



Kellogg College

University of Oxford

## Kellogg College Code of Practice on Freedom of Speech

The following Code of Practice on Freedom of Speech was approved by the Governing Body of Kellogg College on **18 June 2025**.

### 1. Introduction

- 1.1 This Code of Practice sets out Kellogg College's values and expectations relating to freedom of speech and academic freedom and how these values and expectations are applied to College activities.
- 1.2 Freedom of speech means the freedom, within the law, to receive and impart ideas, opinions or information by means of speech, writing or images (including in electronic form).
- 1.3 Academic freedom is a separate, but complementary right protected under the Regulation and Bylaws of the College. It applies, in relation to academic staff at the College and, means their freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, including their opinions about the College, without institutional censorship and without placing themselves in jeopardy of losing their jobs or privileges.
- 1.4 References in this Code of Practice to "College premises" means land, buildings, or other premises owned, leased or occupied by the College or under the day-to-day control of the College.
- 1.5 The University and the Oxford Students' Union each have their own Codes of Practice on Freedom of Speech.

### 2. Legislative framework

- 2.1 The legal duty of UK universities to protect free speech is enshrined in the Education (No 2) Act 1986. Academic freedom is defined under the Education Reform Act 1988. Academic freedom of speech is also protected under Article 10 of the European Convention on Human Rights (subject to Article 17) which has effect in the UK through the Human Rights Act 1998.
- 2.2 Section 43 of the Education (No 2) Act 1986 states that:
  - 1) Every individual and body of persons concerned in the government of any establishment to which this section applies shall take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers<sup>1</sup>.
  - 2) The duty imposed by subsection (1) above includes (in particular) the duty to ensure, so far as is reasonably practicable, that the use of any premises of the establishment is not denied to any individual or body or persons on any ground connected with:
    - a) the beliefs or views of that individual or of any member of that body; or

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<sup>1</sup> A "visiting speaker" means a person who has been invited to speak at the College by a member, student or College employee acting in their capacity as a member, student or College employee.

b) the policy or objectives of that body.

- 2.3 Section 3 of the Education (No 2) Act 1986 states further that the governing body must maintain a code of practice setting out certain matters relating to meetings and activities, which are addressed in this document.
- 2.4 Whilst the College is not a registered higher education provider as defined by the Education (No 2) Act 1986 and therefore not directly subject to the duty outlined above at 2.2, the College has chosen to set out a Code of Practice in line with these principles.

### 3. Values

- 3.1 Freedom of speech and academic freedom are central tenets of College life and must be robustly protected.
- 3.2 In all its activities, the College seeks to:
- 1) secure and promote civic and academic freedoms including freedom of speech;
  - 2) ensure a very high level of protection for the lawful expression of a viewpoint and for speech in an academic context; and
  - 3) foster a culture of openness and inclusivity, in which members of our community engage with each other, and the public, in debate and discussion, and remain open to both intellectual challenge and change.
- 3.3 Inevitably, this will mean that members of the College are confronted with views that some find unsettling, extreme or offensive. Nevertheless, in fostering a culture of free, open, and robust debate and discussion, the College encourages all concerned to critically engage with one another in a courteous manner.
- 3.4 The College believes that its community and its educational mission are strengthened when, within the bounds prescribed by law, the views which any member of our community considers relevant are given a fair opportunity to be heard. The College also believes that academic enquiry and debate are enhanced when, as appropriate, views are exposed to evidence-based questioning of an argument, and when all such exchanges occur peacefully and courteously.
- 3.5 With appropriate regulation of the time, place and manner of events, members of our community should have no reasonable grounds to feel intimidated or censored.

### 4. Conduct

- 4.1 The College is committed to fostering an inclusive culture which promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all members of the College community are respected. In accordance with the terms of the [College Code of Conduct](#), the College does not tolerate any form of harassment or victimisation and expects all members of the College community, its visitors and contractors to treat each other with respect, courtesy and consideration.
- 4.2 Peaceful protest is a legitimate expression of freedom of speech. However, such protest must not shut down debate nor cause substantial disruption to College activities. The courtesy which the College expects all members of the College community to demonstrate towards each other is particularly important where it comprises acceptance of the right of others to speak freely and exercise their academic freedom. Staff, students and members of the College wishing to protest either on College Premises or on non-College premises in a manner which may disrupt College activities, must seek permission in advance by referring the matter under the Procedure for Meetings and Events set out in Annex A of this Code. Carrying out such protests without permission may lead to disciplinary action under the relevant procedures (as set out in paragraph

- 4.3). The College may also take action to remove any unauthorised encampment or occupation under its common law power of removal or by court proceedings. The Proctors have published Guidance on Demonstrations or Protests, which is available as Annex B to this Code.
- 4.3 Complaints about the behaviour of individuals should be made under the appropriate procedure:
- 1) Complaints about staff members should be made to the College's HR Manager.
  - 2) Complaints about students should be made following procedures in the [College's Code of Conduct](#).
  - 3) Complaints about others should in the first instance be made to the President of Kellogg College.
- 4.4 Complaints that arise in the University context (i.e. in the course of University activity or on University premises) should normally be made to the University.
- 4.5 All activity must be risk assessed and planned in accordance with the College's [Health and Safety Policy](#).

