

Freedom of Speech Policy

1. Purpose and Scope

This policy has been written to align with the Higher Education (Freedom of Speech) Act 2023 and OfS Regulatory Advice 24.

Norland is committed to fostering an environment of open enquiry and respectful debate. Freedom of speech and academic freedom are essential to our mission of educational excellence. This policy outlines how Norland secures and promotes lawful free speech for all members of its community.

This policy applies to all staff, students, visiting speakers and external participants in Norland-hosted activities, both on campus and online.

2. Legal & Regulatory Framework

Norland complies with the Higher Education (Freedom of Speech) Act 2023 and OfS Regulatory Advice 24, which require registered providers to:

- **Secure** lawful freedom of speech for staff, students and visiting speakers.
- **Maintain** and publish a Free Speech Code of Practice.
- **Promote** the importance of free speech and academic freedom.

Freedom of speech is protected within the law, meaning it excludes unlawful harassment, hate speech, defamation, incitement to violence or terrorism, or any expression prohibited under UK law.

As a higher education provider, Norland must also comply with the right to freedom of expression and the right to freedom of assembly and association of the European Convention on Human Rights (ECHR). The ECHR is incorporated into UK law by the Human Rights Act 1998.

The Equality Act 2010 covers the following protected characteristics: age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation.

Under the Counter-Terrorism and Security Act 2015, the Board of Directors is required to take such steps as are reasonably practicable to ensure due regard to the need to prevent people from being drawn into terrorism.

Any restriction on speech must be lawful, necessary and proportionate.

3. Core Principles

1. **Presumption in favour of free speech:** Lawful expression, even if controversial or offensive, will be protected.
2. **Academic freedom:** Academic staff have the right to teach, research and publish without political or institutional interference.

3. **Equality and respect:** Norland protects free speech while also fulfilling its duties under the Equality Act 2010 and safeguarding obligations.
4. **Proportionate management:** Any management of events or expression must be necessary and proportionate to the risks involved.
5. **Transparency and fairness:** Decisions on restrictions or complaints will be clearly documented and communicated.

4. Code of Practice

Norland will maintain a Free Speech Code of Practice covering:

- Procedures for hosting events and inviting speakers.
- Criteria for when and how events may be refused or restricted.
- Responsibilities of staff, students and student organisations such as the SSLC.
- Processes for handling complaints and appeals related to free speech.
- Training and awareness-raising measures to support a culture of open dialogue.

5. Professional Responsibilities and Norland's Competence Standards

While protecting lawful freedom of speech, Norland expects all staff, students and visiting speakers to uphold the highest standards of professionalism and competence, reflecting the institution's reputation and the professional nature of the early childhood and childcare sector.

5.1 Competence Standards

- Norland defines **competence standards** as the core academic, professional and practical requirements needed to demonstrate the knowledge, skills and behaviours essential to professional practice.
- These standards are not barriers to free expression but ensure that debate and discourse remain consistent with the high professional expectations of the early years profession and other relevant sectors.
- Students and staff must demonstrate the ability to engage in debate and discussion while meeting the ethical and professional standards expected of qualified practitioners.

5.2 Professional Conduct

- All students participating in Norland events or educational activities must comply with the Norland Code of Professional Responsibilities which includes communicating respectfully and responsibly, even when expressing strong or dissenting views. The Norland Code of Professional Responsibilities should not be confused with the Code of Practice set out in this document. The Norland CoPR upholds the legal requirements set out in the Higher Education (Freedom of Speech) Act 2023 and OfS Regulatory Advice 24 and actively challenges anti-discriminatory practice.
- All staff participating in Norland events or educational activities must comply with the Norland Brand Ambassador Statement which includes communicating respectfully and responsibly whilst challenging anti-discriminatory behaviours.

- All lecturing staff have the academic freedom (within the law) to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without risk of retaliation or censorship from other colleagues or Norland as a whole.
- Speech should not undermine Norland’s obligations to protect children’s welfare, uphold safeguarding standards, or maintain the public trust in the profession.
- Professional judgement must guide contributions to debate, ensuring that freedom of expression is exercised without compromising professional integrity.

