

NTC CODE OF PRACTICE ON FREEDOM OF SPEECH

1. Introduction, Purpose and Scope

- 1.1. Nazarene Theological College (“the College” or “NTC”) recognises that freedom of speech and expression within the law is of fundamental importance for higher education providers.
- 1.2. The College’s Policy on Freedom of Speech and Academic Freedom sets out the College’s commitment to these rights and should be read alongside this Code of Practice, which identifies how the principles shall be applied in practice.
- 1.3. This Code is adopted in accordance with the College’s legal duties under the Higher Education (Freedom of Speech) Act 2023¹ and the Office for Students’ regulatory advice 2025.² Its purpose is to:
 - Ensure a shared understanding of the College’s principles and expectations around freedom of speech
 - Set out the steps the College will take to protect these principles;
 - Establish how non-compliance with this Code will be addressed.
- 1.4. The Code applies to:
 - NTC, as an institution, including members of the Board of Governors;
 - all members of the College staff, including permanent, temporary, visiting lecturers or fellows, office holders, and contractors;
 - all duly enrolled students, including applicants and those formally registered on a College module or programme (full or part time);
 - The Student Council, and any of its societies, clubs or associations which normally operate on NTC premises, and
 - external speakers engaged to speak at events arranged or sponsored by the College.

2. Roles and Responsibilities

- 2.1. Oversight and approval of the Code is the responsibility of the Board of Governors of the College (the Trustees).
- 2.2. The Principal is responsible for advising the Trustees on all matters relating to freedom of speech and academic freedom.
- 2.3. All individuals covered by this Code have a responsibility to uphold

¹ And to reflect other applicable laws relating to freedom of speech and expression, including rights under the European Convention on Human Rights incorporated into UK law through the Human Rights Act 1998, including Article 8 (right to respect for private and family life), Article 9 (freedom of thought, conscience and religion) and Article 10 (freedom of expression).

² Office for Students [Regulatory advice 24: Guidance related to freedom of speech - Office for Students](#)

the College's commitment to securing and promoting freedom of speech and academic freedom within our community, and adhering to the principles, commitments and College values identified in the associated College Policy on Freedom of Speech and Academic Freedom and this Code.

- 2.4. It is the responsibility of the Principal and Core Leadership Team members to ensure publication and regular review of this Code and provision of guidance, advice and training in support of it.
 - 2.5. The VP Academics and the VP Operations are responsible for ensuring that all staff within their area act in accordance with the associated College Policy on Freedom of Speech and Academic Freedom and this Code.
 - 2.6. Normal processes for grievance or disciplinary matters will be followed in relation to freedom of speech and academic freedom.
3. NTC is a Christian learning community shaped around Wesleyan-Holiness theology. The academic programmes of the College seek to form and equip students for practice and leadership in a wide range of contemporary contexts. The College, as distinctly shaped by our theological heritage, embraces thoughtful reflection and robust debate.
- 3.1. The College recognises the need to ensure that academic staff members have 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 any associated privileges they may have at Nazarene Theological College.
 - 3.2. The College values diversity of opinion and belief in our employees and student community. As set out in the Policy on Freedom of Speech and Academic Freedom, this may include ideas that are experienced as conflicting, challenging or offensive. The College does not seek to shield individuals from lawful expression.
 - 3.3. The College's learning and teaching activities aim to support students to develop as thoughtfully Christian and to fulfil a variety of paid and voluntary roles within society and the life of the church. However, the College does not make any assessment of belief at the point of application, admission, or at any other point throughout the student lifecycle. We therefore do not put in place any limitations on freedom of speech solely on the basis that speech might be likely to contradict the College's Christian, Nazarene, Wesleyan-holiness or evangelical ethos.
 - 3.4. We take the position that speech is permitted unless it is restricted by law. This means that we will not suppress freedom of speech and expression, including contentious or offensive speech, provided that such speech:
 - Does not go beyond the articulation of points of view permitted within the law
 - Does not constitute incitement to riot, insurrection, racial hatred, religious hatred, sexual harassment or other activities likely to cause a breach of the peace or public disorder
 - Does not increase the risk of an individual being drawn into terrorism
 - Does not contravene our wider legal duties, in particular the need to have due regard to the need to Eliminate

discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;

- Advances equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Fosters good relations between persons who share a relevant protected characteristic and persons who do not share it
- Does not interfere with the essential functions of the College, i.e. teaching and learning, and the administration of the provider

The provisions above recognise that freedom of speech is a qualified right, and there are legitimate constraints placed on freedom of speech through legislation.