## 5. College Activities

- 5.1 The College ensures that its teaching, research, policies and procedures reflect its duties to ensure, so far as is reasonably practicable, freedom of speech and academic freedom within the law.
- 5.2 In making decisions or adopting policies which might reasonably be foreseen as likely to impact freedom of speech directly or indirectly (and positively or negatively), the College will take into account:
- 1) the importance of academic freedom (as defined by the Education Reform Act 1988);
  - 2) the need to take reasonably practicable steps, to ensure that freedom of speech within the law is secured for members, students and employees of the College and for visiting speakers (as required eg by the Education (No 2) Act 1986);
  - 3) the rights and freedoms enshrined in the European Convention on Human Rights and incorporated into domestic law by the Human Rights Act 1998;
  - 4) the Public Sector Equality Duty established by the Equality Act 2010 which requires universities to have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity, and foster good relations between different groups; *and*
  - 5) the [Counter-Terrorism and Security Act 2015](#) which requires universities to 'have due regard to the need to prevent people from being drawn into terrorism' (section 26 (1)) and which also provides that 'when carrying out the duty imposed by section 26 (1)', universities 'must have particular regard to the duty to ensure freedom of speech; and to the importance of academic freedom.'
- 5.3 A breach of this Code may lead to disciplinary action being taken under the appropriate College procedure (including the Code of Conduct).
- 5.4 Complaints that the College has breached its duties in relation to freedom of speech may be raised by college members and staff through the usual complaint routes. A complaint may also be brought by a former student where their complaint relates to events which occurred while they were a student and which impacted them in that capacity, normally within three months of ceasing to be a student. The appropriate procedure for raising such complaints is as follows:
- 1) complaints by members of staff should be addressed under any applicable grievance procedure unless they are related to other complaints and/or form part of an existing complaint, and/or fall under the scope of another staff procedure, in which case they should

- be raised within the procedure associated with those other complaints (eg the Harassment or disciplinary procedure);
- 2) complaints by students should be raised under the [Student Procedure for Complaints and Academic Appeals](#) within 3 months of the incident taking place, unless they are related to other complaints and/or form part of an existing complaint under another procedure in which case they should be raised within the procedure associated with those other complaints (eg the Harassment Procedure etc);

On receipt of any such complaint, the College will consider the most appropriate procedure to be followed, in consultation with relevant colleagues and the complainant and in some cases they may refer the matter to be considered under a different more appropriate procedure.

## 6. College Meetings and Events

- 6.1 Through the implementation of this Code, the College takes reasonably practicable steps to ensure that freedom of speech within the law is secured within its community. The College acts in a risk-based and proportionate manner with a presumption that events organised by College members should be allowed to go ahead, provided that they are within the law and do not shut down debate, pose unacceptable risk, or cause material disruption to college activity or impose an undue financial burden on the College. Cancellation of events is undesirable and should be exceptional.
- 6.2 A member or employee of the College who is organising a meeting or event (including those that take place online) (the “Organiser”) is responsible for assessing those meetings and events in the context of this Code, rules and procedures made by the College Events Office, and other relevant College policies. The Organiser **MUST** follow the procedure outlined in **Annex A** to this Code in any of the following circumstances:
  - 1) the meeting or event is likely to give rise to an environment in which people will experience, or could reasonably fear, discrimination, harassment, intimidation, verbal abuse or violence, particularly (but not exclusively) on account of their age, disability, gender reassignment, marriage or civil partnership, pregnancy, maternity, race, religion or belief, sex or sexual orientation;
  - 2) the event is a protest<sup>2</sup> which is intended to take place on College premises and/or in a manner which may disrupt College activities, including by any person<sup>3</sup> occupying or setting up camp on College premises;
  - 3) the event risks causing damage to College premises; loss or damage to any person or putting the College in breach of its legal, contractual, or regulatory obligations;
  - 4) the event may shut down debate or prevent others from speaking freely or exercising their academic freedom; *and/or*
  - 5) the meeting or event is likely to pose a risk to the safety of any person.