5.3 Balancing Free Speech with Professionalism

- Norland recognises that some professional standards - such as safeguarding duties, protecting the Norland brand or the requirement to model respectful behaviour - may require moderation of how certain views are expressed.
- Restrictions will never be applied to suppress lawful opinion but may be applied to ensure that professional and safeguarding standards are met in line with statutory obligations.

6. Implementation and Governance

- Norland will take all reasonably practicable steps to secure freedom of speech within the law, including clear event procedures, proportionate risk assessments, and support for controversial speakers.
- Disruptions will be managed proportionately to preserve lawful expression.
- The Board of Directors is responsible for oversight of this policy, ensuring regular review and compliance reporting.
- Clear complaints processes are in place for those who believe their lawful free speech rights have been impeded. You can find the [Complaints Policy and Procedure for Students and NQNs](#), the [Staff Handbook](#) and the [Complaints Policy and Procedure for External Stakeholders](#) available for this.

7. Promotion of Free Speech and Academic Freedom

Norland will actively promote understanding of free speech rights and academic freedom through:

- Staff and student inductions and training sessions.
- Regular communications and events encouraging robust, respectful debate.
- Ongoing monitoring and feedback mechanisms to maintain an open academic culture.

8. Review

This policy and the accompanying Code of Practice will be reviewed at least every two years, or earlier if legislative or regulatory changes require.

Summary Table

Duty (Higher Education (Freedom of Speech) Act 2023 / OfS)	Norland Action
Secure lawful free speech	Reasonably practicable steps for all events and teaching
Maintain Code of Practice	Publish and regularly review Free Speech Code
Promote free speech and academic freedom	Induction, training, communications
Protect professionalism and competence standards	Uphold professional conduct and safeguarding duties while protecting lawful speech
Provide complaints mechanism	Transparent, fair, and timely process

Appendix 1 – Code of Conduct

Norland Freedom of Speech Code of Practice

(Created under the Higher Education (Freedom of Speech) Act 2023)

1. Purpose and Scope

This Code of Practice (“the Code”) sets out the practical measures by which **Norland** will secure, promote and uphold lawful freedom of speech and academic freedom across all of its activities. It applies to:

- All staff (academic, administrative, and support).
- All students.
- Visiting speakers, guests, contractors and collaborators.
- All Norland-managed premises, online spaces, and any off-site events organised under Norland’s name.

2. Guiding Principles

1. **Presumption in Favour of Lawful Speech**

Norland will protect the right to express, debate and challenge ideas, even if controversial, offensive or provocative, provided the speech is within the law.

2. **Academic Freedom**

Academic staff have the freedom to question received wisdom, test ideas and publish or teach without institutional interference, within legal limits.

3. **Professionalism and Competence**

Free speech is exercised alongside the professional responsibilities and competence standards expected of Norland staff and students, including safeguarding duties and modelling respectful behaviour.

4. **Equality and Inclusion**

Norland protects free speech while fulfilling its obligations under the Equality Act 2010 and safeguarding legislation.

5. **Proportionate and Transparent Management**

Any measures taken to manage or restrict events or speech will be lawful, necessary, and proportionate, and the reasons will be recorded.

3. Definitions

- **Freedom of speech:** The right to express lawful opinions, ideas, and information without interference.
- **Academic freedom:** The freedom of academic staff to teach, research and publish without being penalised for their lawful views.

- **Unlawful speech:** Includes speech or expression that constitutes harassment, discrimination, defamation, incitement to violence or terrorism, or other offences under UK law.
- **Competence standards:** The academic, professional and practical requirements that define the skills and behaviours essential to professional practice in early years education and childcare.

4. Responsibilities

4.1 Board of Directors

- Approves and periodically reviews this Code.
- Receives annual reports on events, complaints and training.

4.2 Senior Leadership Team

- Ensures implementation of the policy and this Code.
- Provides resources and training to support free speech and professional standards.

