

**Freedom of Speech Report 2024**

BMet College has a legal duty to ensure freedom of speech for all staff, students and wider stakeholders within the law. This report highlights the current position of freedom of speech at the College and the ongoing activities that ensure we meet our legal obligations regarding this duty. It includes a summary of activities that the College undertakes to ensure that freedom of speech is protected as well as an outline of new legislation that impacts on our approach to freedom of speech with regard to our Higher Education provision.

**Freedom of Speech at BMet**

The College sets out its responsibilities with freedom of speech in the Freedom of Speech policy which is supported by the Diversity and Inclusion Policy, the Positive Behaviour; Ready Respectful and Safe policy and the Child Protection and Safeguarding policy (including the external speakers vetting procedure in Appendix 4).

**Policy**

In early 2024 BMet revised its Freedom of Speech policy employing the College’s Policy Development process as part of its review. This involved consultation with staff and students via an online feedback form and consideration and discussion of the policy at staff networks.

As a result, the new policy has additions of:

* 2.1 –The Higher Education (Freedom of Speech) Act 2023 and the Office for Students (OfS) free speech complaints scheme.
* 4.1 – the statement - “staff will not promote partisan views and will ensure political statements are balanced and objective” in the context of encouraging free discussion through teaching and learning activities, allowing for exploration, challenge and debate of contentious matters
* 5.3 – Complaints and Compliments Policy as a supporting document.

The policy was approved by SLT on 25th March 2024.

Consideration was given to feedback on the inclusion of the IHRA’s definition of Anti-Semitism and a decision was made to retain this in the policy.

See the policy here [Microsoft Word - 2021 12 20 Policy - Freedom of Speech (bmet.ac.uk)](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.bmet.ac.uk%2Fwp-content%2Fuploads%2F2024%2F04%2FPOL-241_Freedom-of-Speech-Policy_Mar-2024.pdf&data=05%7C02%7CStacy.Fan%40bmet.ac.uk%7C9c986302c1de42e632ca08dc86c553b9%7C51aed29d2b2c40e1bc910a58503ecf06%7C0%7C0%7C638533431224543018%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=2vQl0ugSthSgEDX26j9NbNA572KqaMR8TXSoH4DbNRU%3D&reserved=0)

**Requests to host external speakers**

In 2023/2024 (year to date) 239 requests for external speakers were submitted with 238 approved and 1 declined (due to no background checks having been completed).

In 2022/23 200 requests for external speakers were submitted with 186 approved and 6 declined (due to no background checks having been completed and/or insufficient notice provided).

**Complaints**

In the 2023/24 (year to date) there have been 48 complaints. One had an element which related to a student’s curtailment of freedom of speech. The complaint was not substantiated.

In 2022/23 there were 49 formal complaints. None had an element concerning freedom of speech.

**New legislation - The Higher Education (Freedom of Speech) Act**

As a provider of higher-level programmes the College is now required to meet the new duties of the Freedom of Speech legislation. The Act strengthens freedom of speech and academic freedom in universities, colleges and their student unions in England. The Act gives the Office for Students an enhanced role in promoting free speech.

The Act requires providers to take steps to ensure lawful freedom of speech including a code of practice to demonstrate how they secure and promote academic freedom and freedom of speech. This does not include unlawful speech such as harassing others or inciting violence or terrorism.

BMet’s policy sets out how this works by taking into account other legislation and BMet’s guide provides practical examples. [5. Freedom of Speech Guide.docx (sharepoint.com)](https://livebmetcac.sharepoint.com/:w:/r/sites/DiversityInclusion/_layouts/15/Doc.aspx?sourcedoc=%7BCBECBDFF-4FEF-41DF-9DF9-3C53CA3E6989%7D&file=5.%20Freedom%20of%20Speech%20Guide.docx&action=default&mobileredirect=true)

The College’s HE Scholarship Policy outlines how the college commits to its responsibilities in connection with ethical guidelines for educational research. The panel will give due consideration to any potential freedom of speech issues which may arise from proposed research activities.

As part of the legislation a new free to use complaints scheme will be operated by OfS giving students, staff and visiting speakers the right to bring claims to court if they feel they have suffered loss as a result of free speech rights being unlawfully restricted.

**OfS Consultations**

The OfS have consulted on how the new duties should be regulated and how the new complaints scheme should operate. BMet took a thorough approach in responding to these consultations with two small working groups reviewing, agreeing and submitting responses. Publication of outcomes of the consultations is due in the summer of 2024