- 3.5. We will ensure, as far as reasonably practicable, that the use of College facilities and engagement with College events shall not be denied to any individual on any grounds connected to the beliefs or views of the individual, provided that such beliefs are lawful and expressed as the individual's, not as on behalf of the College. In determining permissions for the use of College facilities, due regard is also to be given to the charitable purposes of the College.
- 3.6. The College understands that there may be differing and conflicting ideas and views. Some of these opinions may be considered disagreeable or offensive by some or most of our community members. This can stem from wider conflicts involving ethnicity, religion, personal identity, or political conviction. Freedom of speech is not absolute and must be balanced against the need to protect the rights of others within the law.
- 3.7. The College shall take such steps as far as reasonably practicable to ensure that the values and principles under this Code are complied with, which may include taking disciplinary measures against students and employees who contravene the Code.
- 3.8. Every person to whom this Code's rights and obligations apply shall assist The College in upholding this Code of practice on Freedom of Speech.

4. General Principles

- 4.1. This Code and the associated Policy on Freedom of Speech and Academic Freedom apply to all College-related activities and events, including teaching and learning, curriculum content and research, the development and implementation of College policy, institutional decision-making, and the conduct of all individuals and bodies within its scope.
- 4.2. In exercising its responsibilities, the College will take reasonably practicable steps to secure compliance with this Code and the associated Policy on Freedom of Speech and Academic Freedom, having particular regard to the importance of freedom of speech and academic freedom.
- 4.3. The College will act consistently with this Code and the associated Policy on Freedom of Speech and Academic Freedom when making decisions or adopting policies that may affect freedom of speech or academic freedom, whether directly or indirectly.
- 4.4. All individuals to whom this Code applies share responsibility for upholding the College's commitment to securing and promoting freedom of speech and academic freedom, and for acting in accordance with the principles, commitments, and values set out in the Policy on Freedom of

- Speech and Academic Freedom and this Code.
- 4.5. Nothing in any College policy or procedure should be interpreted as undermining or conflicting with this Code or the associated Policy on Freedom of Speech and Academic Freedom.
 - 4.6. All individuals must refrain from conduct intended to prevent others from exercising their rights under this Code and the associated Policy on Freedom of Speech and Academic Freedom. While peaceful protest is a legitimate expression of freedom of speech, it must not prevent lawful debate or the exercise of others' rights.
 - 4.7. The College will ensure, so far as reasonably practicable and within the law, that participation in its activities is not denied to any individual or group on grounds relating to their lawful ideas, opinions, or beliefs.
 - 4.8. In order to secure freedom of speech, the College will not enter into non-disclosure agreements relating to complaints of misconduct (as defined in the Higher Education (Freedom of Speech) Act 2023), including sexual misconduct, harassment, or bullying. Any such agreement entered into will be void.

5. Freedom of speech within the law

The College's commitment is to secure and promote freedom of speech within the law across all activities within the scope of this Code. The principles underpinning this commitment are set out in the College's Policy on Freedom of Speech and Academic Freedom, which should be read alongside this section.

Freedom of speech extends to the expression of ideas and opinions that may be controversial, unpopular, or disturbing. However, this protection applies only to speech that is lawful. Speech that breaches civil or criminal law is not protected and will not be permitted within the College.

The College operates under a strong presumption in favour of permitting lawful speech. However, freedom of speech is a qualified right, and there may be circumstances in which it is necessary and proportionate to restrict or regulate lawful speech in order to meet legal or regulatory obligations or to protect the rights and safety of others.

In determining whether any restriction or regulation of lawful speech is justified, the College will apply a proportionality assessment. This will include consideration of:

- whether the objective of the restriction is sufficiently important to justify limiting freedom of speech;
- whether the measure is rationally connected to that objective;
- whether a less restrictive measure could achieve the same outcome; and
- whether, balancing the impact on freedom of speech against the importance of the objective, the restriction is justified.

In applying these principles, the College will have regard to the relevant legal and regulatory framework, which may include:

- duties under equality law, including the Equality Act 2010 and the Public Sector Equality Duty;
- obligations under human rights law, including the Human Rights Act 1998;
- relevant criminal law provisions relating to harassment, public order, communications, and terrorism;
- duties under the Counter-Terrorism and Security Act 2015 (the 'Prevent'

- duty);
- obligations arising from charity law and the College's charitable purposes; and
- other applicable legal duties, including duties of care and Health and Safety obligations.

