



MidKent College

Higher Education Freedom of Speech Policy

Document Details			
Policy Number	MKC-Curriculum-008	No. of Appendices	None
Document Title	Higher Education Freedom of Speech Policy		
Document Description	<i>This policy is to ensure the College safeguards and promotes freedom of speech and academic freedom within our HE Departments.</i>		
Effective Date	1 August 2025	Review Date	1 August 2026
Version Number	1.0	Review Cycle	Annually
Document Status	Approved?	New Policy	Y/N
Change Criteria	Major / Minor		

****Major change is defined as:**

Anything that represents a significant change of working practice, legal requirement, procedure or process within the organisation, or a change that impacts an employee's terms and conditions of employment.

****Minor change is defined as:**

Any change of dates, job titles or terminology that do not represent a significant change to working practice. Examples changes of terminology to reflect current legislation/ DfE/Ofsted such as the change of terminology in the safeguarding policy from peer-on-peer abuse to child-on-child abuse.

Document Authorisation				
	Authorisation Required	Initial and Role	Digital Signature	Date
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SLT Review	Yes/No	N/A		
Exec Approver	Yes/No	Jim Mawby		
GB Sub Committee	Yes/No	N/A		
Full GB Committee	Yes/No	N/A		

Policy Cross References - This policy should be read in conjunction with any other associated policies, with particular reference to	
Policy Name	Policy Number
Student Engagement Policy	MKC-Curriculum-003
Complaints Policy	MKC-Curriculum-001

Document Revision History		
Version Number	Date	Summary of Revision
V1	22 July 2025	

MidKent College Higher Education Freedom of Speech Policy

1. Introduction

This policy outlines the commitment of MidKent College (“the College”) to uphold and protect freedom of speech and academic freedom, in accordance with the Higher Education (Freedom of Speech) Act 2023 and subsequent amendments in 2025. The College recognizes the importance of free expression as a fundamental right and essential component of academic inquiry.

2. Scope

This policy applies to all higher education members of the College community, including students, staff, and external speakers. It covers all higher education premises and events, both on-campus and online.

3. Principles

- **Commitment to Free Speech:** The College is committed to ensuring that all higher education members of its community can express their views and ideas freely, within the bounds of the law and Prevent Duty. Speech that amounts to unlawful harassment, victimisation or discrimination is not protected. Similarly, unlawful incitement of religious or racial hatred, or speech that is otherwise unlawful, is not protected.
- **Academic Freedom:** Academic staff have the freedom to teach, discuss, and research without fear of censorship or retribution, provided their activities comply with legal and ethical standards outlined in our commitment.
- **Respect and Tolerance:** While promoting free speech, the College expects all members to engage in respectful and tolerant discourse, avoiding hate speech, harassment, and discrimination.

4. Responsibilities

- **College Executive:** The College Executive is responsible for implementing this policy, ensuring compliance with the Higher Education (Freedom of Speech) Act, and addressing any breaches.
- **Office for Students (OfS):** The OfS has the authority to investigate complaints, issue fines, and enforce compliance with free speech regulations.
- **Students and Staff:** All students and staff are responsible for upholding the principles of free speech and academic freedom, and for reporting any violations via the College’s complaints procedures.

5. Procedures

- **Event Approval:** All events involving external speakers must have prior approval as laid out in College policies and procedures. The approval process will ensure that events comply with free speech principles and do not pose a risk to public safety or order.

- **Complaints and Appeals:** Students who feel that their right to free speech has been denied should first follow the existing MidKent College complaints process. If there is no satisfactory conclusion/resolution the complaint may be taken further through the OfS complaint process.
- **Non-Disclosure Agreements:** The use of non-disclosure agreements to silence victims of bullying, harassment, or sexual misconduct is strictly prohibited.

6. Enforcement

- **Sanctions:** Violations of this policy may result in disciplinary actions, including, suspension, or exclusion, depending on the severity of the breach as per the College's Student Engagement Policy.
- **Public Accountability:** The College will be publicly accountable for upholding free speech principles and may face fines or other penalties from the OfS for non-compliance.

7. Review and Compliance

- **Policy Review:** This policy will be reviewed annually to ensure it remains in line with current legislation and best practices.
- **Compliance Monitoring:** The College will maintain records of all HE events, complaints, and actions taken to ensure compliance with this policy and the Higher Education (Freedom of Speech) Act.