or abusive, or which denies to others their right to legal free speech.
- 6.14 Nobody who has exercised their right to legal 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.
- 6.16 Events that are open to others 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 an established (not visiting) or emeritus member of the LSE academic staff. Any exceptions to this should be approved by one of the Vice President & Pro-Vice Chancellors. This may be requested even for a limited access event if appropriate.
- 6.17 The primary duty of the Event Chair at all School events is to uphold freedom of speech within the law. This means that the Event Chair must adhere at all times to the School's Code of Practice on Free Speech. The Event Chair also has important responsibilities in maintaining good order at events, and must follow the relevant School guidelines. Chairs at LSE events should therefore always act impartially in their facilitation of discussion and debate.
- 6.18 At Events where discussion is likely to be highly polarised and provoke especially strong feelings and responses, Chairs should take particular care to ensure that they act impartially and that they are seen to do so. At Events of this type, Chairs may pose questions to the speaker(s) but should not be a speaker at the Event themselves or be expressing 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 support of relevant 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 if there is evidence to provide reasonable grounds to believe that the proposed Event Chair has not acted impartially when chairing previous Events or has not upheld freedom of speech at previous Events. Imposing a change of Chair requires the explicit approval of one of the Vice President & Pro-Vice Chancellors, and the reasons for it must be communicated in written form to the Event organiser.
- 6.20 An appeal by any LSE student or staff member against a decision made by the School's staff at the level of Vice President & Pro Vice Chancellor or Chief Operating Officer or below may be made, within ten working days, to the President & Vice Chancellor. The decision of the President

& Vice Chancellor shall be final.

7. Complaints

- 7.1 Any contravention of or departure from the provisions of this Code may render the individual(s) responsible liable to the 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, formal complaints in relation to their rights to free speech and academic freedom.
- 7.3 The School will ensure that the appropriate procedures are in place in order to allow its stakeholders to report any concerns 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 – \[To be added once completed\]](#)

Review schedule

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

The Code will also be reviewed and updated in accordance with the requirements of the appropriate legal and regulatory frameworks.

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 amendments approved.
3.2	November 2024	Council	Minor amendments approved.

Contacts

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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	