If Organisers are in any doubt or have any questions or need for further information, they are encouraged to discuss the situation with Domestic Bursar in the first instance, and then seek advice, as appropriate, from the College Dean and the University Security Services. No meeting or event which is proposed to be held on College premises may be refused, cancelled or altered as a result of the beliefs or views (in the case of an individual, or a member of a body) or the policy or objectives (in the case of a body) of the individual or body seeking to hold the meeting or event save as a result of consideration by the College Dean.

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<sup>2</sup> Protest includes any demonstration, protest, rally or similar event

<sup>3</sup> “Person” means any natural person, corporate or unincorporated body

- 6.3 Meetings and events booked by anyone who is not (at the date of the meeting or event) a current member or employee of the College are subject to a separate policy, and are not covered by this Code of Practice.

## 7. Monitoring and review

- 7.1 The Dean of Kellogg College will review the contents and operation of this Code of Practice annually, and report on its operation and recommend amendments to it for consideration by Governing Body as appropriate or necessary.

## ANNEX A: Procedures for Meetings and Events

- A1. This Annex is issued under section 6.2 of the College's Code of Practice on Freedom of Speech (the "Code").
- A2. Where a meeting or event falls under section 6.2 (a)-(e) of the Code, the Organiser should formally notify the meeting or event to the College Dean. Such notice should normally be given at least two weeks prior to the event taking place. It should be sent by email with Cc to the [College Events Office](#).
- A3. In the context of this Code, the College Dean is entrusted with the duty to assess the implications of events formally referred to them and to act in accordance with the College's legal responsibilities, including as set out in the conduct and procedures in this Code.
- A4. On receipt, the case will be assessed by the College Dean who will consult with College Staff and other officers as appropriate. The starting point, for the College Dean considering a particular event, will be that the event should be allowed unless there are compelling and exceptional reasons for it not to proceed.
- A5. As required by section 12 of the Terrorism Act 2000, the College Dean will not give permission to hold a meeting or event where it is known that:
- 1) the proposed speaker belongs to, or professes to belong to, a [proscribed organisation](#); or
  - 2) the proposed speaker will use the event to support, or to further the activities of, a proscribed organisation.
- A6. In exceptional circumstances, it may be reasonable to refuse permission for a College meeting or event where the College Dean reasonably believes (from the nature of the speakers or from similar activities in the past whether held at the College or otherwise) that:
- 1) the views likely to be expressed by any speaker are contrary to the law;
  - 2) the intention of any speaker is likely to incite breaches of the law or to intend breaches of the peace to occur;
  - 3) the views likely to be expressed by any speaker are for the promotion of any illegal organisation or purpose, including organisations listed on the government's list of proscribed terrorist groups or organisations;
  - 4) the event is likely to shut down debate or prevent others from speaking freely or exercising their academic freedom;
  - 5) the event is a protest which involves any person occupying or setting up camp on College Premises;
  - 6) the event is likely to involve the use of College Premises for any purpose or in any manner that may cause damage to College premises or loss, damage, or injury to any person or put the College in breach of its legal, contractual, or regulatory obligations;
  - 7) the event is likely to cause substantial disruption to College activities which cannot be mitigated by conditions imposed by the College Dean under paragraph A8; *and/or*
  - 8) it is in the interest of public safety, the prevention of disorder or crime, that the meeting does not take place.
- A7. The lawful expression of controversial or unpopular views will not in itself constitute reasonable grounds for withholding permission for a College meeting or event.
- A8. Where the College is reasonably satisfied that the otherwise lawful expression of views at an event or meeting on College Premises is likely to give rise to disorder or threats to the safety of

any person, they shall consider what steps it is necessary to take to ensure the safety of all persons and the security of College Premises. This might include postponing or relocating a meeting or event or imposing conditions as to the time, place, and/or manner of the meeting or event. The responsibility for fulfilling these conditions rests with the Organiser.