4.3 Event Organisers (staff, students, societies)

- Follow the event application process.
- Provide full details of speakers, topics and expected audience.
- Cooperate with risk assessments and any reasonable conditions set by Norland.

4.4 Visiting Speakers

- Comply with UK law, this Code and the main Policy.
- Avoid unlawful speech and respect Norland's professional and safeguarding standards.

4.5 All Staff and Students

- Engage in debate responsibly and respectfully.
- Report any concerns or breaches of this Code.

5. Arranging Events and Inviting Speakers

5.1 Notification

- Any public lecture, debate or meeting on Norland premises or organised in Norland's name must be notified to the Pro Vice Chancellor (HR and Compliance) at least 10 working days in advance.at least 10 working days in advance.
- An Events Checklist must be completed at least 10 days prior to the event taking place.

5.2 Risk Assessment

- Norland will conduct a proportionate risk assessment considering:
 - Likelihood of unlawful speech (e.g., incitement to violence, hate speech).
 - Security and safety considerations.

- Potential for disruption to teaching or operations.
- The assessment will be evidence-based and not influenced by the mere possibility that speech may be controversial or offensive.

5.3 Reasonable Conditions

- Where risks are identified, Norland may impose conditions such as:
 - Specific venue or time;
 - Additional security arrangements;
 - Moderation or chairing of debate.
- Conditions must be the least restrictive necessary to enable the event to proceed lawfully and safely.

5.4 Refusal of Events

- Events will only be refused where:
 - The proposed speech is likely to be unlawful; or
 - Risks to safety or operations cannot be mitigated by reasonable conditions.
- Any decision to refuse must be documented, including legal basis and justification.

6. Professional Responsibilities and Competence Standards

- All participants must uphold Norland's professional reputation, demonstrating behaviour consistent with the standards expected of early years and childcare professionals as outlined in the Norland Code of Professional Responsibilities. The Norland Code of Professional Responsibilities upholds the legal duties
- Contributions to debate should model respect and integrity, even when strongly disagreeing.
- Speech that undermines safeguarding duties or professional standards—such as breaches of confidentiality regarding children or families—may be restricted.
- Restrictions will not be used to suppress lawful opinion but to maintain competence standards and legal obligations.

7. Managing Protests and Disruption

- Peaceful protest is recognised as a form of lawful expression.
- Protest must not prevent others from exercising their lawful right to speak or listen.
- Security or disciplinary measures will be taken only where protest crosses into unlawful disruption or harassment.

8. Complaints Procedure

- Anyone who believes their right to lawful free speech has been impeded may lodge a complaint through Norland's **Complaints Processes** available on the intranet.

- Complaints will be:
 - Acknowledged within 10 working days;
 - Investigated promptly and impartially;
 - Concluded with a written outcome and explanation.
- Where appropriate, complainants may also use the **OfS Free Speech Complaints Scheme**.

9. Training and Promotion

- Norland will provide regular training for staff/event organisers and student reps on the legal duties and the content of this Code.
- The importance of freedom of speech and academic freedom will be promoted through induction sessions, staff briefings and student handbooks.

10. Record-Keeping and Review

- Records of all notified events, risk assessments, conditions and complaints will be maintained for at least three years.
- This Code will be reviewed every two years, or sooner if there are significant legal or regulatory changes.

Summary Table

Duty / Requirement	Practical Action in the Code
Secure lawful free speech	Event notification and risk assessment process
Promote free speech and academic freedom	Training, communications, induction
Manage professional and competence standards	Require professional conduct and safeguarding in debates
Handle complaints	Clear, time-bound complaints process
Oversight and governance	Governing body approval and periodic review

Implementation

This Code comes into effect on **[insert date]** and is to be read in conjunction with the **Norland Freedom of Speech Policy**.

It provides the operational framework to ensure that **all lawful expression is protected** while maintaining the high standards of **professional competence and safeguarding** that define Norland's reputation.

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Relates to staff/ student (include Set), NQN or Norlander:	This policy applies to all staff, students, visiting speakers and external participants in Norland-hosted activities, both on campus and online.
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