Where concerns arise in relation to proposed activities or events, the College will assess the risks and consider what steps, if any, are reasonably practicable to enable the activity to proceed lawfully. This may include the implementation of proportionate mitigating measures. Refusal to permit an activity will be a last resort and will require reasonable and lawful justification.

- 5.1. This is a complex area which can involve considering the interaction of various (often competing) laws, regulations, rights and duties. In its [Regulatory Advice](#), the OfS provides its commentary in this area and offers a number of case studies to support institutions to navigate these issues.³
- 5.2. For potential high risk events, the VP Operations and VP Academic will assist in considering the event, authorising approval for the event and determining the control arrangements that are required in order to allow it to take place. This may include consultation with appropriate third-parties, including the identified Regional Prevent Officer, and other agencies as necessary. Where required, this process will include the referral of the event to a scrutiny group, comprising relevant College employees such as the Registrar, Chaplain, Director of Communications, Marketing and Student Recruitment, and, depending on the matter under discussion, any other member of the College required by the scrutiny group. The Registrar, Chaplain and Director of Communications will notify, in writing, the College Core Leadership team of the decision reached following such escalation
- 5.3. The College's starting point will be seeking to ensure that events may proceed, in recognition that refusing permission is undesirable and should be the exception. The College will not refuse to allow events to be organised and held without reasonable grounds for doing so. The expression of controversial views which do not breach the law will not constitute reasonable grounds for withholding permission for an event. Reasonable grounds for refusal would include, but are not limited to, the fact that the event will or is likely to:
 - 5.3.1. give rise to a breach of the peace.
 - 5.3.2. incite those attending to commit an unlawful act.
 - 5.3.3. lead to the unlawful expression of views.
 - 5.3.4. be in direct support of an organisation whose aims or objectives are illegal.
 - 5.3.5. infringe the legal rights of others, for example under equality law.
 - 5.3.6. raise Health and Safety or security concerns that cannot be satisfactorily managed.
- 5.4. The College shall permit the use of College property and resources only by organisers of events who undertake to comply with all lawful instructions issued by the College in relation to the location, arrangements and conduct of such events, including adequate stewarding and moderating, chairing, monitoring, and the provision of

³ The College will be offering further guidance to our community, including through training, in due course.

adequate control over entry.

6. Conduct of Meetings

- 6.1. Anyone attending College or Student Council events is expected to behave in a manner consistent with the College's values, including respect for freedom of thought and speech, mutual understanding, and tolerance towards others.

7. Complaints

7.1. Where an employee or student (and other individuals as outlined in paragraphs 7.2 below) considers that their right to freedom of speech, or (in the case of academic staff) academic freedom, has been breached, they may raise a complaint with the College. Complaints will be considered in accordance with the principles set out in this Code and the associated Policy on Freedom of Speech and Academic Freedom.

7.2. Upon receipt of a complaint, the College will consider which College procedure is most applicable. In the first instance:

- 7.2.1. Students may raise a complaint via the relevant student complaints procedure;
 - 7.2.2. Employees may raise a complaint under the relevant staff grievance procedure;
 - 7.2.3. Former employees and students, visiting speakers (actual or invited), and unsuccessful applicants to academic posts may submit a complaint via the College's designated complaints route;
 - 7.2.4. Complaints relating to Student Council events or activities may be raised via the appropriate Student Council or College procedure.
- 7.3. The Office for Students (OfS) intends to operate a free speech complaints scheme. Once operational, this will enable members of staff and visiting speakers to raise complaints externally. Further information will be published by the OfS in due course.
- 7.4. Students may also raise external complaints with the Office of the Independent Adjudicator for Higher Education, in accordance with its rules

Breach of Code

- 7.5. A student or employee in breach of this Code may be subject to action under the relevant College procedure.
- 7.6. Where those responsible for the breach are students or employees of a partner organisation of the College, the Registrar, VP Academic and Principal (or nominee) shall inform the partner organisation to enable that organisation to assess appropriate action under its relevant procedures.
- 7.7. Where a breach of this Code takes place at an event and the police initiate an investigation, the College will engage with any police enquiries.

Communication and review

- 7.8. This Code and the associated College Policy on Freedom of Speech and Academic Freedom shall be brought to the attention of all students and employees at the College at least once a year.

- 7.9. This Code will be reviewed at least every three years or earlier, if significant changes are required.

8. Policy Content

Version amendment history		
Version	Date	Reason for change

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