- A9. The College will usually carry out a risk assessment for each meeting or event falling under this Code of Practice. Event organisers will need to help to facilitate this risk assessment.
- A10. Where the College decides that the meeting or event requires security, reasonable security costs must be met by the Organiser within the timeframe specified by the College.
- A11. Where the visiting speaker could reasonably be expected to have their own security because of the political or state office they hold the College will not usually be involved in additional security arrangements.
- A12. In the event that:
- 1) a meeting or event falls under section 6.2 (a)-(e) of the Code but the Organiser does not notify the College Dean; *or*
  - 2) the College Dean considers that the risks cannot be mitigated by the imposition of conditions; *or*
  - 3) the College Dean reasonably believes that the Organiser will not comply with the conditions,
- then in each case the College Dean can refuse consent for the meeting or event to go ahead and/or cancel the meeting or event.
- A13. If the Organiser does not comply with the College's conditions or goes ahead with the meeting or event after the College Dean has refused consent or cancelled the meeting or event then such action may lead to disciplinary action under the relevant procedures (as set out in paragraph 4.3) and where relevant the College may remove any unauthorised encampment or occupation under its common law power of removal or by court proceedings.
- A14. The College Dean will communicate their decision promptly and will set out the reasons for the decision.
- A15. If any student or member of staff is dissatisfied with the decision of the College Dean in relation to a meeting or event, they may refer the matter under the relevant complaints procedure set out in section 5.4 above.

## ANNEX B: Guidance on Demonstrations or Protests

This Guidance is issued under section 4.2 of the College's Code of Practice on Freedom of Speech (the "Code"), and is based on University guidance issued by the Proctors on 25th September 2024.

We uphold freedom of speech within the law, as outlined in the College's Code of Practice on Freedom of Speech.

Free, open and robust discussion is essential to our academic community. However, such a culture can only be maintained when all participants engage with each other in ways which may be critical but which are courteous. The College does not tolerate harassment or victimisation in any form. We expect all members of the College community, as well as visitors and contractors, to treat each other with respect, courtesy, and consideration. Please refer to the College Code of Conduct.

The College is committed to fostering an inclusive culture that promotes equality and which values diversity. The College has a responsibility to maintain a safe, effective, and welcoming environment for all our students, staff, and visitors.

A demonstration or protest will fall within the College's procedures for meetings and events (as set out in section 6 of the Code of Practice on Freedom of Speech). As such organizers must contact the College in advance, following the procedure set out in that section and Annex A above, and a risk assessment will be required. The College has a duty to facilitate protests and will work with organisers to ensure that protests can take place but do not violate the College Statutes and hence result in disciplinary procedures. The College Dean can be contacted through email.

College members participating in protests are required to identify themselves to College officials when requested to do so. Failure to do so is a breach of Statute XI, which all students with a contract to study at Oxford must abide by.

Students will face disciplinary investigation if the [University Statutes](#) are breached. The following extract from [Statute XI](#) are examples of clauses in the Statutes which are relevant to protests:

No member of the University shall in a university context intentionally or recklessly:

- (a) disrupt or attempt to disrupt teaching or study or research or the administrative, sporting, social, cultural, or other activities of the University;
- (b) disrupt or attempt to disrupt the lawful exercise of freedom of speech by members, student members, and employees of the University or by visiting speakers;
- (c) obstruct or attempt to obstruct any officer, employee, or agent of the University in the performance of his or her duties;
- (d) deface, damage, or destroy or attempt to deface, damage or destroy any property of the University or any college or any other individual or knowingly misappropriate such property;
- (e) occupy or use or attempt to occupy or use any property or facilities of the University or of any college except as may be expressly or impliedly authorised by the university or college authorities concerned;
- (g) engage in action which is likely to cause injury or to impair safety;
- (h) engage in violent, indecent, disorderly, threatening, or offensive behaviour or language;
- (j) disobey a reasonable instruction given within their authority by one of the Proctors or their deputies;
- (k) refuse to disclose his or her name and other relevant details to an officer or an employee or agent of the University or of any college in circumstances where it is reasonable to require that that information be given;



Contravening any Statute may lead to the following possible consequences, under which the University may:

- (a) issue the student member with a written warning;
- (b) require the student member to attend a programme of education;
- (c) require the student member to enter a temporary or permanent restriction on contact with a named individual or individuals;
- (d) impose a fine of such amount as it thinks fit;
- (e) suspend the student member's access to or exclude the student member from University accommodation or require the student member to move to other University accommodation (subject to the terms of the student member's lease);
- (f) order the student member to pay compensation to any individual or body suffering injury, damage, or loss as a result of the student member's conduct;
- (g) issue directions in relation to the future provision of references for the student member;
- (h) make an order banning the student member from specified University premises or facilities for such period or on such terms as it thinks fit;
- (i) subject to endorsement by the relevant college, make an order banning the student member from specified college premises or facilities for such period or on such terms as it thinks fit;
- (j) suspend the student member for such period as it thinks fit.

In addition to actions that the College may take under its Bylaw, unauthorised occupation of College land or buildings may lead to legal action including the College issuing court possession proceedings or exercising its common law power of removal.